

**EXPLANATORY MEMORANDUM TO THE
SAFETY OF SPORTS GROUNDS (DESIGNATION) ORDER 2004 No.1907**

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 Newcastle Falcons Rugby Football Club and Northampton Saints Rugby Football Club 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. This order designates two rugby grounds 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.

5. Extent

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

6. Policy background

- 6.1.** 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.
- 6.2.** The reason for designating Kingston Park stadium (the home ground of the Newcastle Falcons Rugby Football Club) and Franklins Garden's (the home ground of the Northampton Saints Rugby Football Club) is that both clubs have recently been carrying out building works at their grounds to increase spectator capacity. Newcastle Falcons' ground now has a capacity of 10,367 spectators. Northampton Saints' ground now has a capacity of 11,566 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 rugby club and the relevant local authority, police and fire services have been consulted and no objections have been raised to designation.

7. Impact

- 7.1.** A full Regulatory Impact Assessment has not been prepared for this order.
- 7.2.** 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.

8. Contact

- 8.1.** Chris Taylor at the Department for Culture, Media and Sport. Tel: 020 7211 6107 or email: Chris.Taylor@culture.gsi.gov.uk can answer any queries regarding the instrument.

DEPARTMENT FOR CULTURE, MEDIA & SPORT

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