

<b>DEVELOPMENT CONTROL AND REGULATION COMMITTEE</b>	<b>Paper No.</b>
<b>Meeting date: 22 January 2020</b>	
<b>From: Assistant Director – Economy and Environment</b>	

## **SAFETY AT SPORTS GROUNDS**

### **BOROUGH PARK FOOTBALL GROUND WORKINGTON – REJECTING ENGINEER’S SUPPLEMENTAL NOTE TO STRUCTURAL REPORT AND MAINTAINING CAPACITY FOR THE STANDS AT 0.**

#### **1.0 EXECUTIVE SUMMARY**

- 1.1 This report is to inform the Committee that a supplemental note amending an engineer’s structural report was received the day before a second case management hearing was held at Workington Magistrates’ Court on 17 December 2019. The Safety Advisory Group (SAG) met to discuss this on 3 January 2020 and decided to recommend that this note did not substantially alter the initial conclusion. The SAG therefore maintains its position that the capacities of the stands at Borough Park remain at zero.

#### **2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS**

- 2.1 Recommendations and actions contained in this report adhere to the County Council’s policies regarding spectator safety at sports grounds.
- 2.2 There are no equality implications arising from this report.

#### **3.0 RECOMMENDATION**

- 3.1 That this report and action taken be noted by Members.

#### **4.0 BACKGROUND**

- 4.1 Following an ongoing discussion regarding the conclusion of Workington AFC’s engineer’s structural report concerning the stands and barriers at the club, it was decided that the report did not satisfy the SAG or the Council’s legal advisors as to the safety of the structures. The situation was discussed with the Chair of the DCR Committee and the head of Trading Standards and it was decided that the capacity of the stands should be set to 0, this was done on the 18 October 2019.

Workington AFC appealed the change of conditions to their General Safety Certificate (GSC) and a case management hearing took place at Workington Magistrates' Courts on 19 November 2019. At the meeting it was decided that a new date for a second case management hearing would be set for 17 December 2019 in order that the club could get an updated report from their engineer. The club's representative advised that the report would be available the next day or by the end of the week at the latest. The supplementary note was delivered to the Council's legal department on 16 December 2019 one day before the rescheduled case management.

A SAG meeting was convened at the earliest appropriate date on 3 January 2020 where the supplementary note was discussed at length. It was decided that the note had not sufficiently altered its conclusion and therefore did not instil any further confidence of the SAG as to the safety of the stands. The SAG concluded that it was right to reduce the capacity to zero and that it would recommend that this capacity be held.

This matter will next be before the court on 28 January 2020.

## **5.0 OPTIONS**

- 5.1 That the Members take note of the content of the report and actions taken by the officer.

## **6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS**

- 6.1 There are no resource or value for money implications.

## **7.0 LEGAL IMPLICATIONS**

- 7.1 DCR Committee has power in Part 2G of the Constitution to "receive reports regarding safety of sports grounds in circumstances where the Corporate Director Economy and Highways has taken urgent decisions under his delegated powers in respect of safety of sports grounds"
- 7.2 In Part 3 of the Constitution, the Executive Director – Economy and Infrastructure has the full range of powers necessary to discharge the Council's functions, including taking decisions which are not specified in the Constitution or in law as having to be taken by elected members, implementing decisions and undertaking efficient management of the services, contracts and staff for which he/she is responsible in the following functional area:  
(m) regulation of sports grounds. This would include altering the conditions of the GSC and reducing the capacity of the stands at Workington AFC.

## **8.0 CONCLUSION**

- 8.1 It is recommended that the DCR Committee Members note the report as detailed in 5.1 above.

**S Hall**  
**Assistant Director Economy & Environment**

## **APPENDICES**

Nil

## **IMPLICATIONS**

Staffing: no

Financial: no

Electoral Division(s): Borough Park, Workington

St Michaels

Executive Decision

No\*

Key Decision

No\*

If a Key Decision, is the proposal published in the current Forward Plan?

No\*

Is the decision exempt from call-in on Grounds of urgency?

N/A

If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?

N/A

Has this matter been considered by Overview and Scrutiny?  
If so, give details below

No\*

Has an environmental or sustainability impact assessment been undertaken?

N/A

Has an equality impact assessment been undertaken?

N/A

## **PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS**

No previous relevant decisions.

## **CONSIDERATION BY OVERVIEW AND SCRUTINY**

Not considered by Overview and Scrutiny

## **BACKGROUND PAPERS**

No Background Papers

## **REPORT AUTHOR**

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