

**ANGUS COUNCIL**

**CIVIC LICENSING COMMITTEE – 24 MARCH 2022**

**SAFETY OF SPORTS GROUNDS ACT 1975**

**REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT**

The purpose of this report is to seek confirmation of General Safety Certificates in terms of the Safety of Sports Ground Act 1975 and Fire Safety and Places of Sport Act 1987, where there are no objections or representations, following consultation and upon the recommendation of the interim Angus Council Safety Advisory Group (SAG).

**1. RECOMMENDATIONS**

It is recommended that the Committee:

- (i) confirms the General Safety Certificates detailed in **Appendix 1** in terms of the Safety of Sports Grounds Act 1975 the Fire Safety and Places of Sport Act 1987; and
- (ii) delegates authority to the Director of Legal and Democratic Services, or her nominated representative, to sign letters of confirmation to give effect to this decision.

**2. ALIGNMENT TO THE COUNCIL PLAN**

This Report contributes to the achievement of our priority that the council is efficient and effective as detailed in our Council Plan for 2021 – 2024 and contributes to the outcomes contained within the Angus Community Plan and Council Plan, which focus on Economy, People, Place and Our Council:

PLACE • Safe, secure, vibrant and sustainable communities

**3. BACKGROUND**

- 3.1 The Safety of Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987 sets out functions which sit with local authorities in relation to the certification of “designated sports grounds” and “regulated stands” as to their safety to accommodate spectators. One of the functions under these Acts relates to the issuing of General Safety Certificates. When a General Safety Certificate is issued, it thereafter requires to be confirmed by the Authority on an annual basis.
- 3.2 The functions under the 1975 Act originally sat with the Regional Council before passing to the new Councils in 1996. When these functions sat with the Regional Tayside Council, it discharged these functions largely in liaison with the Tayside Ground Safety Inspection Team (TGSIT). This Inspection Team was a multidisciplinary group of officers comprising technical staff, buildings authority staff, police, fire and ambulance services’ representatives and first aiders. The Legal and Democratic Services department were represented on the group to carry out the secretarial work of the team in relation to Angus.
- 3.3 When the functions were passing from the Regional Council to Angus Council, in 1996, the Council decided, through the Civic Licensing Committee, to continue the practice of discharging the majority of functions in liaison with the TGSIT. These delegations relate to powers of the TGSIT to enter sports grounds and inspect them and also in relation to the Director of Legal and Democratic Services to sign prohibition notices under section 10 of the Safety of Sports Ground Act 1975.

- 3.4 The TGSIT have, throughout this time, carried out their duties in terms of the issue of Safety Certificates and General Safety Certificates. On the 8 March 2021, the Council received notification that TGSIT would be disbanding. Council officers are still undertaking work to formally establish a new Angus Council Safety Advisory Group as recommended by the Local Government Football Review Working Group and by Sports Ground Safety Authority. An interim SAG comprising technical staff, buildings authority staff, police, fire and ambulance services' representatives and first aiders undertook these duties for 2021/22 and have recommended that the General Safety Certificates detailed in **Appendix 1** be confirmed following no objections being received. Certificates require to be confirmed annually in terms of the legislation.
- 3.5 The practice has previously been that the Director of Legal and Democratic Services, or her nominated representative, has signed off these certificates following consultation with the TGSIT. This report is brought to this Committee to provide clarity in relation to authorising the continuation of these certificates for the 2021/2022 season following the recommendations of the interim SAG, and for a confirmation decision to be made in respect of each sport ground. A further report will be brought to this Committee in order to clarify the Scheme of Delegation following the disbanding of the TGSIT and the formal setting up of the Angus Council Safety Advisory Group in this process.

#### **4. SCHEME OF DELEGATION**

The Standing Orders detail that functions for the Safety of Sports Ground Act 1975 sit with the Civic Licensing Committee of Angus Council.

#### **5. FINANCIAL IMPLICATIONS**

There are no financial implications arising as a result of this report.

#### **6. OTHER IMPLICATIONS (IF APPLICABLE)**

There are no human rights or equalities implications attached to this report.

#### **7. EQUALITY IMPACT ASSESSMENT**

A screening Equality Impact Assessment has been carried out and is attached.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

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|------------|--|
| Appendix 1 | List of General Safety Certificates    |
| Appendix 2 | Equality Impact Assessment – Screening |

**1. General Safety Certificate for Gayfield Park, Arbroath Football Club**

This is a designated sports ground with a capacity of 6600.

A General Safety Certificate has been in place since 30 September 2013.

On 12/01/2022 the interim SAG recommended that this be confirmed for the 2021/2022 season. No objections were received from any members of the interim SAG.

**2. General Safety Certificate for Glebe Park, Brechin City Football Club**

This is a sports ground with a capacity of 4083.

A General Safety Certificate has been in place since 30 June 2012.

On 12/01/2022 the interim SAG recommended that this be confirmed for the 2021/2022 season. No objections were received from any members of the interim SAG.

**3. General Safety Certificate for Station Park, Forfar Athletic Football Club**

This is a sports ground with a capacity of 6777.

A General Safety Certificate has been in place since 30 June 2012.

On 12/01/2022 the interim SAG recommended that this be confirmed for the 2021/2022 season. No objections were received from any members of the interim SAG.

**4. General Safety Certificate for Links Park Stadium, Montrose Football Club**

This is a sports ground with a capacity of 4936.

A General Safety Certificate has been in place since 30 November 2012.

On 12/01/2022 the interim SAG recommended that this be confirmed for the 2021/2022 season. No objections were received from any members of the interim SAG.



## Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

### Step 1

**Name of Proposal** (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

Confirm General Safety Certificates in terms of the Safety of Sports Ground Act 1975 and Fire Safety and Places of Sport Act 1987

### Step 2

Is this only a **screening** Equality Impact Assessment Yes

**(A)** If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people No

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics No

(iii) It is for information only No

(iv) It is reflective e.g. of budget spend over a financial year No

(v) It is technical Yes

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

**(B)** If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment Yes/No

Is this a Fairer Scotland Duty Assessment Yes/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

### Step 3

(i)Lead Directorate/Service:

(ii)Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

(iii)What is the aim of the proposal? Please give full details.

(iv)Is it a new proposal?      Yes/No      Please indicate      OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function?      Yes/No      Please indicate

### Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees                      Yes/No

Job Applicants                Yes/No

Service users                 Yes/No

Members of the public      Yes/No

**Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:**

**Internal data** (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

**Internal consultation** (e.g. with staff, trade unions and any other services affected).

**External data** (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

**External consultation** (e.g. partner organisations, national organisations, community groups, other councils.

**Other** (general information as appropriate).

### Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold?      Yes/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

**Step 7: Are there potential differential impacts on protected characteristic groups?** Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

**Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.**

Age

**Impact**

Disability

**Impact**

Gender reassignment

**Impact**

Marriage and Civil Partnership

**Impact**

Pregnancy/Maternity

**Impact**

Race - (includes Gypsy Travellers)

**Impact**

Religion or Belief

**Impact**

Sex

**Impact**

Sexual orientation

**Impact**

**Step 8: Consultation with any of the groups potentially affected**

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

**Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?**

**Step 10: If a potentially negative impact has been identified, please state below the justification.**

**Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?**

**Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?**

**Step 13: FAIRER SCOTLAND DUTY**

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

**Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?**

**Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.**

**Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from Covid-19.**

**Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.**

**Low and/or No Wealth** (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.

**Impact**

**Material Deprivation** (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

**Impact**

**Area Deprivation** (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport).

**Impact**

**Socio-economic Background** i.e. social class including parents' education, people's employment and income.

**Impact**

**Other** – please indicate

**Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.**

**Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?**

**Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?**

**Step 16: Sign off and Authorisation.** Please state name, post, and date for each:

Prepared by: Tina Magson, Team Leader – Legal Services on 15 March 2022

Reviewed by: Doreen Phillips, Snr Practitioner (Equalities) on 15 March 2022

Approved by: Alison Watson, Service Leader – Legal 15 March 2022

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.

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