EXPLANATORY MEMORANDUM TO

THE SAFETY OF SPORTS GROUNDS (DESIGNATION) (AMENDMENT) (ENGLAND) ORDER 2026

2026 No. 829

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Culture, Media and Sport and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Stephanie Peacock, the Minister for Sport, Media, Civil Society and Youth at the Department for Culture, Media and Sport, confirms that this Explanatory Memorandum meets the required standard.

2.2 Simon Mason, Deputy Director for Sport, at the Department for Culture, Media and Sport, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Lee Brooks, at the Department for Culture, Media and Sport can be contacted by email at the following address with any queries regarding the instrument: lee.brooks@dcms.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 The Safety of Sports Grounds (Designation) (Amendment) (England) Order 2026 will amend the Safety of Sports Grounds (Designation) Order 2015 to designate any grounds requiring designation before the start of the 2026-2027 season, or requiring de-designation by virtue of no longer meeting the requirements of designation. The Safety of Sports Grounds Act 1975 empowers the Secretary of State to designate any sports ground which, in their opinion, has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and English Football League grounds in England and Wales. We are designating the LNER Community Stadium, as occupied by York City Football and the Crown Oil Arena, as occupied by Rochdale AFC, following their promotion to the English Football League. Note: The Crown Oil Arena is occupied by both the football club and the Rochdale Hornets Rugby League Football Club; this dual usage is reflected in the entry. We are de-designating Holker Street, as occupied by Barrow AFC, and The Football Stadium, as occupied by Harrogate Town FC, following their relegation from the English Football League.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 The Safety of Sports Grounds Act 1975 ("the 1975 Act") helps to ensure high standards of spectator safety at sports grounds by requiring any sports ground designated under that Act to obtain a safety certificate from the local authority for the area in which that sports ground is situated. Primary responsibility for ensuring compliance with the required standards lies with the local authority.

5.2 Safety certificates must contain such terms and conditions as the local authority considers necessary or expedient to secure reasonable safety at the designated sports ground. The 1975 Act provides for a number of criminal offences; for example, where spectators are admitted to a designated sports ground when no valid safety certificate is in place, or where any term or condition of a safety certificate is contravened.

5.3 This Order amends the 2015 Order so as to designate LNER Community Stadium, as occupied by York City Football Club, and the Crown Oil Arena, as occupied by Rochdale Association Football Club and Rochdale Hornets Rugby League Football Club, as it is it the Secretary of State's opinion that these grounds have accommodation for over 5,000 spectators, and are occupied by a club that is a member of the Football League Limited or the Football Association Premier League Limited, as such satisfying the criteria for designation under the 1975 Act.

5.4 This Order equally amends the 2015 Order so as to de-designate Holker Street, as occupied by Barrow Association Football Club, and The Football Stadium as occupied by Harrogate Town Association Football Club, as the grounds no longer meets the criteria for designation.

5.5 The Safety of Sports Grounds Safety Act 1975 categorises designated sports grounds based on location, sport, club affiliation, and spectator capacity. Schedule 1 of this Act applies to sports grounds in England and Wales that, in the Secretary of State's opinion, can accommodate over 10,000 spectators. Schedule 2 applies to stadiums that in the Secretary of State's opinion have spectator capacity exceeding 5,000 and are specifically used for association football by clubs in the Premier League and English Football League.

What was the previous policy, how is this different?

5.6 The underlying policy has remained substantially unchanged since the introduction of the primary legislation. This Order updates the cohort of qualifying stadia to reflect the changed circumstances as listed above.

6. Legislative and Legal Context

How has the law changed?

6.1 Section 1(1) of the 1975 Act provides that the Secretary of State may designate by Order any sports ground in England and Wales as requiring a safety certificate from the relevant local authority if, in the Secretary of State's opinion, that sports ground has accommodation for more than 10,000 spectators, Section 1(1A) provides that the Secretary of State may substitute such other number as they considers appropriate for the 10,000 threshold, either generally or for different classes of sports ground set out in section 1(1). The Safety of Sports Grounds (Accommodation of Spectators) Order 1996 (S.I. 1996/499) substituted the number 5,000 for the number of spectators specified in section 1(1) of that Act in respect of sports grounds in England and Wales at which association football matches are played and which are occupied by a football

club which is a member of the Football League Limited or the Football Association Premier League Limited.

6.2 Designations that had been made under the 1975 Act in respect of sports grounds in England and Wales, which were still considered to meet the applicable conditions, were consolidated in the 2015 Order.

6.3 This Order amends the 2015 Order so as to designate the two (2) above listed grounds as sports grounds which requires a safety certificate under the 1975 Act. This Order also amends the 2015 Order so as to de-designate the two (2) above listed grounds as sports grounds which no longer require a safety certificate under the 1975 Act.

Why was this approach taken to change the law?

6.4 As Parliament provided the Secretary of State with powers to designate sports grounds under the 1975 Act by secondary legislation, it is appropriate to keep the designations up to date using secondary legislation

7. Consultation

Summary of consultation outcome and methodology

7.1 The relevant local authorities have been consulted, alongside the relevant ground owners, police, fire and ambulance services in respect of the above amendments to the designations and de-designations. No objections were raised. Harrogate Town Football Club sought further clarifications on the process and officials are providing more information.

8. Applicable Guidance

8.1 The Sports Grounds Safety Authority ("SGSA") has published technical guidance on a range of matters associated with sports grounds safety, including its Guide to Safety at Sports Grounds (also known as "the Green Guide"). This is published by the SGSA (ISBN 978-1-9164583-0-7, 6th Edition) and is available for purchase at: https://sgsa.org.uk/greenguide-availablenow/.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because it has no significant impact on business, charities or voluntary bodies.

Impact on businesses, charities and voluntary bodies

9.2 The impact on business, charities or voluntary bodies in relation to the amendments to the designations of the listed stadiums is limited to whichever body is responsible for ensuring that the ground owners obtain safety certificates from the relevant local authority and complies with its terms and conditions.

9.3 The legislation does not impact small or micro businesses.

9.4 The impact on the public sector is limited to the relevant councils, being the local authorities for the areas in which the stadiums, respectively, are situated, as well as (to a lesser degree) the SGSA.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 A statutory review clause is included in the 2015 Order as a result of an amendment made by the Safety of Sports Grounds (Designation) (Amendment) Order 2015 (S.I. 2015/1556). A report was conducted September 2020, and then September 2025, and subsequent reports must be published no more than every five years thereafter. This means that all designations recently received a comprehensive review.

10.2 In addition to this, if the circumstances in which a sports ground operates change - for example, where the local authority notifies the Secretary of State that a sports ground no longer meets the criteria for designation - the designation for that sports ground in the 2015 Order may be amended or revoked.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 The Minister for Sport, Media, Civil Society and Youth at the Department for Culture, Media and Sport has made the following statement regarding Human Rights:

"In my view the provisions of the Safety of Sports Grounds (Designation) (Amendment) (England) Order 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").