EXPLANATORY MEMORANDUM TO

THE SAFETY OF SPORTS GROUNDS (DESIGNATION) ORDER 2006

2006 No. 218

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 de-designates the ground occupied by Workington RFC Ltd (Ellis Sports Ground) 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. Section 18(2) of the 1975 Act provides that any power to make an order conferred by any provision of the Act shall include a power to make an order varying or revoking any order previously made under that provision.

4.3. The Safety of Sports Grounds (Designation) Order 1986 SI (1986/1296) designated Ellis 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 Ellis Sports Ground. Other orders have been made since 1976 designating and 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 reason for revoking the designation of Ellis Sports Ground is that the capacity of the ground is no longer capable of accommodating 10,000 or more spectators - the current capacity is 3023, 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. Workington RUFC 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 as it has no significant impact on business, charities or voluntary bodies.

8.2. The order will remove the requirement for the local authority in whose area the sports ground is located to issue a safety certificate for it.

9. Contact

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