EXPLANATORY MEMORANDUM TO THE

SAFETY OF SPORTS GROUNDS (DESIGNATION) ORDER 2006

2006 No. 1971

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 ground occupied by Accrington Stanley Football Club, as a sports ground requiring a safety certificate 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 for the purposes of the 1975 Act, which has accommodation for more than 5000 spectators. Similar designation orders have been issued most years since 1976 in respect of other 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 reason for designating the Fraser Eagle Stadium (the home ground of Accrington Stanley) is that the ground will host designated football matches following the promotion of the club from the Football Conference to the Football League and the ground has accommodation for more than 5000 spectators. To address any potential safety concerns at this ground, the Secretary of State believes and it should be designated so that the relevant local authority can carry out certification of the ground for safety purposes. The club and the relevant local authority, police and fire services have been consulted and no objections have been raised to 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 authority, in whose areas this sports ground is 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.