



# Fire Safety and Safety of Places of Sport Act 1987

## 1987 CHAPTER 27

### PART II

#### SAFETY OF SPORTS GROUNDS

##### *Grounds involving serious risk to spectators*

#### 24 **Prohibition notices: appeals.**

After section 10 of the principal Act there shall be inserted the following section—

**“10A Appeals against prohibition notices.**

- (1) Any person aggrieved by a prohibition notice may appeal to the court against the notice if he does so within such period as the Secretary of State may by regulations prescribe.
- (2) Subsection (1) above applies to any amendment of a prohibition notice as it applies to the prohibition notice in its original form.
- (3) 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.
- (4) An appeal to the court under this section in Scotland shall be by summary application.
- (5) On an appeal under subsection (1) above, the court may either cancel or affirm the notice or, in the case of an appeal against an amendment, annul or affirm the amendment and, if it affirms the notice or the notice as amended, as the case may be, may do so either in its original form or as amended, as the case may be,

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**Changes to legislation:** *There are currently no known outstanding effects for the Fire Safety and Safety of Places of Sport Act 1987, Section 24. (See end of Document for details)*

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or with such modifications of the notice as the court may in the circumstances think fit.

- (6) Where an appeal is brought under this section against a prohibition notice or an amendment of it, the bringing of the appeal shall not have the effect of suspending the operation of the notice or the notice as amended, as the case may be.
- (7) In England and Wales any of the following persons may appeal to the Crown Court against an order under this section, namely—
- (a) any person aggrieved by the notice;
  - (b) the local authority;
  - (c) the chief officer of police; and
  - (d) where the local authority is in Greater London or a metropolitan county, the fire authority, or, in any other case, the building authority.
- (8) In Scotland any of the following persons may appeal against an order made in an appeal under this section, namely—
- (a) any person aggrieved by the notice;
  - (b) the local authority;
  - (c) the chief officer of police; and
  - (d) the building authority;
- notwithstanding that that person was not party to the proceedings on the application.
- (9) The persons who are, for the purposes of this section, “aggrieved” by a prohibition notice are the persons on whom, in accordance with section 10(6) of this Act, the notice is required to be served.”

**Changes to legislation:**

There are currently no known outstanding effects for the Fire Safety and Safety of Places of Sport Act 1987, Section 24.