

EXECUTIVE NOTE

THE SPORTS GROUNDS AND SPORTING EVENTS (DESIGNATION) (SCOTLAND) ORDER 2010

S.S.I. 2010/199

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 consolidates previous orders and revokes the Sports Grounds and Sporting Events (Designation) (Scotland) Order 2004 (S.S.I 2004/356) as amended. 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 grounds of Turriff United FC, The Haughs, Formartine United FC, North Lodge Park and Strathspey Thistle FC, Seafield Park, 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 Turriff United FC, Formartine United FC and Strathspey Thistle FC to the Scottish Highland Football League, it is necessary to designate their home grounds, The Haughs, North Lodge Park and Seafield Park respectively, to ensure consistency of approach to the framework of alcohol controls in operation at designated sporting events in designated grounds.

It is proposed that the three football clubs 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:

- amend the location of The Falkirk Stadium;
- amend the location of Firhill Stadium;
- amend the location of Ochilview Park;
- amend the name of the League to give its full and proper title of the Scottish Highland Football League;
- remove the Scottish Association Qualifying Cup (North) as this competition is no longer held following a restructuring of the Scottish Association Cup;
- add the Scottish Highland Football League Cup;
- replace the UEFA Cup with its successor tournament the UEFA Europa League; and
- remove the UEFA Inter Toto Cup which no longer exists.

Consultation

No formal consultation process has taken place as the Order intends to bring the home grounds of Turriff United FC, Formartine United FC and Strathspey Thistle FC into line with other football clubs in membership of the Scottish Highland Football League.

It has been confirmed by the Secretary of the Scottish Highland Football League that the clubs are aware that their home grounds will become designated sports grounds under Schedule 1 Part I of the Criminal Law (Consolidation) (Scotland) Act 1995.

Financial Effects

The instrument has no financial effects on the Scottish Government or local government. It will have an effect on Turriff United FC, Formartine United FC and Strathspey Thistle 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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