

**All-Seater Policy – SGSA
Enforcement Approach**

2020/21 Football Season

September 2020



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Summary

The Sports Grounds Safety Authority (SGSA) is the UK Government's expert body in respect of sports ground safety. The SGSA supports sports grounds, clubs, local authorities and others to create a safe and enjoyable experience for spectators.

This document outlines the SGSA's approach in the 2020/21 football season to enforcement of the all-seater licence conditions under statutory powers in the [Football Spectators Act 1989](#). It outlines a transparent approach as to how the issues associated with persistent standing in seated areas will be managed in the context of the SGSA's licensing system.

This document for the 2020/21 season builds on the consistent and proportionate approach adopted by SGSA for 2019/20. That approach helped to facilitate ongoing constructive engagement with grounds in 2019/20 about the spectator safety risks associated with persistent standing, and the agreement of voluntary mitigation measures at those grounds identified as high risk.

The enforcement approach for 2020/21 acknowledges the challenges facing professional football in England and Wales arising from the widespread and ongoing socio-economic impact of the COVID-19 pandemic. In particular, the additional bio-security arrangements that ground management now need to put in place to host designated football matches¹ and outlined in UK Government Stage Three and Stage Five guidance².

Mindful of the COVID-19 context, the approach retains the proportionality principle, with SGSA enforcement activity targeted where the identified risks are greatest. As in 2019/20, the document will continue to be kept under review to ensure it remains appropriate and fit for purpose.

Background

Under the Football Spectators Act 1989, the SGSA has a statutory responsibility for the issuing of licences to sports grounds for designated football matches in England and Wales.

The overarching role for the licensing system is to ensure the safety of spectators at grounds at which designated football matches are played. The SGSA has power to impose additional licence terms or conditions where it considers such action would be appropriate.

The Government's current all-seater policy does not allow standing accommodation at Wembley Stadium, the Principality Stadium, and the grounds used by clubs which have been in the Premier League or Championship for more than three years since the start of the 1994/95 season.

Two additional conditions are imposed on the licences issued by the SGSA for each of these grounds:

¹ A designated match is defined under the [Football Spectators \(Designation of Football Matches in England and Wales\) Order 2000](#) as "any association football match which is played at Wembley Stadium, at the [Principality] Stadium in Cardiff or at a sports ground in England and Wales which is registered with the Football League or the Football Association Premier League as the home ground of a club which is a member of the Football League or the Football Association Premier League at the time the match is played".

² UK Government guidance can be accessed here: [Stage 3](#), and [Stage 5](#)



1. Only seated accommodation is to be provided for spectators at a designated football match; and
2. Spectators shall only be admitted to watch a designated football match from seated accommodation.

Reasonable steps

This document provides details of the reasonable steps the SGSA expects the licence holder (henceforth “ground management”) to carry out to comply with the all-seater licence conditions. These include:

- Taking visible and active measures to limit persistent standing in seated areas during designated football matches.
- Working with and educating spectators around safety, crowd management and customer care issues associated with persistent standing in seated areas.
- Keeping gangways and vomitories clear at all times.
- Ensuring the views of disabled spectators are not impeded by others standing.

Additionally, the document outlines what further action can be taken by ground management to manage residual safety risks for those spectators who still choose to stand in seated areas. These include:

- Limiting persistent standing to areas where the safety risks are lower;
- Recognising particular triggers associated with persistent standing and addressing them in the development and implementation of up to date and fit for purpose persistent standing management plans;
- Installing seats with barriers or independent rails where persistent standing continues to take place, in line with guidance of the Guide to Safety at Sports Grounds (Green Guide), although only once all other measures have been tried; and,
- For those grounds that are subject to the all-seater policy on a voluntary basis, considering replacing seated areas with other forms of spectator accommodation such as terracing to prescribed standard³ or dual purpose seating

Enforcement actions

The SGSA will work with ground management to address issues, liaising with relevant local authorities which have safety certification responsibilities where these are engaged. Any SGSA enforcement options under the 1989 Act will be tailored to the risk and compliance levels for each ground. The SGSA will, subject to the nature of risk and compliance issues encountered, adopt a graduated scale of actions to give ground management every opportunity to take all reasonable steps to comply with the all-seater licence conditions. This will include:

- Providing advice and guidance about additional reasonable steps and, where necessary, setting timescales for achieving compliance.
- Seeking to agree voluntary measures so that ground management has the opportunity to implement the actions necessary to achieve compliance.
- Issuing a written warning to ground management in the event of continued failures to comply.

³ For further details, see SGSA website: [Terracing](#)



- Informing the relevant local authority that the SGSA is minded to move towards formal enforcement in respect of licence conditions so that they can consider any parallel actions required under the safety certification process.

If, subject to the nature of risk and compliance issues encountered, having gone through all of the actions, ground management still fails to comply, the SGSA may take the following formal enforcement action:

- impose additional licence conditions; and/or
- suspend part, or all of the licence; and/or
- revoke/not renew all or part of the licence.

These formal enforcement options will generally only be considered if other actions have failed and the safety risk for spectators remains unacceptably high.



Introduction

1. The Government's current policy in respect of all-seated grounds dates from the start of the 1994/95 season and is enforced by way of conditions set out in the licence issued by the Sports Grounds Safety Authority (SGSA) in respect of premises where designated football matches are played in England and Wales⁴ (henceforth "ground(s)"). Where grounds are required to be all-seated, the SGSA is instructed by the Secretary of State for Digital, Culture, Media and Sport to include licence conditions restricting the admission of spectators to seated accommodation.
2. This document outlines the SGSA's proposed approach to enforcement of those licence conditions in the 2020/21 season, including in relation to incidents of persistent standing⁵ in seated areas of those grounds subject to the Government's current all-seater policy.
3. The document builds on the consistent and proportionate approach adopted by SGSA in 2019/20. That approach helped to facilitate ongoing, constructive engagement between SGSA and individual grounds about the spectator safety risks associated with persistent standing, and the agreement of voluntary mitigation measures at those grounds identified as high risk.
4. The document also details how the SGSA will discharge its statutory oversight of local authorities' safety certification responsibilities. It supplements the SGSA's [Oversight and Licensing Policy](#)⁶, and should be read in conjunction with that Policy.
5. SGSA recognises that there are several interested parties in relation to the enforcement of the Government's all-seater policy, including individual grounds subject to the policy, relevant local authorities, relevant police bodies, football governing bodies and supporters. The SGSA's enforcement approach is mindful of the respective roles and responsibilities of those interested parties, and of better regulation principles including the need for enforcement action to be transparent, proportionate, consistent, and targeted where the risks are greatest.
6. Furthermore, the enforcement approach 2020/21 acknowledges the recent emergence of additional bio-security arrangements⁷ that ground management need to put in place to manage risks associated with COVID-19 when hosting designated football matches in England and Wales, and the ongoing wider socio-economic impacts of the associated pandemic on professional football and further afield. Any future SGSA enforcement activity is anticipated to be focused on compliance with SGSA licence conditions and

⁴ A designated match is defined under the [Football Spectators \(Designation of Football Matches in England and Wales\) Order 2000](#) as "any association football match which is played at Wembley Stadium, at the [Principality] Stadium in Cardiff or at a sports ground in England and Wales which is registered with the Football League or the Football Association Premier League as the home ground of a club which is a member of the Football League or the Football Association Premier League at the time the match is played".

⁵ In this document persistent standing is defined as when individuals in seated areas stand for prolonged periods of time other than for short durations during moments of excitement.

⁶ The SGSA Oversight and Licensing Policy is available here: <https://sgsa.org.uk/oversight-and-licensing-policy/>

⁷ Further details available on gov.uk here: [Stage 3](#) and [Stage 5](#), and on the SGSA website here: [SGSA Covid-19 guidance](#)



targeted where identified spectator safety risks are greatest. Enforcement of the safety certificate, including any COVID-19-related terms and conditions, will primarily be a matter for the relevant local authority.

7. As in 2019/20, this document will continue to be kept under review to ensure it remains appropriate and fit for purpose, for example, to reflect the Government's stated intention to introduce safe standing in seated areas, and the emergence of any new safety risks including issues arising from the COVID-19 pandemic.

SGSA statutory role under the Football Spectators Act 1989

8. The SGSA has powers under the [Football Spectators Act 1989](#) ("the 1989 Act") to issue licences to admit spectators to grounds which are used for designated football matches in England and Wales. The 1989 Act states the purpose of such licences are "to provide for the safety of spectators...". It makes it an offence for a club/stadium operator to admit spectators for such matches without a SGSA licence or to contravene any term of a licence. The 1989 Act has a broad reach, which can be summarised as: "the proper control of the admission of spectators, including the arrangements to which they are admitted, in the interest of those present during the event, and the proper running of the event".
9. The SGSA's role when issuing licences includes ensuring that:
 - spectator safety is secured;
 - the ground and any equipment and procedures at the ground are such that only authorised spectators are admitted to designated football matches; and
 - the arrangements, equipment and procedures at the ground are such as reasonably required to prevent offences at designated football matches.The SGSA has power to impose additional licence terms or conditions where it considers that such action would be appropriate.
10. Offences for breach of a licensing condition, or for admitting spectators without a licence, are subject to a defence⁸ that the offence took place without the responsible person's⁹ consent and that the responsible person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
11. The SGSA also has powers under the 1989 Act to oversee local authorities in their regulation (under the [Safety of Sports Grounds Act 1975](#)) of safety at all football grounds that are used for designated football matches in England and Wales (see also paragraph 29).
12. The Government's all-seater policy does not allow standing accommodation at Wembley Stadium, the Principality Stadium, and the grounds used by clubs who have been in the Premier League or Championship for more than three years since the start of the 1994/95 season. The policy is administered and enforced through two conditions in the licences issued by the SGSA. These are:
 - i. Only seated accommodation is to be provided for spectators at a designated football match; and

⁸ Sections 10(14) or 9(2) of the [Football Spectators Act 1989](#)

⁹ 'Responsible person' in this context will normally mean the ground management (which in most cases means the club).



- ii. Spectators shall only be admitted to watch a designated football match from seated accommodation.

Key roles and responsibilities of other interested parties

13. **Ground management**, in most cases the club, is primarily responsible for the safety of spectators, for making 'reasonable adjustments'¹⁰ to provide suitable accommodation for disabled spectators, and for enforcing the ground regulations and the all-seater conditions. A match specific risk assessment for the ground should form the basis of how ground management discharges these responsibilities.
14. Responsibility for the safety certification of grounds at which designated football matches are played rests with **local authorities** discharging their powers under the [Safety of Sports Grounds Act 1975](#) ('the 1975 Act'). Under the 1975 Act a local authority¹¹ is responsible for issuing a general safety certificate for a ground. The local authority needs to be satisfied that the ground management can prevent contravention of the terms and conditions of the certificate (for example through appropriate policies and procedures) to ensure the 'reasonable safety'¹² of all people who attend 'specified activities' at the ground, including designated football matches. The local authority is also the enforcing authority in relation to the [Health and Safety at Work etc. Act 1974](#).
15. Additional background on the roles and responsibilities of all interested parties, including spectators, is at [Annex A](#).

SGSA's all-seater licensing responsibilities

16. The primary purpose of the Government's current all-seater policy is to help ensure spectators are kept safe when they watch designated football matches played at home grounds used by clubs in the top two tiers of English football, Wembley Stadium and the Principality Stadium.
17. In carrying out the SGSA's statutory functions in relation to the licensing of designated football grounds subject to the all-seater policy, SGSA Inspectors will primarily be concerned with seeking evidence that spectator safety is being managed in accordance with the all-seater licence conditions, and with securing spectator safety, including the safety risks associated with persistent standing in seated areas.
18. SGSA Inspectors will consider evidence supplied by the ground management, whether directly or via the relevant local authority, including:
 - health and safety risk assessment(s) for the ground and associated operations manual;
 - match specific risk assessment(s); and
 - the persistent standing management plan.

¹⁰ Under the terms of the [Equality Act 2010](#)

¹¹ The unitary authority is responsible for issuing safety certificates and for enforcing the Health and Safety at Work etc Act 1974 (HSWA74); In two tier authorities, the County Council is responsible for issuing safety certificates, with the District/Borough Council responsible for enforcing the HSWA74.

¹² Sections 2(1) and 3(1) of the [Safety of Sports Grounds Act 1975](#)



SGSA Inspectors will consider the evidence on its merits and make judgments about whether ground management is effectively managing both the nature and scale of persistent standing and the associated risks to spectator safety, in the context of the specific ground's infrastructure.

Urgent and immediate enforcement action

19. Where SGSA Inspectors identify evidence, or have evidence brought to their attention, that represents an immediate and significant risk to spectator safety, they will take urgent action, consulting the relevant local authority as necessary (see also the flow diagram at [Annex B, Figure 1](#)). The type of urgent action by SGSA Inspectors will vary depending on the precise nature of the immediate and significant safety risk and it should be noted that the below are **not** mutually exclusive:
 - a. Formal enforcement action by the SGSA through the licensing regime under the 1989 Act (see also paragraphs 30-42) where there is immediate and significant safety risk arising from non-compliance with one or both of the all-seater conditions. For example, a ground is openly selling tickets to standing areas despite this being prohibited, or selling tickets to inappropriate seated accommodation such as rail seating that is locked up and therefore not available to spectators to watch the match from a seated position;
 - b. Informing the relevant local authority, who may then judge that urgent action is needed using their safety certification powers under the 1975 Act (see also paragraphs 27-28 and [Annex C](#)), where the immediate and significant safety risk arises from non-compliance with one or more of the terms and conditions for the general safety certificate of the ground; and/or
 - c. Using SGSA's powers under the 1989 Act to direct the relevant local authority to include particular terms and conditions in the general safety certificate (see also paragraph 29), in appropriate circumstances, for example but not limited to where there is evidence that the basis on which the safety certificate was granted has altered requiring additional measures to secure reasonable safety, or where the SGSA considers that the local authority is not discharging its safety certification responsibilities appropriately.

'Reasonable steps' to demonstrate compliance with the all-seater licence conditions

20. Whilst acknowledging the need to tailor regulatory action to the circumstances of a specific ground, a broadly consistent overall approach will be taken by the SGSA when assessing evidence of whether a ground is compliant with the all-seater licence conditions. The SGSA will look for evidence that the ground management is visible and active in taking all reasonable precautions and in exercising all due diligence ("reasonable steps") to discourage persistent standing in seated areas and thereby manage spectator safety risks. The causes and potential impact of persistent standing in seated areas, including the safety, crowd management, and customer care issues arising from such spectator behaviour, are detailed at [Annex D](#).



21. Reasonable steps to discourage persistent standing and thereby comply with the all-seater licence conditions could include one or more of the below. In doing so, the SGSA recognises that no single action alone is likely to address the safety risks comprehensively, and that such actions may also manage wider spectator safety risks beyond those associated with persistent standing:
- a. Ground management and club work with both home and away supporters in the context of their customer charter to identify why they are standing and how best to address this. Ground management and club use the information received from this spectator engagement to inform their approach to managing persistent standing.
 - b. Ground management and club produce and keep under review a programme for educating and persuading their home supporters about why they must sit. This covers safety, crowd management and other customer care issues (see [Annex D](#)) and explains the likely consequences should spectators continue to stand persistently.
 - c. Ground management and club ensure that season ticket holders and home supporters are clearly advised that it is a condition of entry that they sit and that a deliberate failure to do so is likely to result in the withdrawal of the ticket without compensation and refusal of entry. Season ticket holders and those receiving their tickets in advance by post, or electronically, should be given this warning in writing.
 - d. Ground management and club may wish to warn away supporters that if they stand in seated areas they risk losing entitlement to tickets. Ground management will need to co-operate with other grounds, to ensure they treat all spectators equally both in terms of raising awareness of the all-seater condition in the ground regulations, and in the way in which that condition is enforced.
 - e. Ground management takes positive action to ensure that all gangways and vomitories are kept clear at all times, along with such measures as may be necessary to prevent uncontrolled migration by spectators standing in seated areas, for example:
 - closely controlling access to certain areas;
 - ticket checks;
 - taking certain rows of seats, or seats near gangways, out of use; and,
 - raising the height of front barriers on raised seating decks (upper tiers) and vomitories.
 - f. Ground management uses the accessibility audits to understand how best to meet their obligations under the [Equality Act 2010](#) and thereby ensure that disabled spectators are not prevented from seeing the pitch by others standing, even for short periods, in seated areas. Where views are obstructed in this way, the ground management should take the row or rows of seats causing the obstruction out of use.
22. If a particular ground management can demonstrate robustly that all reasonable steps have been taken to discourage standing in seated areas and thereby comply with the all-seater licence conditions along the lines detailed in the previous paragraph, the SGSA anticipates the focus of its regulatory activity in 2020/21 will then be on working with ground management using voluntary measures to ensure they manage the safety risks for those spectators who are continuing to choose to stand. In such circumstances, the SGSA will liaise closely with the relevant local authority given the clear relevance of



safety certification under the 1975 Act. Appropriate action by the ground management could then include:

- a. Ground management, informed by feedback from home and away supporters, and known heightened safety risks associated with persistent standing, such as standing in upper tiers, and on seating decks with gradients in excess of 25 degrees, uses ticket sales and marketing prior to match day, to help limit persistent standing to certain discrete areas of the ground where the spectator safety risks are lower. For example, lower tiers and gradients less than 25 degrees. In doing so, ground management recognises that safety risks still exist, and takes all reasonable steps to ensure the safety of spectators in such areas.
- b. Ground management, informed by knowledge of the nature and scale of persistent standing at the ground, ensures the persistent standing management plan for the ground recognises the particular triggers (excitation and thrust) which can lead to a progressive crowd collapse, and details the mitigation to manage such triggers (see also c. below), for example, stopping crowd surfing and/or elaborate goal celebrations by spectators.
- c. Ground management, informed by knowledge of the nature and scale of persistent standing at the ground, ensures that the crowd disorder and anti-social behaviour plan for the ground mitigates the risks of anti-social behaviour, including in persistent standing areas of the ground, for example through ticket checks to ensure appropriate segregation of supporters, and bag/personal searches to stop inappropriate items entering the ground.
- d. If all other mitigation measures have been tried, ground management, in consultation with the relevant local authority and SGSA Inspector and informed by relevant guidance including the Green Guide¹³, installs seats incorporating barriers, or independent rails, in those remaining seated areas where persistent standing continues to take place. This is in order to reduce the risk of progressive crowd collapse. In doing so, the ground management will be mindful of relevant guidance in the Green Guide, including that crush barriers are only effective on gradients of up to 35 degrees¹⁴.
- e. For those grounds that are subject to the all-seater policy on a voluntary basis¹⁵, ground management in consultation with the relevant local authority and SGSA Inspector, and informed by relevant guidance including the Green Guide¹⁶, replaces seated areas with other forms of spectator accommodation such as terracing to prescribed standards¹⁷ or dual purpose seating.

¹³ 'Green Guide' – the Guide to Safety at Sports, colloquially known as the 'Green Guide', is the SGSA's guidance on spectator safety at sports grounds

¹⁴ See Sections 11.8 and 13.12 of the Green Guide

¹⁵ Defined as grounds that are used by clubs who have not been in the Premier League or the Championship for more than three seasons since the start of the 1994/95 season, but whose ground management has nonetheless chosen to provide seated accommodation only (see also paragraph 12 for which grounds are automatically subject to the Government's all-seater policy)

¹⁶ See Sections 13.1-13.24 of the Green Guide

¹⁷ For further details see SGSA website: [Terracing](#)



SGSA all-seater risk categorisation

23. SGSA Inspectors will assess the risk to spectator safety arising from persistent standing, using evidence supplied by ground management and/or the relevant local authority. They will do so by identifying:
 - a. the nature and scale of the risk;
 - b. the likelihood of the risk becoming a reality;
 - c. the impact/consequence if the risk does materialise; and
 - d. the nature of any relevant mitigation already in place to manage the risk
24. Without prejudice to circumstances in which urgent action is merited (see paragraph 19), the SGSA will categorise spectator safety risk and the extent of compliance with the all-seater policy, as a necessary pre-cursor to taking consistent and proportionate enforcement action under the 1989 Act, targeted where the risks are greatest.
25. This all-seater spectator safety risk categorisation approach is summarised in [Table 1](#) overleaf, including the likely SGSA enforcement approach in each of the four main scenarios shown. Throughout the process there will be an ongoing dialogue between the SGSA, ground management and, as appropriate, the relevant local authority.

Table 1 shows the SGSA's approach will be proportionate to the nature and scale of any unmanaged or ineffectively managed spectator safety risks that are identified from the evidence supplied, and will range from no action, though advice and voluntary measures, to formal enforcement action under the 1989 Act.

26. The flow diagrams at [Annex B \(Figures 1-2\)](#) illustrate how the SGSA's risk-based approach is anticipated to work in practice, with any formal SGSA enforcement action under the 1989 Act targeted where the risks are greatest.



Table 1: SGSA all-seater spectator safety risk categorisation approach 2020/21

	LOW All-Seater Licence Condition Compliance	HIGH All-Seater Licence Condition Compliance
HIGH Spectator Safety Risk	<p>High Risk / Low Compliance</p> <ul style="list-style-type: none"> <i>Persistent standing is widespread/commonplace. Typically characterised as taking place: at the majority/all of the matches hosted by the ground each season; in more than one stand or more than one distinct area of one stand; and/or involving more than 1000 spectators.</i> <i>Ground management does not enforce the all-seater licence conditions effectively.</i> <i>Limited or no effective management of the associated spectator safety risks.</i> <p>SGSA anticipated approach</p> <ul style="list-style-type: none"> Initiate investigation to determine appropriate enforcement action under the 1989 Act, liaising with the relevant local authority (LA) as necessary. Ground management given the opportunity to comply prior to progressing enforcement action (unless the risk is deemed too severe and/or the low compliance is wilful in which case immediate enforcement action may be appropriate). The SGSA will take enforcement action where ground management fails to co-operate or fails to act promptly and appropriately to enforce the all-seater licence conditions. 	<p>High Risk / High Compliance</p> <ul style="list-style-type: none"> <i>Persistent standing is widespread/commonplace. Typically characterised as taking place: at the majority/all of the matches hosted by the ground each season; in more than one stand or more than one distinct area of one stand; and/or involving more than 1000 spectators..</i> <i>Ground management taking reasonable steps to discourage standing and enforce the all-seater licence conditions.</i> <i>Evidence of effective management of associated spectator safety risk arising from those spectators who still choose to stand.</i> <p>SGSA anticipated approach:</p> <ul style="list-style-type: none"> Work with ground management, liaising with the relevant LA as necessary, to ensure all reasonable steps are being taken to enforce the all-seater licence conditions, and to manage residual safety risk arising from those spectators who still choose to stand. SGSA only likely to take formal enforcement action under the 1989 Act where ground management fails to co-operate or fails to take any additional reasonable steps identified to enforce the all-seater licence conditions within a reasonable timeframe. SGSA likely to use voluntary measures to encourage ground management to take any additional 'reasonable steps' to ensure effective management of safety risks arising from those spectators who still choose to stand in seated areas.



Table 1 (contd)	LOW All-Seater Licence Condition Compliance	HIGH All-Seater Licence Condition Compliance
LOW Spectator Safety Risk	<p>Low Risk / Low Compliance</p> <ul style="list-style-type: none"> <i>Persistent standing is small scale/infrequent. Typically characterised as taking place: at a minority of the matches hosted by the ground each season; in only one stand or only one distinct area of one stand; and/or involving 10s rather than 100s/1000s of spectators</i> <i>Effective management is not in place for any residual risk.</i> <i>Ground management does not enforce the all-seater conditions effectively.</i> <p>SGSA anticipated approach:</p> <ul style="list-style-type: none"> Work with the ground management, liaising with the relevant LA as necessary, to ensure the former is proactive in taking all 'reasonable steps' to enforce the licence conditions. SGSA only likely to take formal enforcement action under the 1989 Act where ground management fails to co-operate or take appropriate and timely action to enforce the all-seater licence conditions. 	<p>Low Risk / High Compliance</p> <ul style="list-style-type: none"> <i>Persistent standing is small scale/infrequent. Typically characterised as taking place: at a minority of the matches hosted by the ground each season; in only one stand or only one distinct area of one stand; and/or involving 10s rather than 100s/1000s of spectators</i> <i>Effective management is in place for any residual risk.</i> <i>Ground management enforces the all-seater licence conditions effectively.</i> <p>SGSA anticipated approach:</p> <ul style="list-style-type: none"> Unlikely to need to take any additional action in 2020/21.



Local authority enforcement of safety certificates under the 1975 Act

27. The SGSA categorisation of spectator safety risk and analysis of the extent of compliance with the all-seater licence conditions at a ground may identify issues associated with non-compliance with the terms and conditions of the general safety certificate for the ground. In such circumstances, the SGSA will share safety certificate issues with the relevant local authority. This will be particularly important in the context of the additional bio-security arrangements that ground management will need to put in place to address COVID-19-related risks. These bio-security arrangements are anticipated to be formalised in specific terms and conditions in general safety certificates¹⁸. The SGSA anticipates the relevant local authority will judge what action is appropriate, including potential enforcement action under the 1975 Act. Examples of potential local authority enforcement action under the 1975 Act are at [Annex C](#).
28. Subject to what enforcement action is taken by the relevant local authority under the 1975 Act to ensure the 'reasonable safety' of all people who attend 'specified activities' at the ground, including designated football matches, the SGSA may judge that enforcement action under the 1989 Act is not necessary. For example, if a local authority directs a ground management, through enforcement of the terms and conditions of the safety certificate, to keep all gangways and vomitories clear, compliance with this will also help deliver compliance with the all-seater licence conditions by encouraging spectators to sit on the seat provided rather than stand in the gangway/vomitory. SGSA reserves the right, however, in appropriate circumstances to take enforcement action under the 1989 Act in parallel with local authority enforcement action under the 1975 Act.

SGSA oversight of local authority safety certification responsibilities

29. If the SGSA judges that the relevant local authority is failing to take all appropriate enforcement action under the 1975 Act to require the ground management to ensure the 'reasonable safety' of all people who attend 'specified activities' at the ground, including designated football matches, the SGSA has the power under the 1989 Act¹⁹ in an appropriate case to require the relevant local authority to insert conditions in the safety certificate for the ground. The SGSA also has the power under the 1989 Act²⁰ to impose additional terms and conditions in the licence to prevent or minimise the effects of non-compliance with the licence. The SGSA's powers to require the relevant local authority to insert conditions in the safety certificate are subject to the SGSA undertaking a statutory consultation process²¹. The SGSA's powers to impose additional terms and conditions in the licence are subject to affording the ground management the opportunity to make representations²².

¹⁸ See SGSA website for further details: [SGSA COVID-19 guidance](#). Policy Guidance: COVID-19 Regulatory Controls <https://sgsa.org.uk/wp-content/uploads/2020/08/Sport-with-Spectators-COVID-19-Regulatory-Controls-August-2020.pdf>

¹⁹ Section 13(2) of the [Football Spectators Act 1989](#)

²⁰ Section 10(10) of the Football Spectators Act 1989

²¹ Section 13(3) of the Football Spectators Act 1989

²² Section 10(11) of the Football Spectators Act 1989



SGSA enforcement options

30. SGSA enforcement action under the 1989 Act will be proportionate and based on the risk categorisation process outlined above (see paragraphs 23-25, and [Annex B, Figures 1-2](#)), in accordance with the Regulator's Code²³.
31. Except where immediate and significant safety risks necessitate urgent action (see paragraph 19), SGSA's enforcement approach under the 1989 Act will use an **escalating scale of action** (see also [Annex B, Figure 3](#)) designed to:
 - a. give ground management the opportunity to take all reasonable steps to comply with the all-seater licence conditions before formal enforcement action is taken;
 - b. help ground management to identify how best to manage residual safety risks associated with those spectators who still choose to stand despite ground management taking all reasonable steps to ensure compliance with the all-seater licence conditions; and
 - c. keep the relevant local authority informed of developments at every stage given the local authority's related safety certification responsibilities for the ground.
32. The following **enforcement options** are anticipated to be used, tailored to the particular spectator safety risk/all-seater licence condition compliance profile for each ground (see paragraph 25 and [Table 1](#)). Those grounds identified as having higher spectator safety risk in terms of standing in seated areas and lower compliance in terms of the all-seater licence conditions are more likely to be considered by the SGSA for enforcement action under the 1989 Act.
33. In the first instance the SGSA will provide ground management, and the relevant local authority, with **advice and guidance** about any additional reasonable steps and associated timescales for ground management to comply with the all-seater licence conditions. This will cover anything deemed necessary or expedient to ensure spectator safety at the ground in the context of compliance with the all-seater licence conditions, including but not limited to one or more of the actions detailed at paragraph 21.
34. Depending on the particular risk/compliance profile for the ground, the SGSA's advice and guidance may also include any reasonable steps and associated timescales to manage residual risk associated with spectators who still choose to stand, including but not limited to one or more of the actions detailed at paragraph 22.
35. Subject to the response of ground management to the advice and guidance, the SGSA will then seek to agree **voluntary measures** to encourage ground management to implement the actions detailed in the SGSA's advice and guidance.
36. If the ground management fails to co-operate and/or take timely action to minimise the incidence of persistent standing in seated areas including but not limited to one or more of the actions at paragraph 21, the SGSA will **advise the relevant local authority** that it is minded to move towards enforcement action under the 1989 Act for non-compliance

²³ The Regulators' Code came into statutory effect on 6 April 2014 under the [Legislative and Regulatory Reform Act 2006](#) and provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.



with the terms and conditions (including the all-seater conditions) of the licence to admit spectators.

37. If the ground management fails to co-operate and/or take timely action to minimise the incidence of persistent standing the SGSA will issue a **written warning** to ground management indicating that if they fail to take the necessary action, the SGSA will start enforcement action under the 1989 Act for non-compliance with the all-seater licence conditions. This written warning will be copied to the Secretary of State for Digital, Culture, Media and Sport and the relevant football governing body. The SGSA will also keep the relevant local authority informed of developments. The written warning will explain clearly the necessary actions and associated timescales for taking reasonable steps to comply with the all-seater licence conditions, and the potential consequences of non-compliance. Potential consequences may include the SGSA using enforcement powers under the 1989 Act to vary the terms and conditions (including the all-seater conditions) of the licence to admit spectators, or suspend, revoke or not renew all or part of the licence for the ground. SGSA judgments about whether enforcement action should be targeted at all or part of the licence will be dependent on whether non-compliance with the all-seater licence conditions is associated with part or all of the ground and the nature of the residual risk.
38. If the ground management still fails to take the necessary action in a timely way, the SGSA will take enforcement action under the 1989 Act either directly or through the variation of the terms and conditions of the licence, including new terms and conditions where appropriate. Such action will be
 - a. **Suspension of part or all of the licence** – the SGSA is likely to use this approach if it is confident that ground management will take all reasonable steps to comply with the all-seater conditions before the end of the 2020/21 season; or
 - b. **Revocation** – the SGSA is likely to use this approach if it cannot foresee ground management will take all reasonable steps to comply with the all-seater conditions until the start of the 2021/22 season at the earliest; or
 - c. **Non-renewal of all or part of the licence** – the SGSA is likely to use this approach on receipt of an application to renew a licence if it does not consider that ground management has taken all reasonable steps to comply with the all-seater conditions prior to the start of the 2021/22 season at the earliest.
39. Unless there is an urgent issue which poses a serious and immediate risk justifying immediate suspension²⁴ (see paragraph 19), all of the above actions will be commenced by a written notice to ground management detailing the proposed action and giving them the opportunity to make representations. In respect of suspension, revocation or the imposition of varied/new terms and conditions this will require a response within 21 days from service²⁵; in respect of non-renewal this will require a response within 28 days from the date of service²⁶. The SGSA will take these representations into account in making its decision which it will communicate to ground management after the relevant period has elapsed.
40. The SGSA recognises the outcome of any enforcement action as described above for non-compliance with the all-seater licence conditions is likely to be that ground management, when hosting designated football matches at their ground, will not be allowed to permit spectators to part or all of the ground. This will be an unwelcome

²⁴ Section 12(5) of the [Football Spectators Act 1989](#)

²⁵ Section 12(4) and section 10(11) of the Football Spectators Act 1989

²⁶ Section 10(3) of the Football Spectators Act 1989



outcome for all concerned, including spectators. With that in mind, the SGSA will seek to proceed by means of advice, persuasion and agreement, with use of statutory powers a last resort, except in circumstances where the SGSA considers urgent action (paragraph 19) and/or enforcement (paragraph 42) is merited.

41. Nevertheless, the SGSA will take formal enforcement action if all other approaches have been exhausted and it considers based on the available evidence that the risk of spectator injury is unacceptably high and/or the ground management is failing to co-operate or act promptly to comply with the terms and conditions (including the all-seater licence conditions) of the licence to admit spectators.
42. If the SGSA considers that the risk gap created by non-compliance with licence conditions is extreme (i.e. there is a high residual risk, the risk is likely to materialise, and the consequences are likely to be severe), or where there is a wilful breach of the law (such as admitting spectators to unlicensed grounds) and all reasonable steps were not taken by ground management, it reserves the option to take immediate enforcement action²⁷.

New technologies for spectator accommodation

43. The SGSA further appreciates that, without prejudice to the risk categorisation and associated enforcement approach above, a ground management whose ground is subject to the Government's current all-seater policy may choose to take advantage of emerging new technologies for seated spectator accommodation, such as seats incorporating barriers, or independent barriers, to invest in new spectator accommodation even if the existing ground infrastructure and crowd management arrangements are able to support the effective management of the identified spectator safety risks. If a ground management chooses to adopt such an approach, the SGSA will consider such proposals on their individual merits and in accordance with existing established guidance, most notably the Green Guide. Additionally, in such circumstances the SGSA will remind the ground management about the Government's all-seater policy, where specified grounds hosting designated football matches are expected to comply with the existing all-seater licence conditions (see paragraph 12).

Review

44. The SGSA's enforcement approach will be kept under review and adapted as necessary for the 2021/22 season onwards as new technologies are developed in terms of the provision of spectator accommodation, and as new evidence is gathered about the characteristics and effective management of safety risks associated with persistent standing in seated areas.
45. The approach will also be kept under review to ensure it remains appropriate and fit for purpose, for example to reflect:
 - a. the Government's stated intention to introduce safe standing in seated areas;
 - b. the emergence of any new safety risks arising from changes in crowd behaviour, especially at moments of excitement, for example, new ways of celebrating when goals are scored; and,

²⁷ Relevant offences for admission of spectators without a licence and for breach of licence conditions are created by s9(1) and s10(13) respectively of the [Football Spectators Act 1989](#)



- c. issues arising from the COVID-19 pandemic.

Impact Assessment

- 46. This document outlines the SGSA's approach in the 2020/21 football season to enforcement of the existing all-seater licence conditions under statutory powers in the Football Spectators Act 1989. Consequently, the SGSA considers the document to be a Non-Qualifying Regulatory Provision for the purposes of Business Impact Target Reporting under the Enterprise Act 2016. Business impact is centred principally on relevant ground management and relevant local authorities familiarising themselves with the new document, which is based substantively on the corresponding document published in summer 2019 ahead of the 2019/20 football season.



Annex A: Additional background – roles and responsibilities of all interested parties

1. **Premier League and English Football League ground regulations** adopted by all Premier and Football League clubs include as a condition of entry to the ground that spectators may not stand in seated areas while play is in progress:
 - “12. All persons entering the Ground may only occupy the seat allocated to them by their ticket and must not move from any one part of the Ground to another without the express permission or instruction of any steward, officer of the Club and/or any police officer.”
 - “13. 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. **Ground management (in most places the club)** is primarily responsible for:
 - the safety of spectators
 - customer care
 - making ‘reasonable adjustments’²⁸ to club policies, procedures, and the physical environment, to provide suitable accommodation for disabled spectators
 - enforcing the ground regulations, including the conditions relating to seated areas detailed above
 - the safety of employees/workers (under the Health and Safety at Work etc Act 1974)

For every match clubs should produce a specific risk assessment. Where that risk assessment identifies that spectators may stand persistently it is for management to produce a plan for addressing the issue that reflects the nature and scale of persistent standing at the ground and the specific ground’s infrastructure characteristics. The plan should first identify and initiate all reasonable steps to get spectators to sit down in accordance with the all-seater licence conditions (including publicising the all seater requirements from the ground regulations on ticketing) and then seek to manage safety risks arising from those spectators who still choose to stand.

3. While responsibility for the safety of all people present in a ground lies at all times with ground management, at certain sports grounds and for certain events the presence of the **Police** may be required, or requested, to maintain public order and prevent the commission of offences. If there is to be a police presence in or at the sports ground, management should consult with police in advance and draw up a Statement of Intent. This sets out the division of responsibilities and functions and make clear who will assume responsibility in particular circumstances. Ground management should not, however, rely on the presence of police officers to overcome inadequacies in the safety management operation at a ground.
4. Primary responsibility for certifying ground capacities and imposing terms and conditions on safety matters rests with **local authorities** in the context of their safety certification role at sports grounds. Ground management are responsible for the safety of spectators as well as their employees. If the **local authority** considers ‘reasonable safety at the ground’ is being compromised they have the statutory responsibility to take appropriate enforcement action under the provisions of the Safety of Sports Grounds Act 1975.

²⁸ Under the terms of the [Equality Act 2010](#)



5. The **Sports Grounds Safety Authority (SGSA)** is the UK Government's expert body of sports ground safety. The SGSA's core statutory functions are set out in the Football Spectators Act 1989 and the Sports Grounds Safety Authority Act 2011. These include an important statutory responsibility to regulate local authorities in their oversight of safety at the 92 football clubs in the Premier League and the English Football League, and at Wembley and the Principality Stadium. The SGSA also issues licences to those 94 stadia through which the Government's all-seater policy is implemented and enforced.
6. The causes and potential impact of persistent standing in seated areas, including the safety, crowd management, and customer care issues arising from such spectator behaviour, are detailed at [Annex D](#).
7. **The football governing bodies (Football Association, Premier League and English Football League)** are responsible for drawing up and enforcing the rules and regulations of football, including those relating to ticketing and the number of places to be provided for visiting supporters. This offers opportunities for encouraging good behaviour and discouraging supporters who misbehave, for instance by allowing clubs to reassign accommodation. However, the scope for such action is limited. While the football governing bodies can impose certain penalties, it might be difficult to relate these to the specific problem of standing spectators. The football governing bodies are also in a position to co-ordinate initiatives by and on behalf of the clubs. These can include communicating with supporters directly and through publicity programmes and encouraging clubs to take a consistent approach to supporters who persist in standing.
8. **Spectators, whether home or away supporters**, are expected under Section 8 of the Health and Safety at Work etc. Act 1974 not to "intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety, or welfare in pursuance of the relevant statutory provisions." In the context of a football ground at which designated football matches are played, this means spectators are expected not to misuse or otherwise interfere with the infrastructure provided for their safety. They are also expected, as a condition of their admittance, to comply with the ground regulations, and are at risk of being ejected if they fail to do so.



Annex B: SGSA enforcement approach flow diagrams

Figure 1: All-seater policy: SGSA enforcement approach for the 20/21 season – overview

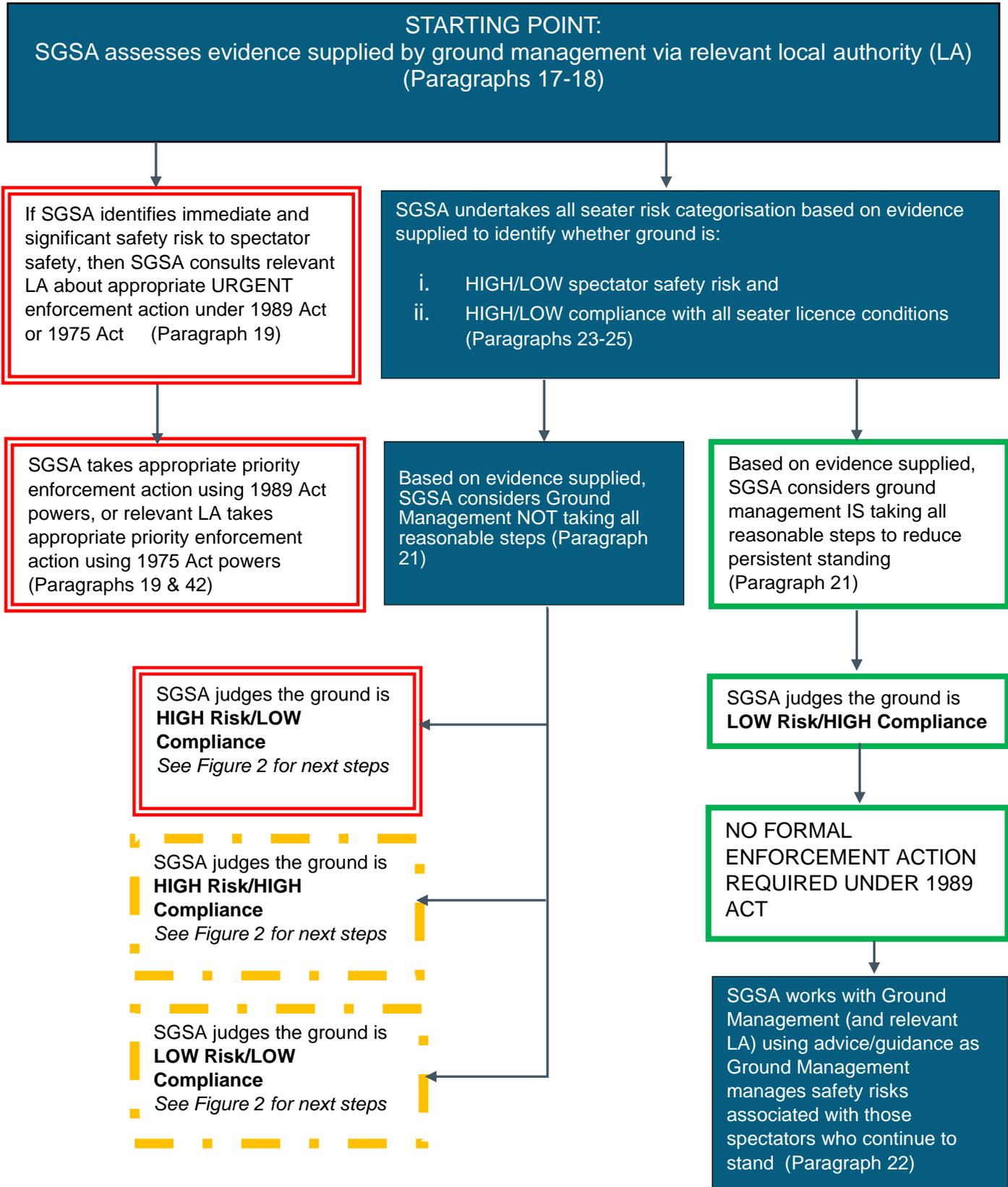




Figure 2: All-seater policy: SGSA enforcement approach for the 20/21 season – detail

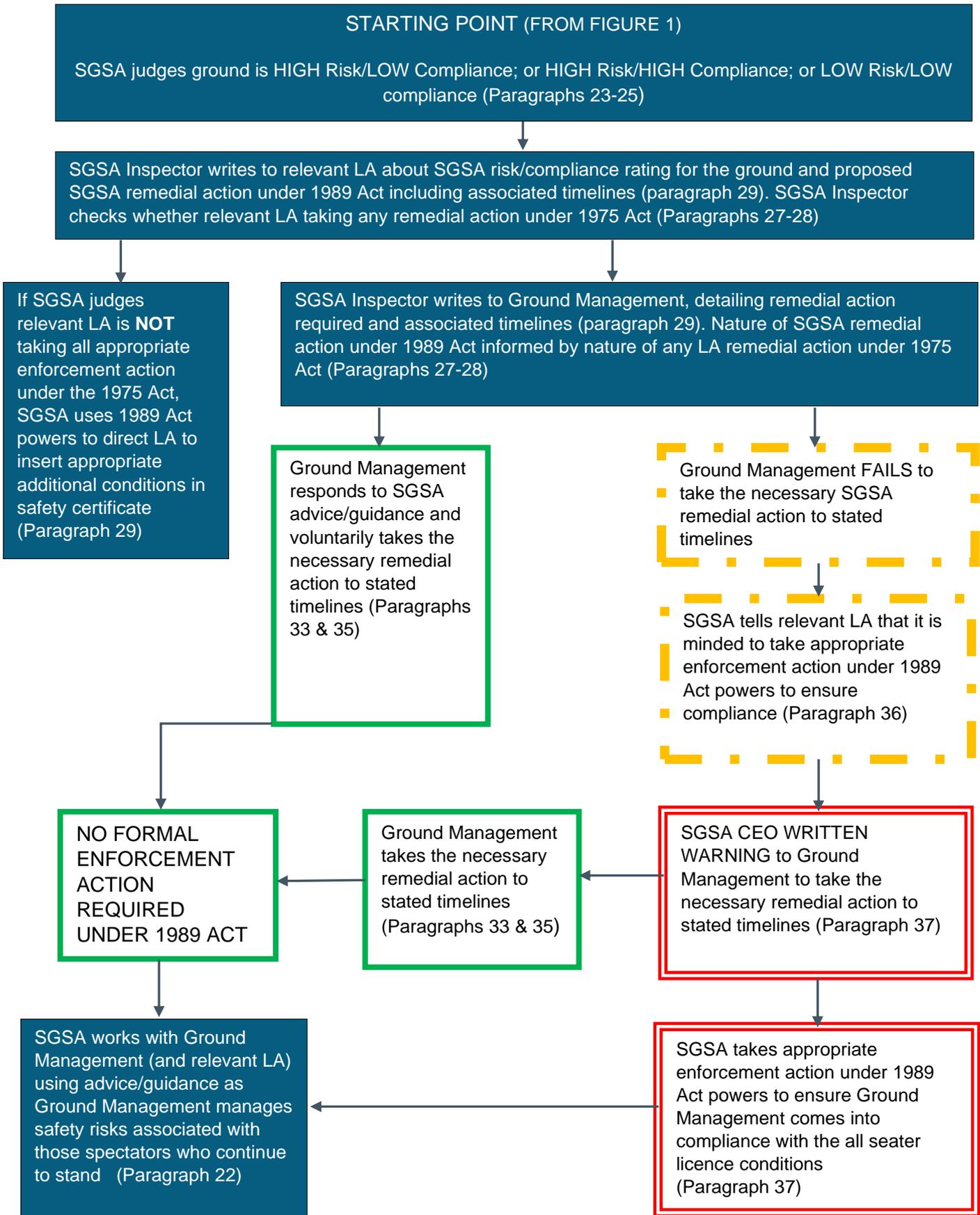
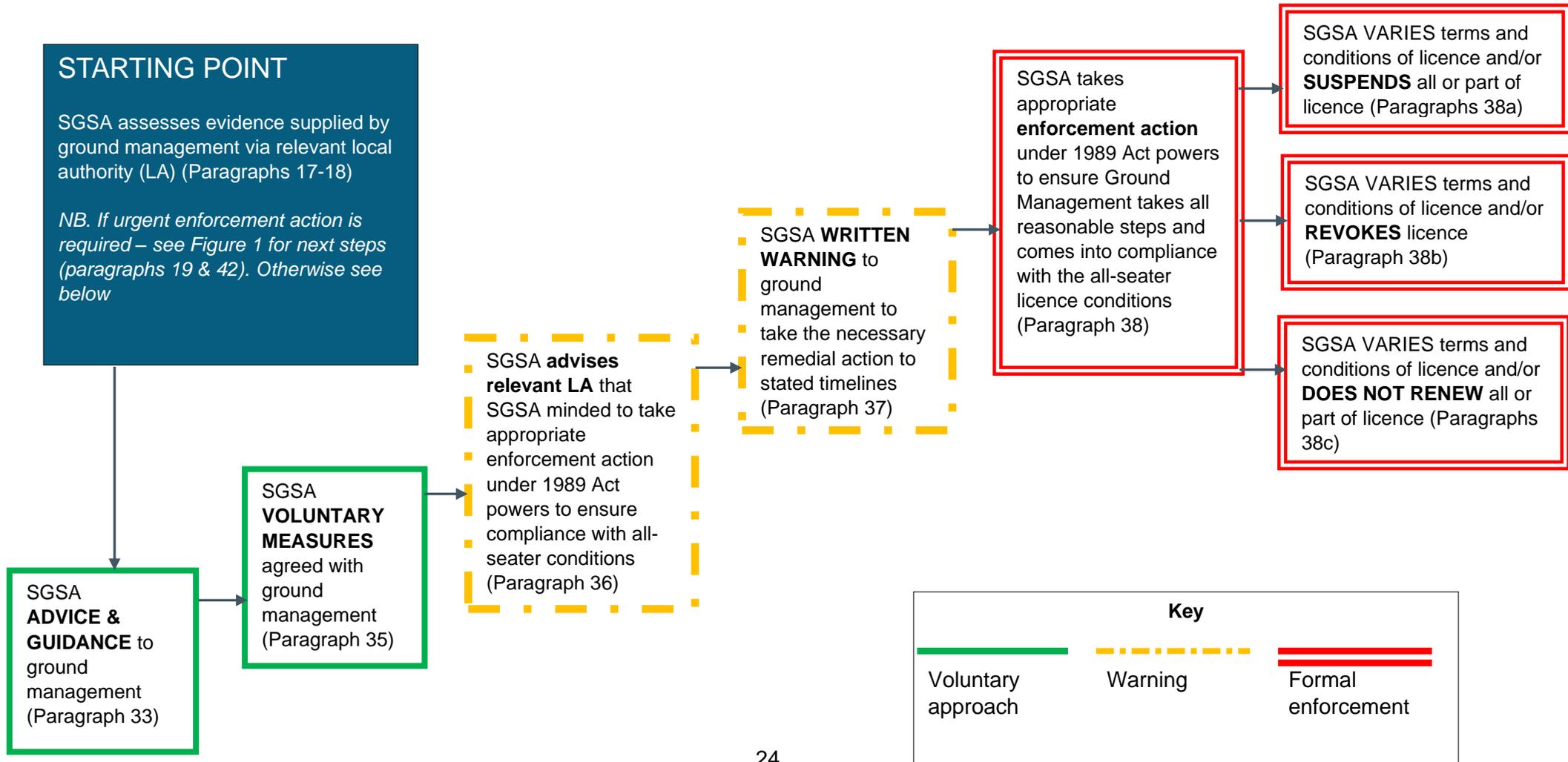




Figure 3: All-seater policy: SGSA enforcement approach for the 20/21 season – sliding scale of enforcement options where evidence suggests ongoing non-compliance with all seater conditions (under 1989 Act powers unless otherwise stated)

SGSA works with ground management (and relevant LA) to give ground management every opportunity to come into compliance prior to formal enforcement action being taken (Paragraphs 39 & 41)





Annex C: Potential enforcement action by local authorities under the Safety of Sports Grounds Act 1975

Where local authorities are not satisfied that any management plans provide for the reasonable safety of spectators, they can consider limiting capacity to an appropriate level. Instances where action may be required by local authorities include:

- a. If the gradient of the seating deck is above 25 degrees, persistent standing could be regarded as unsafe by definition (on the basis that the Green Guide does not allow standing in areas with rakes exceeding that). The local authority may require any such seating deck area where spectators are standing to be taken out of use on safety grounds. Additionally, persistent standing on seating decks with gradients below 25 degrees may also be unsafe. The local authority will consider each case on its individual merits and take action appropriately.
- b. If the front barrier of an elevated seating deck is not to crush barrier height and strength, persistent standing presents increased safety risks. The local authority may require the ground management to take at least the front row, and preferably the front two rows, out of use on safety grounds.
- c. Where significant numbers of spectators are standing, the local authority may reduce the holding capacity of the area concerned by allocating each spectator a width of 550mm, rather than the 460mm of the typical seating configuration, to prevent them spilling out into gangways. Ground management and supporters should be aware that this alone would result in one in every six seats in the area concerned being taken out of use.
- d. In addition, if the ground management is failing to manage the crowd, the local authority may reduce the (S) factor²⁹ for the area concerned to whatever level is necessary to ensure the reasonable safety of spectators. Where the area concerned is occupied by visiting supporters, the reduction could apply to all matches or to those that have been identified as likely to present a particular risk.
- e. As an alternative to the previous option, the local authority could also require the closure of particular rows (radial or lateral) or could limit the use of certain areas to particular groups of spectators (for instance, home supporters or disabled spectators)³⁰. The progressive closure of rows from the front would effectively deal with the main transgressors and warn those behind that they may also lose their places for subsequent matches if they do not sit down.
- f. If the ground management fails to take measures to educate and persuade supporters that they must sit down, with a consequent impact on safety, the local authority may reduce the (S) factor and therefore the ground capacity.

²⁹ In order to calculate the holding capacity of a sports ground, each part of the ground's viewing accommodation should be assessed according to the quality of the safety management in that area. This assessment is known as the (S) factor. Further information on the (S) factor can be found in Section 2.4 of the sixth edition of the Green Guide.

³⁰ Closure of particular rows may contain seats for disabled spectators, such as identified easy access and amenity seats. In such circumstances, the seats for disabled spectators should remain operational, subject to being adequately stewarded.



- g. If the rake is so shallow that it positively encourages spectators to stand, the local authority may reduce the (P) factor³¹ accordingly. In appropriate cases, the SGSA could consider whether to impose a licence condition limiting the use of such areas.

It is extremely important that local authorities act reasonably and follow due process if seeking to adopt any of the measures above. It is particularly important to be able to demonstrate a proportionate and transparent approach if taking action which could result in reduced capacities.

³¹ In order to calculate the holding capacity of a sports ground, each part of the ground's viewing accommodation should be assessed according to its physical condition. This assessment is known as the (P) factor. Further information on the (P) factor can be found in Section 2.4 of the sixth edition of the Green Guide.



Annex D: Causes and potential impact of standing in seated areas

It is recognised that spectators may stand persistently for different reasons, some involuntary, some deliberate, for example:

- a. they stand because inadequate sightlines obstruct their view or the seats are uncomfortable;
- b. they cannot see because other spectators are standing;
- c. they see supporters of the other team standing;
- d. they prefer to stand; or
- e. they are demonstrating their visible/vocal support for their team

Seated areas do not contain any of the design and safety features found on terraces designed to accommodate standing spectators. Standing in seated areas may raise issues in respect of one or more of the following: safety, crowd management and customer care.

Safety

Spectators standing in seated areas may create a number of hazards both for themselves and for those around them, for example:

- a. Spectators standing in these circumstances are not protected by any crush barriers. Instead they have a seat back in front of their legs. In the event of an incident, there would be nothing to prevent them from falling forwards onto the heads and upper bodies of the spectators in front. The falling spectators could themselves incur lower limb injuries from the seats. The risk is exacerbated if spectators stand on the seats themselves.
- b. The risk associated with such falls, and the likelihood of a cascading effect, increase along with the gradient of the seating deck. Over 200 stands, or parts of stands, in all-seated grounds have gradients above 25 degrees - the Green Guide considers such steep gradients to be unsafe for any *standing* accommodation, even where this is equipped with crush barriers to the highest standard. Indeed, many seating decks, particularly on upper tiers, have gradients close to the recommended safety maximum for seating of 35 degrees. Standing in a seated area with a gradient above 25 degrees is particularly unsafe due to this risk, and due to changes in spectator behaviour since the 1990s.
- c. A further significant safety hazard arises if spectators stand on an upper or elevated tier. The front barrier or parapet in front of the seated spectators will normally be at a height of 800mm, rising to 1100mm at the foot of each gangway. These barrier heights assume seated spectators. The Green Guide recommends that 800mm is sufficiently high to protect spectators entering and leaving but may not prevent a standing spectator from toppling over the barrier and into the crowd below. Raising the barrier would in many cases create a restricted view and might even encourage spectators to stand. An alternative, which has been adopted at some grounds, is to increase the height incorporating the use of transparent materials e.g. toughened glass. Another ground has sought to reduce the risk by installing a horizontal barrier extending outwards from the parapet wall.
- d. A seated area built to the minimum dimensions recommended by the Green Guide can accommodate 31 seated spectators per 10m² although it is accepted that this number



may be slightly higher in older stadia conforming to previous guidance. If spectators have migrated and are not occupying their allocated positions, the density is likely to be higher still. It could even come close to the maximum of 47 persons per 10m² permitted in a standing area that is fully equipped with crush barriers.

- e. Moreover, spectators standing side by side will, if they can, tend to occupy a greater lateral space (typically 550mm per person) than those who remain seated (typically 460mm). If the stand is full, standing spectators are likely to spill out into the gangways and vomitories, which become blocked. This not only impedes the safe circulation and exit of spectators; it also makes it difficult for stewards and first aid staff to undertake their safety duties. Keeping gangways clear is a fundamental safety requirement.
- f. Spectators standing in radial gangways are, moreover, the most prone to falling, both during moments of excitement and when others are pushing their way through. The SGSA is aware of incidents where spectators were injured by other spectators falling down the gangways in which they were standing. It should be remembered that gangways are unlikely to have handrails and may have a significant number of risers permitted in one consecutive flight.
- g. Spectators purchase a seat in the reasonable expectation that they will be able to see the match. If those in front are standing, smaller spectators, in particular children, may be unable to see unless they stand on the seat. This constitutes a significant safety hazard.

Crowd management

Standing in seated areas can have a number of potentially serious consequences, for example:

- a. It is important for ground management and stewards to be able to secure the co-operation of spectators on a match day. While there is no automatic correlation between standing in seated areas and misbehaviour, there is evidence that some groups of standing spectators regularly adopt a hostile attitude to stewards and to the authorities generally. This can make it harder to identify individual offenders.
- b. Even where this does not lead to misbehaviour, standing spectators may not comply with requests (in particular, to keep the gangways and exits clear – see above) that may be for their own safety.
- c. Standing spectators are less static, less identifiable as individuals, and less likely to make eye contact with stewards than seated spectators. Consequently, standing spectators present additional challenges when stewards seek to give instructions to them.

Customer care issues

These are primarily matters of concern for football ground management and the football authorities, who recognise that standing in seated areas can have an impact on the customer experience and customer care, for example:

- a. Once the spectators at the front of a seating deck stand, those behind them have no alternative but to do likewise, whether they wish to or not. Those who are unable to stand for prolonged periods, or who prefer not to are likely to suffer a significant loss of enjoyment. They cannot remedy this themselves.



- b. Spectators who do not wish to stand may feel threatened and intimidated by those who do. The SGSA is aware of spectators being assaulted when they asked those standing to sit down.
- c. Over the past 20 years, there have been significant increases in the number of women, children and older people attending matches. If they are prevented from seeing or enjoying matches in popular areas, they may choose to stop coming rather than move to other areas, and hence may be lost to the game, and reduce the diversity of spectators to the game which has grown in recent years.
- d. Disabled spectators, including but not only wheelchair users, cannot satisfactorily be accommodated among, or in many cases behind, standing spectators. If spectators stand in seated areas, they may prevent ground management from making 'reasonable adjustments' to club policies, procedures and the physical environment to provide suitable accommodation in all parts of the ground for disabled spectators in accordance with The Equality Act 2010.