

**EXPLANATORY MEMORANDUM TO THE
SAFETY OF SPORTS GROUNDS (DESIGNATION) ORDER 2005
2005 No. 1748**

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 Coventry City Football Club and Swansea City Association 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. Section 1(1A) of the 1975 Act provides that the Secretary of State may by order substitute such other number of spectators as she considers appropriate and section 1(1B) provides that an order may make different substitutions for different classes of sports grounds. In exercise of these powers, the Safety of Sports Grounds (Accommodation of Spectators) Order 1996 (SI 1996/499) substituted the number 5,000 in relation to sports grounds in England and Wales at which associated football matches are played and which are occupied by a club which is a member of the Football League Limited or the Football Association Premier League.

4.3. This order designates two football grounds for the purposes of the 1975 Act, which each have accommodation for more than 5,000 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. European Convention on Human Rights

6.1 Not applicable.

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 reason for designating the Ricoh Arena, Coventry (the home ground of the Coventry City Football Club) and the New Stadium, Swansea (the home ground of the Swansea City Association Football Club) is that these are newly built stadia that the clubs will be using as their home grounds from the beginning of the 2005/06 football season . Coventry City's new ground will have a capacity of 32,000 spectators. Swansea City's new ground will have a capacity of 20,000 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 football club and the relevant local authority, police and fire services have been consulted and no objections have been raised to designation.

8. Impact

8.1. A full Regulatory 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. Nicola Crowhurst at the Department for Culture, Media and Sport. Tel: 020 7211 6107 or email: Nicola.Crowhurst@culture.gsi.gov.uk can answer any queries regarding the instrument.