

**EXPLANATORY MEMORANDUM TO  
THE SAFETY OF SPORTS GROUNDS (DESIGNATION) (AMENDMENT) (NO.2)  
ORDER 2015**

**2015 No. 1807**

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. **Purpose of the instrument**
  - 2.1. This Order amends the Safety of Sports Grounds (Designation) Order 2015 (S.I. 2015/661) to remove the designation of:
    - Talbot Athletic Ground, in Port Talbot, occupied by Aberavon Rugby Football Club;
    - Crane Park, in Camborne, occupied by Camborne Rugby Football Club; and
    - The Recreation Ground, in Redruth, occupied by Redruth Rugby Football Club,as these grounds no longer satisfy the conditions which would entitle the Secretary of State to designate them as requiring a safety certificate 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 Context**
  - *Safety of Sports Grounds Act 1975*
  - 4.1. Section 1(1) of the Safety of Sports Grounds Act 1975 ('the Act') provides that the Secretary of State may designate by Order, any sports ground in England and Wales as requiring a safety certificate from the relevant local authority if, in his opinion, it has accommodation:
    - for more than 10,000 spectators, or
    - in the case of a sports ground at which association football matches are played and which is occupied by a football club which is a member of the Football Premier League or Football League Limited - more than 5,000 spectators.
  - 4.2. Safety certificates must 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 where no safety certificate is in place or where the conditions of the safety certificate have been contravened.
  - 4.3. This Order removes the designations for Talbot Athletic Ground, in Port Talbot, Crane Park, in Camborne, and the Recreation Ground, in Redruth, as they no longer satisfy the criteria for designation under the 1975 Act.

## **5. Territorial Extent and Application**

- 5.1. This Order applies to England and Wales.
- 5.2. The Safety of Sports Grounds Act 1975 extends to England, Wales and Scotland. Competence to exercise this power in section 1(1) to designate sports grounds in Scotland passed to Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

## **6. European Convention on Human Rights**

- 6.1. As the Order is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

### *What is being done and why*

- 7.1. The policy aim of the 1975 Act is to improve spectator safety at sports grounds. The primary responsibility for ensuring compliance with the 1975 Act lies with local authorities.
- 7.2. Neath Port Talbot County Borough Council has confirmed that the Talbot Athletic Ground, in Port Talbot, no longer meets the criteria that would entitle the Secretary of State to designate them as requiring safety certificates under section 1 of the 1975 Act. Cornwall Council has similarly confirmed that Crane Park, in Camborne and the Recreation Ground, in Redruth no longer meet the criteria for designation.
- 7.3. This Order therefore removes the designations for those sports grounds from the list of designated sports grounds in the Safety of Sports Grounds (Designation) Order 2015 (2015/661), which came into force on 1st October 2015.
- 7.4. Where designation of a sports ground is removed because it no longer qualifies for designation under the 1975 Act, the club concerned may require a safety certificate from the local authority under the Fire Safety and Safety of Places of Sports Act 1987 for any regulated stands within the ground. This instrument will therefore ensure that sports grounds are regulated appropriately for a ground of that size.

## **8. Consultation outcome**

- 8.1. Neath Port Talbot County Borough Council and Cornwall Council have confirmed these sports grounds do not meet criteria for designation under the 1975 Act.

## **9. Guidance**

- 9.1. There is no specific guidance issued to ensure compliance with this Order. However, local authorities are able to seek technical advice from the Sports Grounds Safety Authority in relation to any safety certificate required to be issued under the Fire Safety and Safety of Places of Sports Act 1987.

## **10. Impact**

- 10.1. No impact on charities or voluntary bodies.
- 10.2. The impact on the public sector is that the relevant local authority for the area in which these sports grounds are situated. Neath Port Talbot Borough Council and

Cornwall Council will be required to assess each ground to determine if they require a safety certificate under the 1987 Act for any regulated stands within the ground.

10.3. The impact on business is that the Aberavon, Camborne and Redruth Rugby Football Clubs may require a safety certificate under the 1987 Act for any regulated stands within their grounds.

10.4. An Impact Assessment has not been prepared for this Order.

#### **11. Regulating small business**

11.1. The Order does not apply to small business.

#### **12. Monitoring & review**

12.1. None.

#### **13. Contact**

13.1. Fiona Wood at the Department for Culture, Media and Sport (Tel: 020 7211 6133 or email: [Fiona.Wood@culture.gov.uk](mailto:Fiona.Wood@culture.gov.uk)) can answer any queries regarding the Order.