

Executive Note

The Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2007 (S.S.I 2007/ 324)

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 amends the Sports Grounds and Sporting Events (Designation) (Scotland) Order 2004 (S.S.I 2004/356). The instrument is subject to negative resolution procedure.

Policy Objectives

The principal purpose of the instrument is to remove from designation Senior Men's International Rugby Union Matches played at Murrayfield Stadium and Hampden 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 sports grounds for designated sporting events.

The opportunity is also taken to update the 2004 Order to reflect the change in name of the Bayview Stadium, Methil to New Bayview Park, Methil.

Background to Licensing at Murrayfield and rugby events

In 1982, the Scottish Rugby Union (SRU) voluntarily agreed that Murrayfield should be designated under Part V of the Criminal Justice (Scotland) Act 1980 (as re-enacted in Part II of the Criminal Law (Consolidation) (Scotland) Act 1995. For 25 years no alcohol has been sold at senior men's international matches such as the Six Nations Championship. However the sale of alcohol to the public has been permitted at rugby events not classified as International matches, such as the Heineken European Cup Final in 2005, with a crowd of 55,000 which proved most successful and went without incident.

In rugby terms Murrayfield is very much an anomaly. Twickenham and the Millennium Stadium both have a long and trouble-free record of selling alcohol at international rugby matches. As it stands, during the Rugby World Cup (RWC) 2007 Murrayfield will be the only venue where the sale of alcohol is not permitted.

The culture of rugby in Scotland has changed considerably over the last 25 years. The SRU has been at pains to dispel any elitist tag attributed to it. However as alcohol can be sold as part of a Murrayfield hospitality package to those who can afford such packages, the SRU has long expressed the view that this is inequitable and sends the wrong message to the thousands of rugby supporters from around the world coming to the stadium.

At those non-international and club matches where alcohol can be sold, Murrayfield has not developed a drinking culture. Supporters come to the national stadium to watch rugby and have an occasional drink, not to drink and occasionally watch rugby.

The SRU has assessed the situation, based on the experience at Twickenham in particular, and does not believe that the sale of alcohol at Murrayfield will lead to any material increase in its consumption over the event. The Rugby Football Union sell on average just over 1 pint per spectator, with bars closed 30 minutes prior to the game to facilitate controlled access into

the stadium seating and their bars are open post match for up to two hours to facilitate controlled dispersal from the stadium. Crowd behaviour at Twickenham has been consistently peaceful.

Currently, at Murrayfield supporters will drink in local bars and arrive late and en masse for the match. For example, at the sell out Scotland v Ireland Six Nations match on 10 March 2007, 12,000 supporters arrived at the ground in the last five minutes before the kick off (raising a number of crowd safety issues). This could be transformed into a much more orderly and phased entry, as per Twickenham, if the approach there was mirrored. From a crowd safety perspective this is highly desirable. Both the SRU and the Lothian and Borders Police believe that this could be the case at Murrayfield if the Stadium is de-designated.

Existing Security Measures

Murrayfield Stadium was designed with public safety in mind, ensuring the stadium environment is easy to control. The SRU operates the Green Guide (the official safety guide for sports grounds issued by the Health and Safety Executive) to the letter.

Whilst comparisons can be invidious, whereas in football stadia the police assume control of the security for a match, at Murrayfield the SRU Stadium Manager is in charge, with the full confidence of the police that this arrangement is appropriate. Murrayfield's Command Post operates numerous CCTVs throughout the stadium and has in place full procedures for all eventualities

Working with Partners

The SRU has given assurances that it will work with both the Operational and Licensing arms of the Police and the Licensing Boards to ensure the correct measures and controls are in place at International Rugby matches following this de-designation, as it has in the past for other events it has hosted at Murrayfield.

Licensing at Murrayfield - The SRU's Commitment

If a relaxation is granted, the SRU has committed to the following measures in relation to Murrayfield:-

- Creation of a Working Group to including, the police, the City Council public safety team and other interested parties.
- This Group will assess the practical and security issues surrounding the public sale of alcohol and agree a definitive brief for the control and stewarding (via licensed stewards only) of the bar areas. Point-of-sale control already exists at Murrayfield and the SRU would aim to work with the police to further tighten this.
- Exclusion of anybody who is drunk, is causing a nuisance or not respecting the rights of others.
- Measures to ensure the continuance of a family-friendly enjoyable experience for rugby supporters, including separate 'schools areas' and the like.
- Limitations on the range of alcohol products sold to include lower alcohol alternatives, such as low alcohol beers/lagers, soft drinks and long drinks such as the Ginger Grouse, but not permit the sale of spirits.

- Limit the number of drinks which can be purchased on any occasion e.g. maximum of 4 drinks per person.
- Sales in plastic glasses/bottles with the lid off so as not be used as a 'controlled container'
- All plastic containers of beer will be 'kite marked' for volume, or alternatively sold from pre-measured pumps
- Establish a Local Residents Group to tackle any individual concerns and prioritise meeting those concerns, to ensure good community relations.
- Work with the Licensing Board, police and local community regarding the timing of alcohol sales before and after kick off
- Use Scotland players as role models in stadium advertising, to promote responsible drinking and continue initiatives at all levels of the game to promote healthy lifestyle options.
- Broaden the scope of our existing health and social inclusion initiatives to deepen our involvement in national responsible drinking campaigns using Scotland players.

Conclusions

The SRU will work with the Licensing Board, Police, local residents under any law relaxation to continue the trouble-free experience of international matches at the home of Scottish rugby.

A relaxation of the current laws is likely to lead to a more controlled environment for the safe transfer of supporters on match days, alleviating the safety concern surrounding the large number of spectators who leave it to the last minute to exit local bars and migrate en masse to the Murrayfield turnstiles shortly before kick off.

Ministers will keep this position under review and should it prove necessary consider an order to re-designate.

Consultation

The following bodies have been consulted during the preparation of the instrument:

Scottish Rugby Union
 Lothian and Borders Police
 Strathclyde Police
 Edinburgh and Lothians Licensing Board

Financial Effects

The instrument has no financial effects on the Scottish Executive or local government. It will however have an effect on the Scottish Rugby Union in relation to Senior Men's International Rugby Union Matches played at Murrayfield Stadium and Hampden Park, should they acquire an occasional licence to enable them to sell alcohol at these events.

Scottish Executive Criminal Law and Licensing Division
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