
STATUTORY INSTRUMENTS

1988 No. 1807

SPORTS GROUNDS AND SPORTING EVENTS

The Safety of Places of Sport Regulations 1988

Made - - - - *21st October 1988*
Laid before Parliament *31st October 1988*
Coming into force - - *1st January 1989*

In exercise of the powers conferred upon me by section 31(1) and (2) of the Fire Safety and Safety of Places of Sport Act 1987⁽¹⁾, and after such consultation as is mentioned in section 31(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 Places of Sport Regulations 1988 and shall come into force on 1st January 1989.

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

Interpretation

2. For the purposes of these Regulations “the 1987 Act” means the Fire Safety and Safety of Places of Sport Act 1987.

Applications

3.—(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 and a separate application shall be made in respect of each regulated stand to which spectators are to be admitted.

(2) An application for the cancellation, amendment, replacement or transfer of a safety certificate shall be made in writing and, except in the case of an application for the cancellation of a safety certificate, 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 a safety certificate as amended, replaced or transferred.

Notices by local authorities

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

(1) 1987 c. 27.

- (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,

they shall serve on every interested party notice in writing of their decision setting out the information referred to in paragraph (6) 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 set out in section 28(9) of the 1987 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 29(5) of the 1987 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) As soon as practicable after a local authority have decided to refuse an application for the cancellation of a safety certificate under section 29(1)(a) of the 1987 Act, they shall serve on the applicant notice in writing of their decision together with their reasons for it.

(5) As soon as practicable after a local authority have issued a notice under section 29(1)(a) of the 1987 Act cancelling a safety certificate, they shall serve a copy of the notice on the persons referred to in subparagraphs (b), (c) and (d) of paragraph (8) below.

(6) 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.

(7) 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 regulated stands to which the safety certificate relates a notice setting out that decision and the information referred to in paragraph (6) above.

(8) 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 30 of the 1987 Act

5.—(1) An appeal under section 30(1) of the 1987 Act (appeals against determination that any stand at a sports ground is a regulated stand) shall be brought not later than twenty-eight days:

- (a) in the case of a preliminary determination, after the date when that determination becomes final under section 28(3) of the 1987 Act; or
- (b) in the case of a final determination under section 28(6) of the 1987 Act, after the date of the receipt of the notice of that determination.

(2) An appeal under subsection (2), (3) or (4) of section 30 of the 1987 Act (other appeals) shall be brought 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.

(3) In paragraph (2) 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 28(9), 29(1)(b) or (5) of the 1987 Act or regulation 4(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 4(7) above.

Fees

6.—(1) Subject to paragraph (2) below, 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 or in respect of an application for the cancellation of a safety certificate for a stand which has ceased to be a regulated stand.

(2) A fee under paragraph (1) above 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
21st October 1988

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

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SCHEDULE

Regulation 3(1)

PART III OF FIRE SAFETY AND SAFETY OF PLACES OF SPORT ACT 1987 APPLICATION FOR A SAFETY CERTIFICATE FOR A REGULATED STAND

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.*

Background notes

A safety certificate under Part III of the Fire Safety and Safety of Places of Sport Act 1987 ("the 1987 Act") is required in respect of the use, at a sports ground which is not a designated sports ground under the Safety of Sports Grounds Act 1975, of each stand which provides covered accommodation for 500 or more spectators to view activities at the ground. Such a stand is referred to as a "regulated stand".

A separate application form is required for each regulated stand at a sports ground (although any certificate issued may cover all such stands).

In most cases the local authority will have made a preliminary determination that a particular stand is a "regulated stand". They will have served notice of this determination on you under section 28(2) of the 1987 Act. That determination will have become a final determination for the purposes of that Act at the end of the period of two months beginning with the date of that notice. You can pursue separately with the local authority the question whether a stand in fact satisfies the criteria, referred to above, which determines whether a stand is a "regulated stand". An "on site" inspection is likely to be necessary in resolving such a question. Alternatively you may yourself realise that the stand is a "regulated stand" and may apply for a safety certificate in respect of it without a preliminary determination being made by the local authority. Where the application is for a *special safety certificate* this question will already have been resolved because a *special safety certificate* is issued only if a *general safety certificate* is in force.

Under the provisions of section 28(7) of the 1987 Act in the case of a general safety certificate or section 28(8) of the 1987 Act in the case of a special safety certificate, the local authority receiving an application for a safety certificate have to determine whether the applicant is qualified to hold the safety certificate. The applicant should therefore provide the information required below to enable the local authority to deal with the application.

A scale plan of the sports ground and of the relevant stands should, if available, accompany this application. However, under section 28(11) of the 1987 Act, the local authority may require you to provide further information and plans of the ground.

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To be completed in all cases

I hereby apply for a *[general] [special] safety certificate in respect of the stand described below at the

sports ground 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).

1. (a) Name and address of sports ground

.....
.....

(b) Name of the occupier

Name and address of the owner

Location and name (if any) of the stand for which application is being made

(c) Names and address 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.

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.....
.....

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)

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PART I

GENERAL SAFETY CERTIFICATE

2. List activities for which the stand provides viewing accommodation and which are to be covered by the general safety certificate

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3. Give the approximate date of the construction of the stands for which application is made and details of any subsequent extension, major alteration or re-construction of it, 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 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-(a) State maximum capacity of the accommodation in the stand for spectators to view activities at the sports ground:

- (i) maximum no. of seated spectators
- (ii) maximum no. of standing spectators

(b) State any restrictions on that capacity:

- (i) seated spectators
- (ii) standing spectators

7. Is the number of spectators admitted to the stand controlled on entry to that stand? Yes/No

8. If the answer to question 7 is "Yes", set out below for each of the last three years (that is, ending on 31st December) and for each of the activities listed in answer to question 2 above (setting out the year and activity in question), the following information, namely-

- (a) the highest number of spectators admitted to the stand on any occasion during each of the last three years, showing separately the number of seated and standing spectators if these figures are known; and
- (b) the total number of spectators admitted during each of the last three years and the number of occasions they were admitted but excluding-
 - (i) any occasion when no charge was made for, or in respect of, admission; and
 - (ii) any occasion when the number of spectators admitted was less than 100.

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<i>Year</i>	<i>Activity</i>	<i>Total attendance</i>	<i>Number of occasions</i>	<i>Highest attendance</i>
				(a) seated (b) standing

9. If the answer to question 7 is "No", set out below for each of the last three years (that is, ending on 31st December) and for each of the activities listed in answer to question 2 above (setting out the year and the activity in question), the following information, namely-

- (a) the highest number of spectators who had access to the stand on any occasion during each of the last three years; and
- (b) the total number of spectators who had access to the stand during each of the last three years and the number of occasions when they had access, but excluding-
 - (i) any occasion when no charge was made for, or in respect of, admission to the sports ground so as to have access to the stand; and
 - (ii) any occasion when the number of spectators so admitted was less than 100.

<i>Year</i>	<i>Activity</i>	<i>Total attendance</i>	<i>Number of occasions</i>	<i>Highest attendance</i>

PART II

SPECIAL SAFETY CERTIFICATE

10. Name activity (or activities) for which the stand provides viewing accommodation and which are to be covered by the special safety certificate.

.....

11. Give date(s) of occasion(s) when it is proposed that the stand will be used for the activity (or activities) listed in paragraph 10 above.

12. Set out below the information required in respect of each occasion during the last three years (ending on 31st December) when spectators were admitted, or had access to, the stand to view activities which are the same as, or similar to, those listed in answer to question 10 above. The name and date of the occasions in question should be given together with the total number of spectators who had access to the stand.

<i>Year</i>	<i>Occasion</i>	<i>Maximum number of spectators who had access to the stand</i>

13. State what changes or adaptations (if any) are proposed to the stand or to arrangements for entry and control (if any) of spectators to and from the stand.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply throughout Great Britain (except the Isles of Scilly), concern certificates under Part III of the Fire Safety and Safety of Places of Sport Act 1987 (by virtue of sections 26(2) and 41 of that Act referred to as “safety certificates”). Such a certificate which is issued by a local authority (as defined by section 41) is required in respect of the use, at a sports ground which is not a designated sports ground under the Safety of Sports Grounds Act 1975 (c. 52), of each stand which provides covered accommodation for 500 or more spectators to view activities at the ground. By virtue of sections 26(5) and 41 of the 1987 Act such a stand is referred to as a “regulated stand”.

By virtue of the Fire Safety and Safety of Places of Sport Act 1987 (Commencement No. 4) Order 1988 (S.I.1988/1806), Part III of the 1987 Act comes into force on 1st January 1989, the same date as the coming into force of these Regulations.

Regulation 3(1) of, and the Schedule to, these Regulations prescribe the form of application for a safety certificate and regulation 3(2) makes provision for other applications in respect of certificates. Regulation 4 requires local authorities to give notice (including, under regulation 4(7), notice in a local newspaper) of certain of their decisions in respect of safety certificates. Regulation 5 prescribes the time within which appeals in respect of a local authority’s decision must be brought. Regulation 6 concerns the fees a local authority may charge in respect of work done in connection with applications for the issue etc. of safety certificates.