



# In Focus

## Accessible Sports Grounds Bill [HL] HL Bill 7 of 2015–16

### Key Provisions

The [Accessible Sports Grounds Bill \[HL\]](#) was introduced by Lord Faulkner of Worcester (Labour) on 28 May 2015. It is scheduled for second reading in the House of Lords on 17 July 2015. The Bill contains three clauses:

- Clause 1 would amend the Safety of Sports Grounds Act 1975 to provide local authorities with the power to refuse to issue a safety certificate to a large sports stadium where it is considered, or where it has been advised by the Sports Grounds Safety Authority, that the stadium does not comply with the Sports Grounds Safety Authority's [Accessible Stadia](#) guidelines. Section 1 of the 1975 Act defines a large sports stadium as one able to accommodate more than 10,000 spectators.
- Clause 2 would ensure that compliance with the guidance became a condition of the issuing of a safety certificate.
- Clause 3 sets out that the Bill would apply to England, Wales and Scotland.

Lord Faulkner has said that legislation is now required to ensure compliance with the guidance because the “voluntary approach has not worked and compulsion is necessary”.<sup>1</sup>

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### Background

Since 2003, guidelines have been in place to provide advice on how to provide for disabled spectators at UK stadiums. The guidance, *Accessible Stadia*, sets out minimum standards that all grounds, new and old, have to meet in the provision, location, and quality of facilities for disabled fans. It also provides, based on its capacity, the number of wheelchair spaces a stadium should make available.<sup>2</sup>

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### Developments

In March 2014, the [BBC](#) undertook to investigate how well Premier League football clubs were meeting the required number of wheelchair spaces. It found that “of the 20 clubs [then] in the Premier League, eight fail to offer even half of what they should under national guidelines” and that only three met the required number.<sup>3</sup> Level Playing Field, the disabled supporters’ charity, described the situation as “discriminatory”. In response to the findings, the Premier League stated that the “highest standards of access are generally at clubs with new grounds, but all clubs, even those working within the constraints of older stadiums, work hard to make sure that disabled fans can attend matches and enjoy their football”, adding that it would work with clubs to “make sure that the views of disabled supporters are

taken into account as we make improvements in this area”.<sup>4</sup> Following the BBC’s report, Mike Penning, the then Minister for Disabled People, wrote to every professional football league club in England, Wales and Scotland about the “woeful lack of appropriate support and space for disabled spectators at many stadiums across the country” and to remind them of their obligations under law.<sup>5</sup> Clubs were told that under the Equality Act 2010 and Disability Discrimination Act 1995, it is “illegal for service providers, including football clubs, to treat disabled people less favourably than other customers. Clubs with older stadiums are not exempt, with a legal obligation to make reasonable adjustments to ensure everyone can access their services”.

In July 2014, Lord Faulkner, who is a vice-president of Level Playing Field, asked in the House of Lords how the Government was ensuring professional sports clubs followed the guidance set out in *Accessible Stadia*.<sup>6</sup> Lord Gardiner of Kimble, responding for the then Government, said that it was “committed to ensuring that all spectators have enhanced and appropriate access to sporting venues and services, and that professional sports clubs are aware of their responsibilities towards disabled”. He said the Government was working on “a range of measures” in support of this, adding that the Sports Grounds Safety Authority was “currently in discussion with Level Playing Field on a revision of the guidance to ensure that it takes account of legislative, technical and other advances that have occurred over the past 11 years”. In January 2015, the Coalition Government announced the launch of a survey to collect information about the experiences of disabled fans at football matches.<sup>7</sup> The Conservative Government has said since it will publish the findings of the survey.<sup>8</sup>

In May 2015, the *Daily Telegraph* found that there were still only three clubs in the Premier League which met the requirements for wheelchair spaces.<sup>9</sup> The newspaper noted: “Approximately one percent of the population uses a wheelchair but the guidelines for football [...] are set at 0.34 percent for larger stadiums. This is considerably lower than the minimum one percent standard set out by Sport England and the International Olympic Committee”. Lord Holmes of Richmond, a commissioner for the Equality and Human Rights Commission, suggested that football clubs could be subject to litigation, remarking that “the beautiful game can be an ugly experience if you are a disabled spectator”. Richard Scudamore, the Premier League chief executive, described the findings as “disappointing”. He stated: “We cannot continue to keep falling short of those guidelines [...] We do need to do the work and we do need to do it as quickly as we can to bring ourselves up to the standard.”<sup>10</sup> The *Guardian* has reported that the Equalities and Human Rights Commission has since written to Premier League clubs about the issue, informing them that “all options remained on the table” to ensure the required improvements were made.<sup>11</sup>

<sup>1</sup> HL *Hansard*, 4 December 2014, [col 1476](#).

<sup>2</sup> Department for Work and Pensions, ‘[Press Release: Government Blows the Whistle on Disability Discrimination in Football](#)’, 14 April 2014.

<sup>3</sup> BBC, ‘[BBC Investigation: Is the Premier League Failing Disabled Fans?](#)’, 14 March 2014.

<sup>4</sup> *ibid*.

<sup>5</sup> Department for Work and Pensions, ‘[Press Release: Government Blows the Whistle on Disability Discrimination in Football](#)’, 14 April 2014.

<sup>6</sup> HL *Hansard*, 14 July 2014, [col 375](#).

<sup>7</sup> Department for Work and Pensions, ‘[Press Release: Bid to Improve Disabled Access at Sports Stadiums](#)’, 2 January 2015.

<sup>8</sup> *Daily Telegraph*, ‘[Conservative Government ready to tackle 'Outrageous' Inequality as Premier League Clubs let down Disabled Fans](#)’, 21 May 2015.

<sup>9</sup> *Daily Telegraph*, ‘[Man United, Chelsea and Liverpool Face Litigation over 'Outrageous' Disabled Fan Access](#)’, 19 May 2015.

<sup>10</sup> *Daily Telegraph*, ‘[Premier League Chief Executive Richard Scudamore says Clubs must meet Minimum Guidelines for Disabled Fans](#)’, 1 June 2015.

<sup>11</sup> *Guardian*, ‘[Premier League and Manchester United Face Legal Threat over Disabled Provision](#)’, 5 June 2015.

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