

**EXPLANATORY MEMORANDUM TO**  
**THE SAFETY OF SPORTS GROUNDS (DESIGNATION) (AMENDMENT) ORDER**  
**2019**

**2019 No. 1116**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Department for Digital, Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

- 2.1 This Order amends three existing designations in the Safety of Sports Grounds (Designation) Order 2015 (S.I. 2015/661) (“the 2015 Order”) to reflect changed circumstances.

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 None.

*Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)*

- 3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

**4. Extent and territorial application**

- 4.1 The territorial extent of this instrument is England and Wales.  
4.2 The territorial application of this instrument is England.

**5. European Convention on Human Rights**

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

**6. Legislative context**

- 6.1 Section 1(1) of the Safety of Sports Grounds Act 1975 (“the 1975 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 either for more than 10,000 spectators or, in the case of a sports ground at which football is played and which is occupied by a member of the Football Premier League or the Football League, for more than 5,000 spectators.
- 6.2 All designations made under the 1975 Act in respect of sports grounds in England and Wales were consolidated in the 2015 Order. This Order amends the 2015 Order to designate Meadow Lane Stadium, Nottingham under article 2(1) of the 2015 Order instead of article 2(2), as Notts County Football Club have been relegated from the Football League; to designate the Ricoh Arena, Coventry under article 2(1) instead of

article 2(2), as a result of Coventry City Football Club ceasing to play there; and to revoke the designation of Huish Park, Yeovil under article 2(2), as a result of Yeovil Town Football Club being relegated from the Football League.

## **7. Policy background**

### *What is being done and why?*

- 7.1 The 1975 Act helps to ensure high standards of spectator safety at sports grounds by requiring any sports ground designated under that Act to obtain a safety certificate from the local authority for the area in which that sports ground is situated. Primary responsibility for ensuring compliance with the required standards lies with the local authority.
- 7.2 Safety certificates must contain such terms and conditions as the local authority considers necessary or expedient to secure reasonable safety at the designated sports ground. The 1975 Act provides for a number of criminal offences; for example, where spectators are admitted to a designated sports ground when no valid safety certificate is in place, or where any term or condition of a safety certificate is contravened.
- 7.3 If a designated sports ground no longer meets the criteria for designation as set out in section 1(1) of the 1975 Act as a result of changing circumstances (e.g. demolition or modification) the local authority should formally notify the Secretary of State and request that it be de-designated. If a club is relegated from the English Football League, the club's ground may require de-designation, but this will be dependent upon the capacity of the ground. If the club's ground has a capacity of 10,000 or more spectators, the ground will continue to be designated, but on a different basis.
- 7.4 This Order redesignates Meadow Lane Stadium and the Ricoh Arena to reflect that Notts County Football Club have been relegated from the Football League and that Coventry City Football Club will cease to play at the Ricoh Arena. The redesignation is required because while these sports grounds are no longer grounds occupied by a member of the Football League, it is the Secretary of State's opinion that these grounds accommodate more than 10,000 spectators.
- 7.5 This Order revokes the designation of the Huish Park Stadium due to Yeovil Town Football Club, which plays its home matches there, having been relegated from the Football League. As a result, the conditions which would entitle the Secretary of State to designate the ground as requiring a safety certificate under the 1975 Act are no longer satisfied.
- 7.6 Where designation of a sports ground is revoked because it no longer qualifies for designation under the 1975 Act, the club concerned may nevertheless require a safety certificate from the local authority under the Fire Safety and Safety of Places of Sports Act 1987 ("the 1987 Act") for any regulated stands within the ground.

## **8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union**

- 8.1 This instrument does not relate to withdrawal from the European Union.

## **9. Consolidation**

- 9.1 The Department has no plans at present to consolidate the various minor amendments made to the 2015 Order.

## **10. Consultation outcome**

- 10.1 Notts County Football Club, Nottingham City Council and the relevant police forces and fire and ambulance services have been consulted in respect of the redesignation of Meadow Lane Stadium, and no objection was made.
- 10.2 Wasps Rugby Club (the owners of the Ricoh Arena), Coventry City Football Club, the English Football League, Coventry City Council, The Football Association, the Sports Grounds Safety Authority and relevant police forces and fire and ambulance services have been consulted in respect of the redesignation of the Ricoh Arena, and no objection was made.
- 10.3 Yeovil Town Football Club, Devon County Council and the relevant police forces and fire and ambulance services have been consulted in respect of the de-designation of the Huish Park Stadium, and no objection was made.

## **11. Guidance**

- 11.1 The Sports Grounds Safety Authority (SGSA) has published technical guidance on a range of matters associated with sports grounds safety, including its Guide to Safety at Sports Grounds (also known as “the Green Guide”). This is published by the SGSA (ISBN 978-1-9164583-0-7, 6th Edition) and is available for purchase at: <https://sgsa.org.uk/greenguide-availablenow/>.
- 11.2 Guidance for local authorities and sports clubs with designated grounds is also available on the SGSA’s website at <https://sgsa.org.uk/regulation/about-designated-grounds>.

## **12. Impact**

- 12.1 An impact assessment has not been prepared for this Order because the impact is not significant.  
*Meadow Lane Stadium and the Ricoh Arena*
- 12.2 The impact on business, charities or voluntary bodies in relation to the reclassification of the designation of Meadow Lane Stadium and the Ricoh Arena is limited to whichever bodies are responsible for ensuring that Notts County Football Club and Wasps Rugby Club obtain safety certificates from the relevant local authorities and comply with its terms and conditions.
- 12.3 The impact on the public sector is limited to Nottingham City Council and Coventry City Council, being the local authorities for the areas in which Meadow Lane Stadium and the Ricoh Arena are situated, as well as (to a lesser degree) the Sports Grounds Safety Authority.  
*Huish Park Stadium*
- 12.4 There is no, or no significant, impact on charities or voluntary bodies.
- 12.5 The impact on business is that Yeovil Town Football Club may require a safety certificate under the 1987 Act for any regulated stands within the ground.
- 12.6 The impact on the public sector is that the relevant local authority, Devon County Council, will be required to assess the ground to determine if a safety certificate is required under the 1987 Act for any regulated stands within the ground.

### **13. Regulating small business**

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.

### **14. Monitoring & review**

- 14.1 The Department keeps all designation orders under review, as well as the underlying policy objectives articulated in the 1975 Act. If the circumstances in which a sports ground operates change – for example, where the local authority notifies the Secretary of State that a sports ground no longer meets the criteria for designation – the order by which it was designated may be revoked or amended.
- 14.2 This Order does not include a statutory review clause. In line with the requirements of the Small Business, Enterprise and Employment Act 2015, the Minister for Sport and Civil Society has made the following statement:
- “Individual designation orders apply only to the premises named in the relevant order. This order redesignates Meadow Lane Stadium in Nottingham and the Ricoh Arena in Coventry to reflect a change in the basis on which they require a safety certificate for the purposes of the Safety of Sports Grounds Act 1975, and revokes the designation of Huish Park, Yeovil. A statutory review of this Order would be concerned only with these three sports grounds. I am satisfied it would not be appropriate in the circumstances to make provision for a review in this Order. To review each designation order individually would incur disproportionate cost. The underlying safety policy objectives are kept under constant review by the Department for Digital, Culture, Media and Sport. If the policy was to change, it would very likely require changes to all designation orders, rather than simply this Order.”
- 14.3 The Safety of Sports Grounds (Designation) (Amendment) Order 2015 (S.I. 2015/1556) amended the 2015 Order to include a review provision. A report must be published by 30th September 2020, and every five years after that. This means that all designations will soon receive a comprehensive review.

### **15. Contact**

- 15.1 Fiona Wood, at the Department for Digital, Culture, Media and Sport (telephone: 020 7211 6133 or email: [Fiona.Wood@culture.gov.uk](mailto:Fiona.Wood@culture.gov.uk)), can be contacted with any queries regarding the instrument.
- 15.2 Michael Stark, Interim Deputy Director for Sport at the Department for Digital, Culture, Media and Sport, can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Mims Davies MP, Minister for Sport and Civil Society at the Department for Digital, Culture, Media and Sport, can confirm that this Explanatory Memorandum meets the required standard.