EXPLANATORY MEMORANDUM TO

THE SAFETY OF SPORTS GROUNDS (DESIGNATION) (No.2) ORDER 2006

2006 No. 1662

1. Introduction

1.1. This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

2. Description

2.1. This order designates the grounds occupied by Arsenal Football Club, Worcester Rugby Football Club and Glamorgan County Cricket Club, and de-designates St Helen's Ground, Swansea as sports grounds requiring safety certificates under the Safety of Sports Grounds Act 1975.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1. None.

4. Legislative Background

4.1. The Safety of Sports Grounds Act 1975 provides for local authorities to issue safety certificates for designated sports grounds. Safety certificates contain such terms and conditions as the local authority considers necessary or expedient to secure reasonable safety at the sports ground. The Act creates offences in relation to the admission of spectators to a designated sports ground, in particular, where no safety certificate is in place or where the conditions of the safety certificate have been contravened.

4.2. Section 1(1) of the 1975 Act provides that the Secretary of State may by order designate as a sports ground requiring a safety certificate any sports ground which in her opinion has accommodation for more than 10,000 spectators.

4.3. The Safety of Sports Grounds (Accommodation of Spectators) Order 1996 reduced the number of spectators to 5,000 in respect of sports grounds in England and Wales at which association football matches are played and which are occupied by a club which is a member of the FA Premier League or the Football League.

4.4. This order designates one football ground, one rugby ground and one cricket ground for the purposes of the 1975 Act, which each have accommodation for more than 10 000 spectators. Similar designation orders have been issued most years since 1976 in respect of other sports grounds.

4.5 The Safety of Sports Grounds (Designation) Order 1986 SI (1986/1296) designated St Helen's Sports Ground as a sports ground requiring a safety

certificate for the purposes of the 1975 Act. This order amends the 1986 Order by removing reference to St Helen's Sports Ground. Other orders have been made since 1976 de-designating sports grounds.

5. **Extent**

5.1 The Safety of Sports Grounds Act 1975 (under which the order is made) extends to England, Wales and Scotland.

6. The European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

7.1. The policy background to the 1975 Act is to improve spectator safety at sports grounds. The primary responsibility for ensuring safety lies with local authorities.

7.2. The reasons for designating these grounds are Emirates Stadium (the home ground of the Arsenal Football Club) is that it is a newly built stadium that the club will be using as their home ground from the beginning of the 2006/07 football season. Arsenal's new ground will have a capacity of 60,000 spectators. Sixways Stadium (the home of Worcester Rugby Football Club) has recently undergone some development to increase spectator capacity. Sixways stadium will have a capacity of 10,009 spectators. Sophia Gardens (the home of Glamorgan County Cricket Club) will be hosting matches for which the grounds capacity will be increased temporarily to 10,000 spectators. To address any potential safety concerns at these grounds, the Secretary of State believes and that they should be designated so that the relevant local authorities can carry out certification of the grounds for safety purposes. In each case, the club and the relevant local authority, police and fire services have been consulted and no objections have been raised to designation.

7.3 The reason for revoking the designation of St Helen's Sports Ground is that the capacity of the ground is no longer capable of accommodating 10,000 or more spectators - the current capacity is 6500, and there is no intention to carry out work to increase this. As there are no potential safety concerns at this ground, the Secretary of State believes that it should be de-designated so that the relevant local authorities are not required to carry out certification of the ground for safety purposes. Swansea Cricket and Football Club Limited and the relevant local authority, police and fire services have been consulted and no objections have been raised to de-designation.

8. **Impact**

8.1. A full Regulatory Impact Assessment has not been prepared for this order.

8.2. The order imposes additional requirements on the local authorities in whose areas these sports grounds are located, which will be responsible for issuing safety certificates.

9. Contact

9.1. Fraser Skilling at the Department for Culture, Media and Sport. Tel: 020 7211 6107 or email: fraser.skilling@culture.gov.uk can answer any queries regarding the instrument.