



Safety of Sports Grounds Act 1975

CHAPTER 52

ARRANGEMENT OF SECTIONS

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Safety of Sports Grounds Act 1975

1975 CHAPTER 52

An Act to make provision for safety at sports stadia and other sports grounds. [1st August 1975]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The Secretary of State may by order designate as a Safety stadium requiring a certificate under this Act (in this Act referred to as a "safety certificate") any sports stadium which in his opinion has accommodation for more than 10,000 spectators. certificates for large sports stadia.

(2) The Secretary of State—

- (a) may estimate, by any means which he considers appropriate, for how many spectators a sports stadium has accommodation ; and
- (b) may require any person concerned with the organisation or management of a sports stadium to furnish him within such reasonable time as he may specify with such information as he considers necessary for the purpose of making such an estimate.

(3) A safety certificate may be either—

- (a) a certificate issued by the local authority for the area in which a stadium is situated in respect of the use of the stadium for an activity or a number of activities specified in the certificate during an indefinite period commencing with a date so specified ; or
- (b) a certificate issued by that authority in respect of the use of the stadium for an activity or a number of

activities specified in the certificate on an occasion or series of occasions so specified.

(4) In this Act—

“designated stadium” means a stadium in respect of which a designation order is in operation ;

“designation order” means an order under this section ;

“general safety certificate” means such a safety certificate as is mentioned in subsection (3)(a) above ; and

“special safety certificate” means such a safety certificate as is mentioned in subsection (3)(b) above.

**Contents
of safety
certificates**

2.—(1) A safety certificate shall contain such terms and conditions as the local authority consider necessary or expedient to secure reasonable safety at the stadium when it is in use for the specified activity or activities, and the terms and conditions may be such as to involve alterations or additions to the stadium.

(2) Without prejudice to subsection (1) above, a safety certificate—

(a) shall specify the maximum number of spectators to be admitted to the stadium ;

(b) may specify the maximum number to be admitted to different parts of it ; and

(c) shall include terms and conditions—

(i) as to the number, size and situation of entrances to and exits from the stadium or any part of it (including means of escape in case of fire or other emergency) and the means of access to any such entrances or exits ;

(ii) requiring those entrances, exits and means of access to be properly maintained and kept free from obstruction ; and

(iii) as to the number, strength and situation of any crush barriers.

(3) Without prejudice to subsection (1) above, a safety certificate may include a condition that the following records shall be kept—

(a) records of the attendance of spectators at the stadium ; and

(b) records relating to the maintenance of safety at the stadium.

(4) A general safety certificate shall contain or have attached to it a plan of the stadium, and the terms and conditions in the certificate, or in any special safety certificate issued for the stadium, shall be framed, where appropriate, by reference to that plan.

(5) A safety certificate may include different terms and conditions in relation to different activities.

(6) Nothing in a safety certificate shall derogate from any requirements imposed by regulations under section 6(2) below.

3.—(1) If a local authority receive an application for a safety certificate for a designated stadium in their area, it shall be their duty to determine whether the applicant is a person likely to be in a position to prevent contravention of the terms and conditions of a certificate ; and such a person is referred to in this Act as a “ qualified person ”.

(2) If a local authority determine that an applicant is a qualified person—

(a) where no general safety certificate for the stadium is in operation, they shall issue such a certificate for it to him ; and

(b) where a general safety certificate for the stadium is in operation, they may issue a special safety certificate for it to him.

(3) The local authority shall send a copy of an application for a safety certificate for a stadium to the chief officer of police and the building authority for the area in which it is situated, and shall consult them about the terms and conditions to be included in the certificate.

(4) The local authority may by notice in writing require an applicant for a safety certificate to furnish them within such reasonable time as they may specify in the notice with such information and such plans as they consider necessary to enable them to determine the terms and conditions which ought to be included in any certificate issued in response to his application.

(5) If an applicant for a safety certificate fails to comply with a requirement under subsection (4) above within the time specified by the local authority, or within such further time as they may allow, he shall be deemed to have withdrawn his application.

4.—(1) The local authority may, in any case in which it appears appropriate to them to do so—

(a) amend a safety certificate by notice in writing to its holder ; or

(b) replace a safety certificate.

(2) A safety certificate may be amended or replaced either on the application of the holder or without such an application.

(3) Section 2 above shall apply on the amendment or replacement of a safety certificate.

Amendment
etc. of
certificates.

(4) A notice under subsection (1)(a) above amending a general safety certificate shall specify the date on which the amendment to which it relates is to come into operation, and the date so specified may be a date later than the date of issue of the notice.

(5) If the local authority receive an application for the transfer of a safety certificate from the holder to some other person, it shall be their duty to determine whether that person is a qualified person ; and if they so determine, they may transfer the certificate to him.

(6) An application under subsection (5) above may be made either by the holder of a safety certificate or by a person to whom it is proposed that it should be transferred.

(7) The local authority shall send a copy of an application for the transfer of a safety certificate for a stadium to the chief officer of police and the building authority for the area in which it is situated.

(8) The local authority shall consult the chief officer of police and the building authority about any proposal to amend, replace or transfer a safety certificate.

(9) The holder of a safety certificate may surrender it to the local authority, and it shall thereupon cease to have effect.

(10) The local authority may cancel a safety certificate if the holder dies or (if a body corporate) is dissolved.

Appeals.

5.—(1) A local authority shall serve on a person whom they determine not to be a qualified person notice in writing of their determination, and a person on whom such a notice is served may appeal against the determination to the Secretary of State.

(2) An applicant for a special safety certificate may also appeal to the Secretary of State against a refusal of his application on grounds other than a determination that he is not a qualified person.

(3) An interested party may appeal to the Secretary of State against—

- (i) the inclusion of anything in, or the omission of anything from, a safety certificate ; or
- (ii) the refusal of the local authority to amend or replace a safety certificate.

(4) Before determining an appeal, the Secretary of State shall, if the appellant, the local authority or an interested party so desires, afford to the appellant, to the local authority and to each interested party an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(5) In subsections (3) and (4) above "interested party" includes—

- (a) the holder of a safety certificate ;
- (b) any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate ;
- (c) the chief officer of police ; and
- (d) the building authority.

(6) The Secretary of State may, if he considers it necessary, appoint one or more persons to hold an inquiry in relation to an appeal and to report to him.

(7) Subsections (2) to (5) of section 250 of the Local Government Act 1972 or in Scotland subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973 shall apply in relation to an inquiry under this section as they apply in relation to inquiries held for the purposes of those Acts. 1972 c. 70. 1973 c. 65.

(8) On determining an appeal the Secretary of State may give such directions to the local authority as he considers appropriate to give effect to his determination ; and the local authority shall give effect to his directions.

6.—(1) The Secretary of State may by regulations—

Regulations.

- (a) prescribe the procedure (subject to the provisions of this Act) for the issue, amendment, replacement, transfer and cancellation of safety certificates and the particulars to be given in applications for their issue, amendment, replacement or transfer ;
- (b) authorise local authorities to determine, subject to such limits or in accordance with such provisions as may be prescribed by the regulations, the fees (if any) to be charged in respect of such applications ; and
- (c) prescribe the procedure for appeals under section 5 above, including, without prejudice to the generality of this paragraph, the time within which notice of an appeal is to be given and the manner in which an appeal is to be determined.

(2) The Secretary of State may by regulations make provision for securing safety at sports grounds.

(3) Regulations under subsection (2) above may provide, without prejudice to its generality, that the following records shall be kept—

- (a) records of the attendance of spectators at sports grounds ; and

(b) records relating to the maintenance of safety at sports grounds.

(4) Regulations under this section may contain such incidental and supplementary provisions as the Secretary of State thinks expedient.

Determinations and appeals—supplementary.

7.—(1) Subject to subsection (2) below, if a local authority serve a notice under section 5(1) above on any person—

(a) when he is an applicant for a safety certificate, he shall be deemed to have withdrawn his application, and

(b) when he is the holder of a safety certificate, he shall be deemed to have surrendered it,

on the expiry of the period within which, by virtue of regulations under section 6 above, notice of an appeal against the authority's determination may be given.

(2) Subsection (1) above shall not have effect if notice of appeal is given before the expiry of the period there mentioned, but if the notice is withdrawn or the Secretary of State upholds the authority's determination, the appellant shall be deemed to have withdrawn his application or surrendered his certificate on the date of the withdrawal of his notice of appeal or of the Secretary of State's determination.

(3) Where notice is given of an appeal against the inclusion of any term or condition in a safety certificate (whether it was included in the certificate originally or only on its amendment or replacement), the operation of that term or condition shall be suspended, subject to subsection (4) below, until the Secretary of State has determined the appeal.

(4) If the court is satisfied, on an application made by the local authority, that, pending the determination of an appeal, a term or condition the operation of which is suspended ought to be made immediately effective for the reasonable safety of persons at the stadium, the court may order that it shall be effective pending that determination.

(5) An application under subsection (4) above shall be made in England and Wales by complaint, and in Scotland by summary application.

Alterations and extensions.

8.—(1) If while a general safety certificate is in operation with respect to a stadium it is proposed to alter or extend that stadium or any of its installations, and the alteration or extension is likely to affect the safety of persons at the stadium, the holder of the certificate shall, before the carrying out of the proposals is begun, give notice of the proposals to the local authority.

(2) Subsection (1) above in particular requires notice when it is proposed to alter the entrances to or exits from a stadium or any part of it (including any means of escape in case of fire or other emergency) or the means of access to any such entrances or exits.

9.—(1) While a general safety certificate is in force in relation to a stadium, the following provisions shall not apply to it, that is to say—

Exclusion
of other
statutory
requirements.
1890 c. 59.

- (a) section 37(1) of the Public Health Acts Amendment Act 1890 (platforms for public occasions) ;
- (b) sections 168 and 175 of the Burgh Police (Scotland) Act 1892 and section 31 of the Burgh Police (Scotland) Act 1903 (which make provision for the safety of the public in buildings and other places used for accommodating a number of persons), in so far as those sections relate to any matter in relation to which requirements are imposed by the terms and conditions of the safety certificate ;
- (c) section 59 of the Public Health Act 1936 (exits, entrances, etc. in the case of certain public and other buildings) ;
- (d) any provision of the Fire Precautions Act 1971 or of a fire certificate issued under that Act in so far as it relates to any matter in relation to which requirements are imposed by the terms and conditions of the safety certificate ; and
- (e) any provision of a local Act in so far as it relates to any matter in relation to which requirements are imposed by those terms and conditions.

(2) Where any enactment provides for the licensing of premises of any class or description and the authority responsible for licences thereunder is required or authorised to impose terms, conditions or restrictions in connection with such licences, then, so long as there is in operation with respect to the premises a safety certificate covering the use of the premises by reason of which a licence under that enactment is required, any term, condition or restriction imposed with respect to those premises in connection with any licence under that enactment shall be of no effect in so far as it relates to any matter in relation to which requirements are imposed by the terms and conditions of that certificate.

(3) A person required by or under a local Act to do anything that would involve a contravention of the terms or conditions of a safety certificate shall not be treated as having contravened that Act if he fails to do it.

Emergency procedure.

10.—(1) If the court is satisfied, on the application of the local authority, that the risk to spectators at a sports ground is so great that, until steps have been taken to reduce it to a reasonable level, their admission ought to be prohibited or restricted, the court may by order prohibit or restrict, to the extent that the court considers appropriate in the circumstances of the case, the admission of spectators to the whole or any part of the ground, until such steps have been taken as, in the opinion of the court, are necessary to reduce the risk to a reasonable level.

(2) At any time when an order under subsection (1) above is in operation, any person may apply to the court which made the order for its cancellation or modification; and upon such an application the court may order that it shall be cancelled, or modified in such manner as may be specified by the court, from such date as the court may specify.

(3) An application under subsection (1) or (2) above shall be made in England and Wales by complaint, and in Scotland by summary application.

(4) In England and Wales any of the following persons may appeal to the Crown Court against an order under subsection (1) or (2) above or the refusal of an application for such an order, namely—

- (a) the local authority;
- (b) any person who is concerned in the management of the sports ground in question or the organisation of any activity there;
- (c) the chief officer of police; and
- (d) the building authority.

(5) In Scotland, it shall be competent for any of the following persons to appeal against an order made on an application under this section or the refusal of such an application, namely—

- (a) the local authority;
- (b) any person who is concerned in the management of the sports ground in question or the organisation of any activity there;
- (c) the chief officer of police; and
- (d) the building authority,

notwithstanding that that person was not party to the proceedings on that application.

Powers of entry and inspection.

11. A person authorised by—

- (a) the local authority;
- (b) the chief officer of police;

- (c) the building authority ; or
- (d) the Secretary of State,

may, on production if so required of his authority, enter a sports ground at any reasonable time, and make such inspection of it and such inquiries relating to it as he considers necessary for the purposes of this Act, and in particular may examine records of attendance at the ground and records relating to the maintenance of safety at the ground, and take copies of such records.

12.—(1) Subject to subsection (4) below, if—

Offences.

- (a) spectators are admitted to a designated stadium after the date on which the designation order relating to it comes into operation but at a time when no application for a general safety certificate in respect of it has been made or such an application has been made but has been withdrawn, or is deemed to have been withdrawn ;
or
- (b) when a general safety certificate is in operation in respect of a stadium spectators are admitted to the stadium on an occasion when it is used for an activity to which neither the general safety certificate nor a special safety certificate relates ; or
- (c) spectators are admitted to a designated stadium on an occasion when, following the surrender or cancellation of a safety certificate, no safety certificate is in operation in respect of that stadium ; or
- (d) any term or condition of a safety certificate is contravened ; or
- (e) spectators are admitted to a sports ground in contravention of an order under section 10 above,

any responsible person and, if a safety certificate is in operation, the holder of the certificate, shall be guilty of an offence.

(2) In subsection (1) above “responsible person” means a person who is concerned in the management of the stadium or other sports ground in question or the organisation of any activity taking place there at the time when an offence is alleged to have been committed.

(3) A person guilty of an offence under subsection (1) above shall be liable—

- (a) on summary conviction, to a fine of not more than £400 ; or
- (b) on conviction on indictment, to imprisonment for not more than two years or a fine or to both.

(4) Where any person is charged with an offence under subsection (1) above it shall be a defence to prove—

- (a) that the spectators were admitted or the contravention of the certificate or order in question took place without his consent ; and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or any person under his control.

(5) Regulations under section 6(2) above may provide that a breach of the regulations shall be an offence punishable as provided by the regulations, but shall not provide that a person guilty of such an offence shall be liable to punishments greater than those specified in subsection (3) above.

(6) Any person who—

- (a) without reasonable excuse, refuses, neglects or otherwise fails to comply with a requirement under section 1(2)(b) above within the time specified by the Secretary of State ; or
- (b) in purporting to carry out such a requirement, or a requirement under section 3(4) above, or for the purpose of procuring a safety certificate or the amendment, replacement or transfer of a safety certificate, knowingly or recklessly makes a false statement or knowingly or recklessly produces, furnishes, signs or otherwise makes use of a document containing a false statement ; or
- (c) fails to give a notice required by section 8(1) above ; or
- (d) wilfully obstructs any person in the exercise of powers under section 11 above, or without reasonable excuse refuses, neglects or otherwise fails to answer any question asked by any person in the exercise of such powers,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.

(7) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

(8) Where the affairs of a body corporate are managed by its members, subsection (7) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

13. Except in so far as this Act otherwise expressly provides, and subject to section 33 of the Interpretation Act 1889 (offences under two or more laws), the provisions of this Act shall not be construed as—

Civil liability.
1889 c. 63.

- (a) conferring a right of action in any civil proceedings (other than proceedings for the recovery of a fine) in respect of any contravention of this Act or of any regulations made under this Act or of any of the terms or conditions of a safety certificate ; or
- (b) affecting any requirement or restriction imposed by or under any other enactment whether contained in a public general Act or in a local or private Act ; or
- (c) derogating from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.

14.—(1) Any notice or other document required or authorised by or by virtue of this Act to be served on any person may be served on him either by delivering it to him or by leaving it at his proper address or by sending it by post.

Service of documents.

(2) Any notice or other document so required or authorised to be served on a body corporate or a firm shall be duly served if it is served on the secretary or clerk of that body or a partner of that firm.

(3) For the purposes of this section, and of section 26 of the Interpretation Act 1889 in its application to this section, the proper address of a person, in the case of a secretary or clerk of a body corporate, shall be that of the registered or principal office of that body, in the case of a partner of a firm shall be that of the principal office of the firm, and in any other case shall be the last known address of the person to be served.

15. The Secretary of State may by order direct that any of the provisions of this Act which are not expressed to apply to sports grounds other than sports stadia shall, subject to such exceptions, adaptations and modifications as may be specified in the order, extend to classes of such sports grounds.

Power to extend Act by order.

16.—(1) Sections 1 to 4 and 6(2) above bind the Crown, but shall have effect, in relation to premises occupied by the Crown, with the substitution of a reference to the Secretary of State for any reference to the local authority.

Application to Crown.

(2) Nothing in this Act shall be taken to authorise the entry of premises occupied by the Crown.

17.—(1) In this Act unless the context otherwise requires,—

Interpretation.

“ building authority ” means—

(a) in an Outer London borough, the council of the borough ;

(b) elsewhere in Greater London, the Greater London Council ;

(c) in England outside Greater London, or in Wales, the district council ;

(d) in Scotland, the local authority within the meaning of the Building (Scotland) Act 1959 ;

1959 c. 24.

“ the court ” means, in relation to premises in England or Wales, a magistrates’ court acting for the petty sessions area in which they are situated and, in relation to premises in Scotland, the sheriff within whose jurisdiction they are situated ;

“ designated stadium ” and “ designation order ” have the meanings assigned to them by section 1(4) above ;

“ general safety certificate ” has the meaning assigned to it by section 1(4) above ;

“ local authority ” means—

(a) in Greater London, the Greater London Council ;

(b) in England outside Greater London, or in Wales, the county council ;

(c) in Scotland, the regional or islands council ;

“ means of access ” includes means of access from a highway ;

“ qualified person ” has the meaning assigned to it by section 3(1) above ;

“ safety ” does not include safety from danger inherent in participation in a sporting or competitive activity ;

“ safety certificate ” has the meaning assigned to it by section 1(1) above ;

“ special safety certificate ” has the meaning assigned to it by section 1(4) above ;

“ spectator ” means any person occupying accommodation provided for spectators at a sports ground ;

“ sports ground ” means any place where sports or other competitive activities take place in the open air and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose ;

“ sports stadium ” means a sports ground where the accommodation provided for spectators wholly or substantially surrounds the area used for activities taking place on the ground.

(2) Any reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied by or under any other enactment, including this Act.

18.—(1) Any power to make an order or regulations conferred on the Secretary of State by any provision of this Act shall be exercisable by statutory instrument. Orders and regulations.

(2) Any power to make an order conferred by any provision of this Act shall include power to make an order varying or revoking any order previously made under that provision.

(3) Orders and regulations under this Act (except an order under section 19(6) below) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) It shall be the duty of the Secretary of State, before making an order or regulations under any of the preceding provisions of this Act, to consult with such persons or bodies of persons as appear to him requisite.

19.—(1) This Act may be cited as the Safety of Sports Grounds Act 1975. Short title, extent and commencement.

(2) This Act does not extend to Northern Ireland.

(3) Except as provided by an order under this section, this Act does not extend to the Isles of Scilly.

(4) The Secretary of State may by order direct that this Act shall, subject to such exceptions, adaptations and modifications as may be specified in the order, extend to the Isles of Scilly.

(5) An order made under subsection (4) above may contain such incidental and consequential provisions, including provisions conferring powers or imposing duties on the Council of the Isles of Scilly, as the Secretary of State thinks necessary.

(6) This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for different provisions and for different purposes.

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