

EXPLANATORY MEMORANDUM TO
THE SAFETY OF SPORTS GROUNDS (DESIGNATION) ORDER 2008
2008 No. 55

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 Leigh RMI and Leigh Centurions Rugby League Club, Harlequins Football Club, Hull Kingston Rovers Rugby League Football Club and de-designates The Boulevard, Hull 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. 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 and 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.

4.5 The Safety of Sports Grounds (Rugby Football Grounds) (Designation) Order 1985 SI (1985/1064) designated The Boulevard, Hull as a sports ground requiring a safety certificate for the purposes of the 1975 Act. This order amends the 1985 Order by removing the reference to The Boulevard, Hull. Other orders have been made since 1976 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 reasons for designating these grounds are Leigh Stadium (the home ground of the Leigh RMI Football Club and Leigh Centurions Rugby League Club) is a newly built stadium that the club will be using as their home ground from May 2008. The new ground will have a capacity of 11,122 spectators. Craven Park Stadium (the home of Hull Kingston Rovers Rugby League Football Club) has recently undergone some development to increase spectator capacity to 11,450. Twickenham Stoop Stadium (home of Harlequins Football Club) has also undergone redevelopment which has increased the capacity to 12,639. In each case, the club and the relevant local authority, police and fire services have been consulted and no objections have been raised to designation.

7.3 The reason for revoking the designation of The Boulevard, Hull is that the capacity of the ground is no longer capable of accommodating 10,000 or more spectators - the current capacity is 2033, 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. The ground owners, DMQA Holdings Limited, 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 Impact Assessment has not been prepared for this order.

8.2. 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.

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.