

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	12 May 2015
DIRECTOR	Angela Scott (Interim Director of Corporate Governance)
TITLE OF REPORT	Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie
REPORT NUMBER	CG/15/54
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

To request that the Licensing Committee agree to the adoption of the General Safety Certificate issued to Aberdeen Football Club annexed as Appendix A to this report and as set out in paragraph 5 below.

2. RECOMMENDATION(S)

That the Committee:

Approves the General Safety Certificate July 2015 to be issued to Aberdeen Football Club

3. FINANCIAL IMPLICATIONS

N/A

4. OTHER IMPLICATIONS

There may be legal and health and safety implications if the Licensing Committee does not approve and issue the Safety Certificate. The practical effect would be that Aberdeen Football Club would be unable to carry out their specified activities including Association Football, Rugby Union and other sporting event(s) attended by more than 500 spectators

5. BACKGROUND/MAIN ISSUES

In terms of the Safety of Sports Grounds Act 1975 (as amended) any sports stadium which has accommodation for more than 10,000 spectators shall require a Safety Certificate.

The Act defines a sports ground as: 'A place where sports or other competitive activities take place in the open air, and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose.'

The only sports ground which currently meets the relevant statutory requirements in Aberdeen City is Pittodrie Stadium.

The certificate is renewed on an annual basis and a number of inspections are carried out at the stadium during the year.

The certificate requires to be in place before the commencement of each new football season.

The following amendments have been made to the Certificate:

1. Appendix 2 has been updated and replaced
2. Appendix 5 – has been updated (clause reference 8.5.d added)
3. Appendix 6 has been updated and replaced
4. Appendix 7 has been updated and replaced.

Due to the technical nature of the work involved, the Sports Ground Advisory Group has established a working group made up of officers to deal with relevant matters arising and in particular to prepare the safety certificate for renewal each year. The officers on the working group have no objections to the proposed amendments and recommend that the draft certificate can be approved.

The Safety Certificate is before the Licensing Committee for their approval.

6. IMPACT

Corporate - None

Public – The Safety Certificate is likely to be of interest to the public as it outlines the safety standards which must be adopted by Aberdeen Football Club for the benefit of those who attend the Stadium.

The Safety Certificate seeks to promote the general equality duty in terms of disability by promoting accessibility and accommodation for disabled supporters. The proposal has a neutral impact on groups with protected characteristics and an impact assessment is therefore not required.

7. MANAGEMENT OF RISK

Legal/Customer Risks: If the Safety Certificate is not approved by the Committee Aberdeen Football Club would be unable to carry out their specified activities including Association Football, Rugby Union and other sporting event(s) attended by more than 500 spectators

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Arlene Dunbar, Registered Paralegal, ardunbar@aberdeencity.gov.uk
Ext 3411

Equality and Human Right Impact Assessment: The Form



Aberdeen City Council

EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information

<p>Name of Proposal:</p> <p>Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie Certificate</p>	<p>Date of Assessment: 08/04/2015</p>
<p>Service:</p> <p>Legal & Democratic Services</p>	<p>Directorate:</p> <p>Corporate Governance</p>
<p>Committee Name or delegated power reference (Where appropriate):</p> <p>Licensing Committee</p>	<p>Date of Committee (Where appropriate):</p> <p>12 May 2015</p>
<p>Who does this proposal affect?</p> <p>Please Tick ✓</p>	<p>Employees <input type="checkbox"/></p> <p>Job Applicants <input type="checkbox"/></p> <p>Service Users <input type="checkbox"/></p> <p><input type="checkbox"/></p>

	Members of the Public Other (List below) <input type="checkbox"/>
2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	The Safety Certificate helps to advance equality of opportunity for people with the following protected characteristics age and disability by taking account of disabled people's impairments and removing or minimising disadvantage. The Certificate holder shall ensure that s/he and all relevant stadium personnel take reasonable steps to ensure compliance, so far as reasonably practicable, with the Equality Act 2010.

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3: Equality and Human Rights Impact Assessment	
a- What are the aims and intended effects of this proposal?	
b- What equality data is available in relation to this proposal?	

<p>(Please see guidance notes)</p>	
<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	

d- Financial Assessment	Costs (£)
If applicable, state any relevant cost implications or savings expected from the proposal.	Implementation cost £ <input type="text"/> Projected Savings £ <input type="text"/>
e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?	
f- How does this proposal link to the Council's Equality Outcomes?	



4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)				
Disability (Mental, Physical, Sensory and Carers of Disabled people)				
Gender Reassignment				
Marital Status (Marriage and Civil Partnerships)				
Pregnancy and Maternity				

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a '<i>Genuine Determining Reason</i>'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)				
Religion or Belief or Non-belief				
Sex (Women and men)				
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)				
Other (e.g: Poverty)				

5: Human Rights Impact Assessment Test

Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate

Article 2 of protocol 1: Right to education

Yes No
 Evidence :

Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment

Yes No
 Evidence :

Article 6: Right to a fair and public hearing

Yes No
 Evidence :

Article 8: Right to respect for private and family life, home and correspondence

Yes No
 Evidence :

Article 10: Freedom of expression

Yes No
 Evidence :

Article 14: Right not to be subject to discrimination

Yes No

	Evidence:
Other article not listed above, please state:	Yes <input type="checkbox"/> No <input type="checkbox"/> Evidence:

6: Assessment Rating:

Please rate the overall equality and human right assessment (Please see Completion terminology)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Red Red Amber Green
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Reason for that rating:	
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7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

8: Sign off

Completed by (Names and Services) :	Arlene Dunbar, Legal and Democratic Services
Signed off by (Head of Service) :	
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p>Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB</p> <p>Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>	

9: Completion Terminology:

Assessment Pre-screening Rating:	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
Assessment Rating:	<p>After completing this document, rate the overall assessment as follows:</p> <p>Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.</p> <p>Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p>Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>
Equality Data:	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as '<i>Equality Groups</i>'.</p>

	<p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i>
Genuine Determining Reason	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
Human Rights	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
Legal Status:	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>