Executive Note

The Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2008 SSI/2008/379

The above instrument was made in exercise of the powers conferred by section 18 of the Criminal Law (Consolidation) (Scotland) Act 1995 and all other powers enabling them to do so. It amends the Sports Grounds and Sporting Events (Designation) (Scotland) Order 2004 (S.S.I 2004/356). The instrument is subject to negative resolution procedure.

Policy Objectives

Alcohol and other controls at sporting events were introduced in 1980 for reasons of public order and safety.

The principal purpose of the instrument is to designate the home ground of Annan Athletic FC, Galabank, for the purposes of Part II of the Criminal Law (Consolidation) (Scotland) Act 1995. Part II imposes certain restrictions on the sale and consumption of alcohol at designated grounds for designated sporting events.

Designation, as proposed, will mean that it is an offence to:

- be in possession of alcohol or a controlled container in a designated ground for a designated event or attempt to take alcohol in to a designated ground for a designated event *;
- attempt to enter while drunk, or be drunk in, a designated ground at a designated event*;
- carry or consume alcohol on a coach or train specifically hired for the carrying of supporters to a designated event at a designated ground.
- drink in corporate areas overlooking the field of play* unless the blinds are closed or curtains drawn (but does allow, subject to a licence being granted, drinking in hospitality areas in the grounds of the stadium and in stadium car parks).

* During the relevant period of a designated event which is the period commencing two hours before the start and ending one hour after the end of a designated sporting event.

The other controls that are provided for in the 1995 Act, as part of an overall package, relate to the possession of controlled substances (such as flares or fireworks) and controlled containers (such as bottles).

As a result of the admission of Annan Athletic FC to Division 3 of the Scottish Football League, following the resignation of Gretna FC, it is necessary to designate their home ground, Galabank, to ensure consistency of approach to the framework of alcohol controls in operation at designated sporting events in designated grounds.

It is proposed that Annan Athletic FC and other interested parties are notified of the Order when it is laid before Parliament to alert them to the proposed changes and also when the Order clears the Parliamentary process.

The opportunity is also taken to remove Raydale Park, Gretna from the 2004 Order. This is because it is understood that the ground will be sold off to satisfy the club's creditors and will no longer be available to host any of the classes of sporting events listed in Schedule 2 Part I of the Sports Grounds and Sporting Events (Designation) (Scotland) Order 2004.

Consultation

No formal consultation process has taken place as the Order intends to bring the home ground of Annan Athletic FC into line with other football clubs in membership of the Scottish Football League.

Financial Effects

The instrument has no financial effects on the Scottish Government or local government. It will have an effect on Annan Athletic FC in the restriction on the sale of alcohol within the stadium in line with the provisions of Part II of the Criminal Law (Consolidation) (Scotland) Act 1995.

Scottish Government Sport and Games Legacy Division
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