

CUMBRIA COUNTY COUNCIL

Sports Grounds – Application procedure for a Safety Certificate

This is required under the Safety of Sports Grounds Act 1975 or the Fire Safety and Safety of Places of Sport Act 1987, where a licence in the form of a Safety Certificate is required to be issued by the local enforcing authority, Cumbria County Council (*hereafter known as the Council*), where sports or other competitive activities take place at an outdoor sports ground/stadium, either for the whole stadium or for a covered stand.

A Safety Certificate contains terms and conditions as required by the Council, legislation and national guidance, stating the specified activities permitted at the sports ground, maximum capacities allowed and any other specific requirements to ensure public safety and compliance with national guidance and legislation.

Do I require a Safety Certificate?

There are 2 types of Safety Certificates which are required by law to be issued under the following criteria:

General Safety Certificate

- a) for the whole ground where a sports ground/stadium holds a designated sporting event (football, rugby, cricket) and provides accommodation for more than 10,000 spectators (more than 5,000 in the case of association football matches in the Premier League or the Football League). This is known as a **Designated Ground** under the Safety of Sports Grounds Act 1975 and is required to be licensed;
- b) for a stand at any sports ground/stadium which provides covered accommodation in stands for 500 or more spectators (and is not within a designated sports ground as in a) above). This is known as a **Regulated Stand** under the Fire Safety and Safety of Places of Sport Act 1987 and is required to be licensed.

Both these Certificates will contain the specified activities permitted to be held at the ground e.g. football, rugby, speedway, cricket, athletics, motor/horse racing, etc. for an indefinite period and maximum number of spectators allowed.

For all other sports grounds/stands a Safety Certificate is not required to be issued, however, **all** outdoor sports grounds are subject to enforcement of spectator safety under the above and other associated legislation where artificial accommodation is provided for spectators to view said activities. This also applies to any natural structures artificially modified for the purpose.

Special Safety Certificate

- c) to hold a special event at a designated sports ground/stadium or involve a regulated stand, other than that which is listed as a specified activity in the General Safety Certificate already in force for that sports ground/stand.
The event can be a 'one off' event or a series of events.

These events might be activities which are in addition to the specified activities listed above in the General Safety Certificate, for which a Special Safety Certificate application is required, such as:

- (i) the playing of music or singing, or pop concert;
- (ii) any firework, pyrotechnic, special effects, or similar display;
- (iii) carnival, circus, fair, fun day, or similar open day event;
- (iv) any events involving the display or exhibition of vehicles or animals;
- (v) any other sporting event, apart from the specified activities above, involving track or field, athletics, ball games, physical prowess, or competitions of any description;
- (vi) any other use in addition to a specified activity which may require the prior approval in writing of the Council e.g. public meetings, etc.

A General Safety Certificate must be already in force for a Designated Ground or Regulated Stand before a Special Safety Certificate can be issued by the Council for this type of event.

The Applicant

General Safety Certificate

Any person can apply for a General Safety Certificate. The person being issued the General Safety Certificate will be known as the Holder. Prior to issuing the Certificate, this person will be interviewed by the Sports Grounds Licensing Officer on behalf of the Council to ascertain that the applicant is of good character and would be unlikely to contravene the terms and conditions of the licence.

In determining the validity of the application, the Council will make preliminary enquiries and inspections, following which the Council will issue its final determination within a 2 month period from the date of the notice.

Special Safety Certificate

Any person/ event promoter can apply for a Special Safety Certificate, but it is preferable that the application comes from the ground already holding the General Safety Certificate on behalf of the event promoter.

Where an event promoter wishes to hold an event at a licensed ground/stand, they should approach the idea to the ground management before applying to the Council for a licence. The Holder and ground Board must then satisfy themselves that the event is acceptable to take place safely and the promoter is of sound character, before approaching the Council for a licence.

Procedure

1. applicant should decide what type of Certificate is required as detailed above – General or Special Safety Certificate;
2. discuss the event/application with the Board or Holder;
3. once decided to proceed, use the Safety Certificate application form to apply to the Council for the issuing of a licence. Please complete only the sections relevant to your type of application. The form can be found at <http://www.cumbria.gov.uk/eventscalendar/sportsgroundssafety.asp>;
4. in the case of an application for a Special Safety Certificate the applicant should give at least **3 months** notice to the Council, preferably more, to allow for processing, along with event ticketing, advertising, any meetings, site visits and correction of deficiencies before the licence is issued allowing the event to go ahead;
5. the Sports Grounds Licensing Officer will review the application, consult with the other interested parties such as the police, fire, ambulance, Building Authority and any other relevant organisation involved, call any Safety Advisory Group meetings, arrange any site visits, or request any further documentation before issuing the Safety Certificate.*

*NB - In the case of a new Designated Ground, this will involve approaching the Department of Culture Media and Sport and creating a Statutory Instrument in Parliament, for which a longer time period than 3 months will be required.

Appeal

Any applicant that is refused the issuing of a licence by the Council has a right of appeal against the refusal to a Magistrates Court, within 28 days in the case of a General Safety Certificate and 7 days for a Special Safety Certificate.

Fees

Where a **General Safety Certificate** is issued to a new build stadium or stand, a fee will be charged for '*commensurate work actually and reasonably done*' by the Council. As each application is different in build and time, this fee will be discussed with the applicant following receipt of the application form.

As it is the Council's policy, in line with national guidance, to review and re-issue these Certificates on an annual basis, there will be no charge for commensurate work involved in the re-issuing, once the initial Certificate has been issued.

With regards to **Special Safety Certificates**, this will be dependant upon the size and nature of the event.

- a) for large or commercial events, a charge will be levied for commensurate work actually and reasonably done in the processing and issuing of the safety certificate;
- b) where the event is small and of local charitable benefit, the Council do not, at present, charge for the issuing of a Special Safety Certificate at a licensed ground. Cumbria County Council supports local sports grounds, especially as they also play a vital role in the local community, along with local charity organisations that are of benefit to their local area. As the applicant normally pays a fee to the ground for their hosting of the event, the enforcing authority will continue to support this by not charging an additional fee for the issuing of a Special Safety Certificate, as any monies given to the ground by the applicant assists in the maintenance and upkeep of the local sports ground.

Application time (tacit agreement)

Following receipt of the completed application form, the applicant will receive an acknowledgement within **15 working days**. This acknowledgement is the start of the application process and does not indicate automatic issue of the licence, which will only be issued subject to final approval by this enforcing authority. It is in the public interest that this authority must process your application before it can be granted.

Prior to issue, application details will be confirmed through dialogue and discussion with the applicant, meeting(s) or on site inspections where applicable.

Following verification of the above to the satisfaction of the Council, a licence will be issued to the applicant. This licence will contain such terms and conditions that the applicant will have to abide by in order to meet the requirements of the licence.

Please note that due to each application having different requirements or complexity of any issues, the time period between the commencement of the application process and final issue of the licence will vary between applicants. However, during this period, contact and dialogue will be maintained between the applicant and licensing authority, and time allowed for the applicant to carry out any remedial work required by the enforcing authority.

If you have not heard from Cumbria County Council within the 15 working days of sending in an application, please contact us using the details below.

Contact

For further information or advice, or submitting an application for a Safety Certificate, contact:

Trading Standards
County Offices
Busher Walk
KENDAL
LA9 4RQ

Tel: 01539 713594
Fax: 01539 713580

Email: For safety certificate application - trading.standards@cumbria.gov.uk
For general enquiries – trading.standards@cumbria.gov.uk