

SCHEDULES

SCHEDULE 12

THE COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS OF PART 3 OF LOCAL GOVERNMENT ACT 1974

- 6 (1) Section 31A (consideration of adverse reports) is amended as follows.
- (2) For subsections (1) to (2A) substitute—
- “(1A) Where a further report of a Local Commissioner under section 31(2A) is considered by a person other than the appropriate listed authority and it is proposed that—
- (a) no action should be taken on the report, or
- (b) the action recommended in the report should not be taken,
- consideration of the report shall be referred to that authority.
- (1B) For the purposes of subsection (1A)—
- (a) “listed authority” means an authority mentioned in section 25(1) or specified in an order under subsection 25(2) (but does not include a person mentioned in section 25(4) to (5)), and
- (b) a listed authority is the appropriate listed authority in relation to a further report if the report relates to the authority (or to any person with which the authority is connected for the purposes of this Part of this Act by virtue of section 25(4) to (5)).
- (1C) Subsection (1A) has effect subject to subsection (3).”
- (3) In subsection (3)—
- (a) for “subsections (1) and (2)” substitute “ subsection (1A) ”;
- (b) in paragraph (a), for “the said section 101, or” substitute “ section 101 of the Local Government Act 1972, ”;
- (c) for paragraph (b) substitute—
- “(b) a local fisheries committee constituted under the Sea Fisheries Regulation Act 1966, or
- (c) an admission appeal panel or exclusion appeal panel mentioned in section 25(5)(c) or (e),
- and the report is considered by that committee or panel. ”
- (4) In subsection (5), for the words from the beginning to “shall vote” substitute “ No individual shall decide or vote ”.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Paragraph 6. (See end of Document for details)

(5) Omit subsections (5A) and (6).

(6) In subsection (7)—

- (a) omit “Where the authority concerned is the Greater London Authority,”;
- (b) for “the Authority” substitute “ the Greater London Authority ”;
- (c) for “the authority concerned (other than references to a member of the authority concerned)” substitute “ an authority ”.

Commencement Information

II Sch. 12 para. 6 in force at 1.4.2008 by [S.I. 2008/917](#), [art. 2\(1\)\(n\)](#) (with [art. 6\(5\)](#))

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Paragraph 6.