



Fire Safety and Safety of Places of Sport Act 1987

1987 CHAPTER 27

^{F1}PART III

SAFETY OF STANDS AT SPORTS GROUNDS

30 Appeals.

- (1) A person who has been served with a notice of a determination, which is or has become a final determination, of a local authority that any stand at a sports ground is a regulated stand may appeal against the determination to the court.
- (2) Any person who, on an application for the issue or transfer to him of a safety certificate for a regulated stand at a sports ground, has been served with a notice of the determination of a local authority that he does not or, in the case of an application for a transfer, would not qualify for the issue of the certificate may appeal against the determination to the court.
- (3) An applicant for a special safety certificate for a regulated stand at a sports ground may also appeal to the court against a refusal of his application on grounds other than a determination that he does not qualify for the issue of the certificate.
- (4) An interested party may appeal to the court against—
 - (a) the inclusion of anything in, or the omission of anything from, a safety certificate for a regulated stand at a sports ground; or
 - (b) the refusal of the local authority to amend or replace a safety certificate for a regulated stand at a sports ground.
- (5) Any appeal under this section shall be brought within the period prescribed under section 31 below.
- (6) 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.

Changes to legislation: There are currently no known outstanding effects for the Fire Safety and Safety of Places of Sport Act 1987, Section 30. (See end of Document for details)

- (7) An appeal to the court under this section in Scotland shall be by summary application.
- (8) In this section “interested party”, in relation to a safety certificate, includes—
- (a) the holder of the certificate;
 - (b) any other person who is or may be concerned in ensuring compliance with the terms and conditions of the certificate;
 - (c) the chief officer of police; and
 - [^{F1}(d) if the local authority are not the fire and rescue authority, the fire and rescue authority; and
 - (e) if the local authority are not the building authority, the building authority.]
- (9) Subject to subsection (10) below, if a local authority serve on any applicant for a safety certificate a notice of a determination of theirs that he does not qualify for the issue of the certificate, he shall be deemed to have withdrawn his application on the expiry of the period within which an appeal must, by virtue of subsection (5) above, be brought.
- (10) Subsection (9) above shall not have effect if an appeal is brought before the expiry of the period referred to in that subsection, 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 order on the appeal.
- (11) Where an appeal is brought 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 until the court has determined the appeal.
- (12) 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.
- (13) In Scotland any of the following persons may appeal against an order 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.

Textual Amendments

- F1** S. 30(8)(d)(e) substituted for s. 30(8)(d) (E.W.) (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, [Sch. 1 para. 63\(4\)](#); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F2** Word in s. 30(8)(d) inserted (1.4.1996) by [1994 c. 19](#), s. 66(6), [Sch. 16 para. 81\(1\)\(c\)](#) (with ss. 54(5)(7), 55(5)Sch. 17 para. 22(1), 23(2)); S.I. 1996/396, art. 4, [Sch. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Fire Safety and Safety of Places of Sport Act 1987, Section 30.