

Luton Council

**Safety at Sports Grounds
Enforcement Policy**

1.0 Policy

- 1.1 It is the policy of Luton Council to ensure compliance with all relevant safety at sports grounds legislation. In undertaking this duty it is the Council's aim to ensure that any enforcement action taken is proportionate, open, consistent and clear.

2.0 Context

- 2.1 Luton Council has a statutory duty for the safety certification of sports grounds under the Safety of Sports Grounds Act 1975 (as amended) (1975 Act) and the Fire Safety and Safety of Places of Sport Act 1987 (1987 Act), (hereafter referred to as 'the Acts') and its responsibilities for the monitoring and enforcement of the Regulatory Reform (Fire Safety) Order 2005 in respect of sports grounds. The Council also recognises its responsibilities for the safety of those present at events at all sports grounds in the County.

3.0 Scope of this policy

- 3.1 The Council seeks to ensure that in enforcement and regulation the interests of the public are protected.
- 3.2 The purpose of this policy is to ensure that the law is applied in a fair, equitable and consistent manner and to guide officers into taking the appropriate action.
- 3.3 In general and where appropriate, consideration will be given to alternatives to prosecution, for example giving advice and assistance, or obtaining assurances about future conduct.
- 3.4 Before formal action is taken, officers will normally provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of the safety of people attending events at sports grounds, or to prevent evidence being destroyed).
- 3.5 All decisions will be impartial and will not be influenced by race, politics, gender, disability, age, sexual orientation, religious beliefs or any other belief or status of the alleged offender.
- 3.6 Officers will have due regard to the principles contained within the Enforcement Concordat, and any other published and relevant guidance and legislation including compliance with the Council's public sector equality duty.
- 3.7 The Council will take into account the comments of any victim, injured party or other relevant person to establish:
 - His or her views about the circumstances in which enforcement action is deemed appropriate; and

- The nature and extent of any harm or loss, and its significance relative to the individual circumstances.

4.0 Principles and Commitments

4.1 The Council will seek to ensure that enforcement is fairly applied by committing to the following principles of fairness:

Proportionate – Any action taken by the Council, to achieve compliance or to bring regulated entities to account for non-compliance, will be proportionate to the risk to public safety, or to the severity of non-compliance, which includes any actual or potential harm arising from the failure under the law. We will seek to minimise the costs of compliance by ensuring that any action we require is in proportion to the risk.

Consistency – There will be a consistent approach from the Council in relation to any advice given, enforcement action, prosecutions and in response to incidents and complaints. The Council will discuss and compare enforcement decisions and policies amongst our own officers, and where appropriate, with other authorities and enforcement bodies.

Targeted – By adopting a risk based system for prioritising regulatory action the Council aims to make sure, through targeting, that the direction of regulatory effort takes account the level of risk and ensures action will be targeted at those situations that give rise to the more serious risks or the least well controlled risks.

Transparent – The Council will be open about how we set about our work and will provide information and advice in plain language. We will ensure we help those we regulate to understand the standards expected from them and the standards that they should expect from the local authority.

Accountable – The Council will be able to justify all enforcement decisions and be accountable for the efficiency, effectiveness and cost. Consultation and feedback opportunities are given to stakeholders. The emergency planning team is accountable to the **Communities and Place Committee** as set out in the Council's Constitution.

For further information on Luton Council's Safety at Sports Grounds work, please see www.luton.gov.uk