

At a meeting of the REGULATORY COMMITTEE held in the CIVIC CENTRE on MONDAY, 3rd SEPTEMBER, 2012 at 2.00 p.m.

Present:-

Councillor Wilson in the Chair

Councillors Bell, Dixon, Emerson, Errington, Farthing, P. Gibson, MacKnight, Mordey, D. Richardson, D. Smith, Thompson and Wiper.

Declarations of Interest

Councillors Bell and Emerson declared an interest in item 4 as they were SAFC Season Ticket holders.

Councillor Emerson declared an interest in item 13 as the applicant was known to him.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Bonallie and Waller.

Minutes of the Last Meeting of the Committee held on 23rd July, 2012 Part I

1. RESOLVED that the minutes of the last Ordinary meeting of the Committee held on 23rd July, 2012 Part I (copy circulated) be confirmed and signed as a correct record.

Sunderland Stadium of Light – Restriction on General Safety Certificate

The Deputy Chief Executive submitted a report (copy circulated) which requested the Committee to give consideration to the imposition of a limit on the number of tickets being made available to visiting Liverpool fans for the fixture on Saturday 15th September 2012.

(For copy report – see original minutes)

2. RESOLVED that:
 - a. The limit of 2400 visiting fans for the fixture with Liverpool on Saturday 15th September 2012 be approved on the grounds of authorising the Club to take

all necessary precautions for the reasonable safety of spectators at these games as per condition 4.

- b. The Deputy Chief Executive be authorised to follow such procedure and issue such notice needed to obtain compliance with the proposed restriction.

Reforming the Law on Taxi and Private Hire Services – A Consultation Paper by the Law Commission

The Executive Director of City Services submitted a report (copy circulated) which sought the Committees approval to respond to a consultation document by the Law Commission with regard to the proposed reform of the law relating to taxi services in England and Wales.

(For copy report – see original minutes)

3. RESOLVED that consideration be given to the proposed responses to the consultation document and the response be sent to the Law Commission.

Consideration of a Proposal to Vary the Street Trading Consents in Respect of Traders Operating in the Vicinity of Stadium of Light

The Executive Director of City Services submitted a report (copy circulated) which requested the Committee to give consideration to a proposal to vary the street trading consents of traders authorised to operate in the vicinity of the Stadium of Light on the days when high risk football matches take place.

(For copy report – see original minutes)

Tom Terrett, Trading Standards and Licensing Manager, in response to queries from Members advised that the Police determined which matches were ‘high risk’ and traditionally the only high risk games had been those involving Newcastle and Middlesbrough. The variation to the license would see the traders being required to cease trading at the start of the match and then vacate their pitch by half time.

4. RESOLVED that all street trading consents authorising trading in the vicinity of the Stadium of Light be terminated as soon as the match was scheduled to commence where the match was designated as high risk by Northumbria Police.

Local Government (Miscellaneous Provisions) Act 1982 Applications for Grant of Consent to Trade in a Designated Area On the Premises of Unit 1A and Unit 1B Stobart Street, Sheepfolds Industrial Estate, Sheepfolds, Sunderland – Mr G. R. Cooper

The Executive Director of City Services submitted a report (copy circulated) which requested Members to give consideration to the two applications received from Mr Cooper for the grant of consent to trade in a designated area in respect of sites situated on the premises of Units 1A and 1B Stobart Street, Sheepfolds Industrial Estate, Sheepfolds, Sunderland.

(For copy report – see original minutes)

5. RESOLVED that consent be granted to trade from the sites of units 1A and 1B Stobart Street, Sheepfolds Industrial Estate, Sheepfolds, Sunderland on any day upon which a football match is to be played at the Stadium of Light.

Local Government (Access to Information) (Variation) Order 2006

6. RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during consideration of the remaining business as it was considered likely to include the disclosure of exempt information relating to an individual and the financial or business affairs of a particular person (including the Authority holding that information). (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1 and 3).

(Signed) A. WILSON,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

Additional minutes in respect of further items are included in Part II.

**SUNDERLAND STADIUM OF LIGHT – RESTRICTION ON GENERAL
SAFETY CERTIFICATE**

Report of the Deputy Chief Executive

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to recommend to Committee that a limit be imposed upon the number of tickets made available by Sunderland Association Football Club to the visiting fans of Newcastle United for the fixture on Sunday 21 October 2012.

2.0 BACKGROUND

- 2.1 The Safety of Sports Grounds Act 1975 requires that the General Safety Certificate contains a safe capacity relating to the maximum number of spectators permitted to enter the stadium for the specified activity.
- 2.2 The setting of that capacity involves assessment both of the design and physical conditions of the stadium together with the Club's ground safety management structure.
- 2.3 Since the advent of the "all seated" stadia which came about as a direct result of the recommendations made by Lord Justice Taylor into the Hillsborough Disaster, an emerging trend for fans, particularly those of visiting teams, to stand in seated areas has been noted.
- 2.4 This action of fans standing in seated areas is recognised as a major safety concern as it introduces the risk of injury to spectators and others from falls, surging and crushing.
- 2.5 The ability of the Club to manage the crowd, and access into the crowd by Police, Ambulance Service or St Johns is severely affected due to the blocking of stairways, gangways and vomitories.
- 2.6 The action also impacts upon customer care as spectators behind standing fans have no alternative but to do likewise whether they wish to stand or not.
- 2.7 The Sports Grounds Safety Authority (formerly the Football Licensing Authority) recognises the problem and in August 2002 together with other representative bodies within Association Football produced a document "Standing in Seated Areas at Football Grounds" outlining the problems associated with such action. The document is reviewed by all co-signatories at stocktaking meetings held every 6 months.

- 2.8 In 2005 the Chief Executive of the former Football Licensing Authority wrote to all Chief Executives of Certifying Authorities reminding them of their roles and responsibilities in respect of fans standing in seated areas and requesting that they instruct Safety Advisory Groups to take up the issue. This instruction was repeated in 2008 due to an increase in the scale of the problem.
- 2.9 In 2009 Crowd Dynamics, a consultancy specialising in safety and crowd behaviour was commissioned by the Premier League to conduct a study into the safety issues arising from fans standing in seated areas.
- 2.10 The resulting report stated that progressive crowd collapse is not possible if the crowd is all seated and only standing at moments of excitement. However it said that a standing crowd jumping in excitement carries a higher risk of a progressive crowd collapse and that aggravating factors such as the rake of the deck and whether the crowd is dynamic or stable will significantly affect the likelihood of progressive crowd collapse.
- 2.11 The report went on to say that “the impact of this can be significant and as such, standing in seated areas must be regarded as a significant risk.”
- 2.12 The General Safety Certificate issued to the Club under the safety of Sports Grounds Act 1975 states in Condition 4 “The Holder (Club) shall retain control over the whole or each part of the sports ground and shall take all necessary precautions for the reasonable safety of spectators admitted to the sports ground. The responsibility for the safety of the spectators at the sports ground lies at all times with the Holder, who shall produce a written statement of Safety Policy”.
- 2.13 The Club’s own Ground Regulation 13 states that “Nobody may stand in any seating area whilst play is in progress. Persistent standing in seated areas whilst play is in progress is strictly forbidden and may result in ejection from the ground”.
- 2.14 At the beginning of season 2003/2004 the former Football Licensing Authority introduced a proforma to be completed by football club safety officers throughout the Premier and Football Leagues recording the behaviour of both home and visiting fans. The recording of this information is now carried out by the Premier League.
- 2.15 The data built up from that reporting procedure and from information recorded by the council’s building control team from match day inspections has identified standing in seated areas as a trend by the visiting fans of a number of clubs including those of Newcastle United.
- 2.16 The monitoring process will continue through the season 2012/2013 and the information received on the behaviour of the fans will be used to supplement information already held by the Council.

- 2.17 Committee will recall that at a number of previous meetings approval was given to set limits for the same reasons on visiting fans for fixtures against Clubs including West Ham United, Leeds United, Cardiff City, Aston Villa, Manchester United, Manchester City, Sheffield Wednesday, Liverpool and Newcastle United.

3.0 PROPOSALS

- 3.1 A safety management plan for the fixture was received from Sunderland Football Club on 11 September 2012. After examination of the plan and discussions with the Club and Northumbria Police it has been agreed that in an effort to manage the possibility of fans standing in seated areas, the maximum number of visiting fans for the fixture should be set at 2800.
- 3.2 This reduced number of visiting fans is set at a level which the Club through their safety management plan feel confident in being able to observe safety concerns and to carry out enforcement of Ground Regulation 13.
- 3.3 Details of the plan and the recommendation of Committee will be reported to the Safety Advisory Group at its meeting on 5 December 2012.

4.0 RECOMMENDATIONS

4.1 Committee is recommended:

- 1) To approve the setting of a limit of 2800 visiting fans for the fixture with Newcastle United on Sunday 21 October 2012 on the grounds of authorising the Club to take all necessary precautions for the reasonable safety of spectators at these games as per Condition 4.
- 2) To authorise the Deputy Chief Executive to follow such procedure and issue such notice needed to obtain compliance with the proposed restriction.

Background papers

Sunderland Stadium of Light General Safety Certificate
Former Football Licensing Authority document "Standing in Seated Areas at Football Grounds"

Crowd Dynamics report

Letters dated 8 April 2005 and 28 April 2008 from Chief Executive of former Football Licensing Authority to Chief Executives of Certifying Authorities