



Fire Safety and Safety of Places of Sport Act 1987

1987 CHAPTER 27

PART II

SAFETY OF SPORTS GROUNDS

Safety certificates

21 Safety certificates: police presence

In section 2 of the principal Act (contents of safety certificates), after subsection (2), there shall be inserted the following subsection—

“(2A) No condition of a safety certificate shall require the provision of the services at the ground of any members of a police force unless the extent of the provision of their services is reserved for the determination of the chief officer of police of the force.”

22 Safety certificates: appeals

(1) Section 5 of the principal Act (appeals to Secretary of State against determinations etc. of local authority) shall have effect with the amendments specified in subsections (2) to (6) below.

(2) In subsections (1), (2) and (3) for the words "Secretary of State" wherever occurring, there shall be substituted the word "court".

(3) After subsection (3) there shall be inserted the following subsections—

“(3A) An appeal to the court under this section in England and Wales shall be by way of complaint for an order, the making of the complaint shall be deemed to be the bringing of the appeal and the Magistrates' Courts Act 1980 shall apply to the proceedings.

Status: This is the original version (as it was originally enacted).

- (3B) An appeal to the court under this section in Scotland shall be by summary application.
- (3C) In England and Wales any of the following persons may appeal to the Crown Court against an order under this section, namely—
- (a) the local authority; and
 - (b) any interested party.
- (3D) In Scotland any of the following persons may appeal against an order made in an appeal under this section, namely—
- (a) the local authority; and
 - (b) any interested party,
- notwithstanding that that person was not party to the proceedings on the application.”
- (4) Subsection (4) shall be omitted.
- (5) In subsection (5), for the words "subsections (3) and (4) above", there shall be substituted the words "this section".
- (6) Subsections (6), (7) and (8) shall be omitted.
- (7) In section 6(1) of the principal Act (power to make regulations) for paragraph (c) (appeals), there shall be substituted the following paragraph—
- “(c) prescribe the time within which appeals under section 5 above are to be brought.”
- (8) In section 7 of the principal Act (supplementary provisions relating to determinations and appeals)—
- (a) in subsection (1), for the words from "person" to the end of paragraph (b) there shall be substituted the words "applicant for a safety certificate, he shall be deemed to have withdrawn his application" and for the words after "section 6' above", there shall be substituted the words "an appeal against the authority's determination may be brought.";
 - (b) for subsection (2), there shall be substituted the following subsection—
 - “(2) Subsection (1) above shall not have effect if an appeal is brought before the expiry of the period there mentioned, but if the appeal is withdrawn or the court upholds the authority's determination, the appellant shall be deemed to have withdrawn his application on the date of the withdrawal of his appeal or of the court's determination.”;
 - (c) in subsection (3), for the words "notice is given of an appeal" there shall be substituted the words "an appeal is brought", the words ", subject to subsection (4) below," shall be omitted and for the words "Secretary of State" there shall be substituted the word "court"; and
 - (d) subsections (4) and (5) shall be omitted.