

## **POLICY NOTE**

### **THE SPORTS GROUNDS AND SPORTING EVENTS (DESIGNATION) (SCOTLAND) ORDER 2014**

#### **SSI 2014/5**

The above instrument was made in exercise of the powers conferred by section 18 of the Criminal Law (Consolidation) (Scotland) Act 1995.

This Order consolidates, with amendments, the previous Sports Grounds and Sporting Events (Designation) (Scotland) Orders.

The Order designates the sports grounds, the classes of sporting events played at those grounds and the classes of sporting events outside Great Britain for the purposes of Part II of the Criminal Law (Consolidation) (Scotland) Act 1995 (sporting events: control of alcohol etc.). This Order revokes the Sports Grounds and Sporting Events (Designation) (Scotland) Order 2010 and the subsequent Orders amending that Order.

The main changes from the previous Orders reflect the creation of the Scottish Lowland Football League. The home grounds of its member teams are designated in Schedule 1. The Order also makes changes to the classes of sporting events in Schedule 2 to update the names of the relevant football leagues and football competitions.

#### **Policy Objectives**

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

The principal purpose of the instrument is to include the home grounds of Dalbeattie Star FC, East Kilbride FC, Edinburgh City FC, Gala Fairydean Rovers FC, Gretna (2008) FC, Preston Athletic FC, Selkirk FC, Spartans FC, Threave Rovers FC, University of Stirling FC, Vale of Leithen FC and Whitehill Welfare FC, being the member clubs of the Scottish Lowland Football League, for the purposes of The Sports Grounds and Sporting Events (Designation) (Scotland) Order 2010 Schedule 1, whilst recognizing that the home ground of the University of Stirling FC, Forthbank Stadium) is already designated by virtue of being the home ground of Stirling Albion FC. The Order also re-designates Victoria Park, Buckie, home ground of Buckie Thistle FC.

These changes are required in light of information received from the respective league bodies and to ensure consistency of approach across leagues to the application of the alcohol and other controls framework introduced by the Criminal Law (Consolidation) (Scotland) Act 1995.

Part II of the 1995 Act 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 alcohol or be drunk 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 Part II of 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).

It is proposed that the respective football league bodies affected 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.

### **Consultation**

No formal consultation process has taken place with football clubs as the Order merely seeks to include the names of the home grounds of the football clubs noted above. Member clubs of the Scottish Lowland Football League have not previously been subject to the provisions of Part II 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 some effect on the football clubs identified in this Order if they currently permit the sale of alcohol at their grounds from which they receive an income, as the clubs have not previously been subject to the provisions of Part II of the Criminal Law (Consolidation) (Scotland) Act 1995.