
 STATUTORY INSTRUMENTS

1987 No. 1941

SPORTS GROUNDS AND SPORTING EVENTS

The Safety of Sports Grounds Regulations 1987

Made - - - - - 16th November 1987

Laid before Parliament 25th November 1987

Coming into force - 1st January 1988

In exercise of the powers conferred upon me by sections 6(1) and (4) and 10A(1) and (2) of the Safety of Sports Grounds Act 1975(a), and after such consultation as is mentioned in section 18(4) of that Act, I hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Safety of Sports Grounds Regulations 1987 and shall come into force on 1st January 1988.

(2) These Regulations do not extend to the Isles of Scilly.

Revocation

2. The Safety of Sports Grounds Regulations 1976(b), the Safety of Sports Grounds (Scotland) Regulations 1976(c) and the Safety of Sports Grounds (Amendment) Regulations 1986(d) are hereby revoked, except for the purposes of any appeal to which paragraph 6 of Schedule 5 to the Fire Safety and Safety of Places of Sport Act 1987 (transitional provisions as respects appeals about safety certificates)(e) applies.

Interpretation

3. For the purposes of these Regulations “the 1975 Act” means the Safety of Sports Grounds Act 1975.

Applications

4.—(1) An application for a safety certificate shall be in the form contained in the Schedule to these Regulations or a form to the like effect.

(2) An application for the amendment, replacement or transfer of a safety certificate shall be made in writing and any such application shall set out the names and addresses of any persons who to the applicant’s knowledge will or may be concerned in ensuring compliance with the terms and conditions of the safety certificate as amended, replaced or transferred.

Notices by local authority

5.—(1) As soon as practicable after a local authority have decided—

- (a) to issue a safety certificate (including an issue by way of replacement of a safety certificate); or
- (b) to amend a safety certificate; or
- (c) to refuse to amend or replace a safety certificate,

(a) 1975 c.52; section 6(1)(c) was substituted by section 22(7) of the Fire Safety and Safety of Places of Sport Act 1987 (c.27) and section 10A was inserted by section 24 of that Act.

(b) S.I. 1976/1263. (c) S.I. 1976/1300. (d) S.I. 1986/1045. (e) 1987 c.27.

they shall serve on every interested party notice in writing of their decision setting out the information referred to in paragraph (4) below, together, in the case of a refusal, with their reasons for it.

(2) Where on an application for a special safety certificate a local authority have determined to refuse that application on grounds other than the one referred to in section 5(1) of the 1975 Act, they shall as soon as practicable after that refusal serve on the applicant notice in writing of their decision, together with their reasons for it.

(3) Where on an application for the transfer of a safety certificate a local authority—

- (a) determine that the person to whom it is proposed to transfer the certificate is not a qualified person, they shall, in addition to the notice referred to in section 5(1) of the 1975 Act, serve on the holder of the certificate a copy of that notice;
- (b) determine that the person to whom it is proposed to transfer the certificate is a qualified person but decide not to transfer the certificate, they shall serve on that person and the holder of the certificate notice in writing of their decision together with their reasons for it.

(4) A notice served under paragraph (1) above shall state that a copy of the safety certificate and a copy of any application in respect of which the local authority's decision was taken is available for inspection at a place and at the times specified in the notice.

(5) As soon as may be after the decision referred to in paragraph (1) above, the local authority shall cause to be published in a newspaper circulating in the locality of the sports ground to which the safety certificate relates a notice setting out that decision and the information referred to in paragraph (4) above.

(6) In this regulation “interested party” means—

- (a) the holder of a safety certificate whose application to have it amended or replaced has been refused;
- (b) any other person known to the local authority to be or likely to be concerned in ensuring compliance with the terms and conditions of the safety certificate;
- (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.

Appeals under section 5 of the 1975 Act

6.—(1) An appeal under section 5 of the 1975 Act^(a) shall be brought (in accordance with subsection (3A) or, as the case may be, subsection (3B) of section 5 of that Act^(b)) in the case of an appeal in respect of—

- (a) a general safety certificate, not later than twenty-eight days, and
- (b) a special safety certificate, not later than seven days,

after the relevant date.

(2) In paragraph (1) above “relevant date” means—

- (a) in the case of a person to whom a safety certificate is issued, the date of the receipt by him of that certificate;
- (b) in the case of a person on whom a notice is served under section 4(1) (a) or 5(1) of the 1975 Act or regulation 5(1), (2) or (3) above, the date of the receipt by him of that notice; and
- (c) in the case of any other person, the date of the publication of the notice required by regulation 5(5) above.

^(a) Section 5 was amended by paragraph 7(1) of Schedule 8 to the Local Government Act 1985 (c.51) and by section 22 of the Fire Safety and Safety of Places of Sport Act 1987.

^(b) Subsections (3A) and (3B) of section 5 were inserted by section 22(3) of the Fire Safety and Safety of Places of Sport Act 1987.

Appeals under section 10A of the 1975 Act

7.—(1) An appeal by an aggrieved person against a prohibition notice under section 10A(1) of the 1975 Act(a) shall be brought (in accordance with subsection (3) or, as the case may be, subsection (4) of section 10A of that Act) not later than twenty-one days after the day on which the notice was served on him under section 10(1) of the 1975 Act(b).

(2) An appeal by an aggrieved person against an amendment to a prohibition notice under section 10A(1) of the 1975 Act (as extended by section 10A(2) of that Act) shall be brought (in accordance with subsection (3) or, as the case may be, subsection (4) of section 10A of that Act) not later than twenty-one days after the day on which the notice amending the prohibition notice was served on him under section 10(9) of the 1975 Act.

Fees

8. A local authority may determine the fee to be charged in respect of an application for the issue, amendment, replacement or transfer of a safety certificate but such a fee shall not exceed an amount commensurate with the work actually and reasonably done by or on behalf of the local authority in respect of the application.

Home Office
16th November 1987

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

SCHEDULE

Regulation 4(1)

**SAFETY OF SPORTS GROUNDS ACT 1975
APPLICATION FOR A SAFETY CERTIFICATE**

When completed, this form should be sent to the Chief Executive of:

- (a) *the county council where the sports ground is situated in a non-metropolitan county in England or Wales; or*
- (b) *the borough council where the sports ground is situated in Greater London; or*
- (c) *the district council where the sports ground is situated in a metropolitan county in England; or*
- (d) *the regional/islands council where the sports ground is situated in Scotland.*

To be completed in all cases

I hereby apply for a *[general] [special] safety certificate in respect of the sports ground described below to be issued to

I make the application *[on behalf of] [as]
of †

Date Signed

Address

Tel. No.

** Delete as appropriate*

† If applying on behalf of a sports club, company or some other person, insert status (e.g. secretary).

Under the provisions of section 3(1) of the Safety of Sports Grounds Act 1975, a local authority receiving an application for a safety certificate have to determine whether the person to whom the certificate may be issued is likely to be in a position to prevent contravention of the terms and conditions of the certificate. The applicant should therefore furnish below the information required so as to enable the local authority to make such a determination. Under section 3(4) of the Act the local authority may also require the applicant to submit plans and further information.

(a) Section 10A was inserted by section 24 of the Fire Safety and Safety of Places of Sport Act 1987.

(b) Section 10 was substituted by section 23(1) of the Fire Safety and Safety of Places of Sport Act 1987.

1. (a) Name and address of sports ground

.....
.....

(b) Name of the occupier

Name and address of the owner

.....

(c) Names and addresses of any persons other than the proposed holder of the certificate who to his knowledge will or may be concerned in ensuring compliance with the terms and conditions of the safety certificate for which this application is being made.

.....
.....
.....
.....

Complete Part I only for an application for a general safety certificate (to cover activities held over an indefinite period).

Complete Part II only for an application for a special safety certificate (to cover one occasion or a series of occasions).

PART I: GENERAL SAFETY CERTIFICATES

2. List activities to be covered by general safety certificate

.....
.....

3. Give the approximate date of the construction of the spectator accommodation on the sports ground and details of any subsequent extension, major alteration or re-construction of the spectator accommodation on the sports ground, together with relevant dates.

.....
.....
.....

4. Give particulars of current fire certificates covering any premises on any part of the sports ground:

(a) name of issuing fire authority

(b) name of holder of fire certificate

(c) date of issue of fire certificate

(d) description of premises covered by the fire certificate

5. Give particulars of any current statutory licences granted in respect of the sports ground or parts of it:

(a) name of issuing licensing authority

(b) name of licensee

(c) type of licence (liquor, gaming etc.)

(d) date of expiry

(e) description of the part or parts of the sports ground covered by the licence

.....

6.—(1) State maximum capacity for which spectator accommodation at the sports ground is intended:

- (a) seated spectators
- (b) standing spectators

(2) State any restrictions on that capacity:

- (a) seated spectators
- (b) standing spectators

7. Set out separately for each of the last three years the total number of seated spectators and the total number of standing spectators for each activity other than reserve team matches, practice sessions or community use, held at the sports ground. Each activity (other than those excluded) should be named, together with the number of occasions on which each activity took place during each of those years.

8. Set out separately for each activity the total number of seated spectators and the total number of standing spectators attending at the occasion during the last three years when that activity took place which attracted the highest number of spectators. Give the date of that event and the name of the activity taking place.

PART II: SPECIAL SAFETY CERTIFICATES

9. Name event for which special safety certificate is required

.....

10. Give date(s) of event

11. Give the number of occasions on which this special event has taken place at the sports ground during the last three years

12. Set out separately the total number of seated spectators and the total number of standing spectators at any similar event held within the last three years at the sports ground, giving the name of the event and the date on which it was held.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply throughout Great Britain (except the Isles of Scilly), replace the Safety of Sports Grounds Regulations 1976 ("the 1976 Regulations") and the Safety of Sports Grounds (Amendment) Regulations 1986 (which apply in England and Wales, except the Isles of Scilly) and the Safety of Sports Grounds (Scotland) Regulations 1976 ("the 1976 Scottish Regulations").

Regulations 8 to 13 of the 1976 Regulations and regulations 9 and 10 of the 1976 Scottish Regulations made provision for the procedure for appeals to the Secretary of State in respect of safety certificates under section 5 of the Safety of Sports Grounds Act 1975 ("the 1975 Act"). When the amendments made by section 22 of the Fire Safety and Safety of Places of Sport Act 1987 ("the 1987 Act") come into force, those appeals will be made to magistrates' courts in England and Wales and by summary application in Scotland and regulations 8 to 13 of the 1976 Regulations and regulations 9 and 10 of the 1976 Scottish Regulations will no longer be necessary. By virtue of the Fire Safety and Safety of Places of Sport Act 1987 (Commencement No. 1) Order 1987 (S.I. 1987/1762), Part II of the 1987 Act (in which section 22 is contained) comes into force on 1st January 1988, the same date

as the coming into force of these Regulations. Accordingly, these Regulations no longer include provision corresponding to regulations 8 to 13 of the 1976 Regulations and regulations 9 and 10 of the 1976 Scottish Regulations (the enabling power for which is, in any event, replaced by section 22 (7) of the 1987 Act) but provide instead (in regulation 6) for the time within which an appeal must be brought before a magistrates' court in England and Wales or by summary application in Scotland.

These Regulations also differ from the 1976 Regulations and the 1976 Scottish Regulations in that they no longer prescribe a minimum time before the event for which the application is made for the submission of an application for a special safety certificate. They also do not require the local authority to have made decisions in respect of such applications by specified periods.

Regulation 5 of these Regulations requires certain notices to be given to interested parties (as defined) and a newspaper notice to be published. Regulation 8 of these Regulations differs from regulation 14 of the 1976 Regulations and regulation 11 of the 1976 Scottish Regulations in that it allows local authorities to charge fees in respect of applications for the replacement and transfer of safety certificates as well as for applications for their issue and amendment.

These Regulations also differ from the 1976 Regulations (as amended) and the 1976 Scottish Regulations in that they refer only to sports grounds and not to sports stadia in consequence of the amendments made to the 1975 Act by section 19 of, and Schedule 2 to, the 1987 Act (which provisions also come into force on 1st January 1988 by virtue of the Commencement Order referred to above).

Regulation 7 of these Regulations is a new provision which prescribes the period within which appeals in respect of prohibition notices (and amendments to those notices) issued under section 10 of the 1975 Act (as substituted by section 23 (1) of the 1987 Act) must be brought under section 10A (1) and (2) of the 1975 Act (as inserted by section 24 of the 1987 Act).