



Safety of Sports Grounds Act 1975

1975 CHAPTER 52

5 Appeals

- (1) A local authority shall serve on a person whom they determine not to be a qualified person notice in writing of their determination, and a person on whom such a notice is served may appeal against the determination to the Secretary of State.
- (2) An applicant for a special safety certificate may also appeal to the Secretary of State against a refusal of his application on grounds other than a determination that he is not a qualified person.
- (3) An interested party may appeal to the Secretary of State against—
 - (i) the inclusion of anything in, or the omission of anything from, a safety certificate; or
 - (ii) the refusal of the local authority to amend or replace a safety certificate.
- (4) Before determining an appeal, the Secretary of State shall, if the appellant, the local authority or an interested party so desires, afford to the appellant, to the local authority and to each interested party an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- (5) In subsections (3) and (4) above "interested party" includes—
 - (a) the holder of a safety certificate;
 - (b) any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate;
 - (c) the chief officer of police; and
 - (d) the building authority.
- (6) The Secretary of State may, if he considers it necessary, appoint one or more persons to hold an inquiry in relation to an appeal and to report to him.
- (7) Subsections (2) to (5) of section 250 of the Local Government Act 1972 or in Scotland subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973 shall apply in relation to an inquiry under this section as they apply in relation to inquiries held for the purposes of those Acts.

Status: This is the original version (as it was originally enacted).

- (8) On determining an appeal the Secretary of State may give such directions to the local authority as he considers appropriate to give effect to his determination; and the local authority shall give effect to his directions.