EXPLANATORY MEMORANDUM TO

THE SAFETY OF SPORTS GROUNDS (DESIGNATION) ORDER 2015

2015 No. 1374

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. Purpose of the instrument

2.1. This Order designates The Hive Stadium, occupied by Barnet Football Club, as a sports ground requiring a safety certificate under the Safety of Sports Grounds Act 1975 ('the Act').

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

3.1. None.

4. Legislative Context

4.1. Section 1(1) of the Act provides that the Secretary of State may by Order designate any sports ground in England and Wales as requiring a safety certificate from the relevant local authority if, in his opinion, it has accommodation:

4.1.1. for more than 10,000 spectators, or

4.1.2. in the case of a sports ground at which association football matches are played and which is occupied by a football club which is a member of the Football Premier League Limited or Football League Limited - more than 5,000 spectators.

4.2. 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 where no safety certificate is in place or where the conditions of the safety certificate have been contravened.

4.3. This Order designates The Hive Stadium as a sports ground requiring a safety certificate under the 1975 Act, it being a sports ground in England which, in the opinion of the Secretary of State, is a ground:

4.3.1. at which association football matches are played,

4.3.2. which is occupied by Barnet Football Club, a member of the Football League Limited, and

4.3.3. has accommodation for more than 5,000 spectators.

5. Territorial Extent and Application

5.1. This Order applies to England and Wales.

5.2. The Act extends to England and Wales, and Scotland. Competence to designate sports grounds in Scotland under section 1(1) passed to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

6. European Convention on Human Rights

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

7. Policy background

• ***What is being done and why***

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

7.2. Following Barnet Football Club's promotion to the Football League, the Hive Stadium, having a capacity for more than 5,000 spectators, satisfies the criteria for designation under the Act. To address any potential safety concerns at the ground, the Secretary of State therefore believes that the ground should be designated so that Harrow Borough Council can carry out the safety certification process.

• ***Consolidation***

7.3. The Order comes into force on 3rd August 2015, so as to be in place before the start of the new Football League season on 8th August. It is intended that this Order will cover the period 3rd August to 30th September 2015. A further instrument will be laid in September 2015 revoking it and consolidating this designation (and the designation of one other) into the list of designated sports grounds in the Safety at Sports Grounds (Designation) Order 2015 (S.I. 2015/661) coming into force on 1st October 2015.

8. Consultation outcome

8.1. Barnet Football Club, Harrow Borough Council, and relevant police forces and fire services have been consulted and no objections have been raised to either designation.

9. Guidance

9.1. There is no specific guidance issued to ensure compliance with this Order. However, local authorities are able to refer to the technical advice contained in the

Government's *Guide to Safety at Sports Grounds*, 5th Edition, The Stationery Office, 2006 ISBN 0-11-702074, also known as the Green Guide.

10. Impact

10.1. The only impact on business, charities or voluntary bodies will be on Barnet Football Club, which will be required to ensure that it complies with the terms of the safety certificate issued by the local authority.

10.2. The impact on the public sector is that the relevant local authority for the area in which the sports ground is situated (Harrow Borough Council), will be required to issue a safety certificate for the sports ground designated in this Order.

10.3. An Impact Assessment has not been prepared for this Order.

11. Regulating small business

11.1. The Order does not apply to small business.

12. Monitoring & review

12.1. Not applicable

13. Contact

13.1. Fiona Wood at the Department for Culture, Media and Sport (Tel: 020 7211 6133 or email: Fiona.Wood@culture.gov.uk) can answer any queries regarding the Order.