



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 9

THE COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND

175 Reports and statements of reasons

(1) Section 30 of the Local Government Act 1974 (c. 7) (reports on investigations) is amended as follows.

(2) For subsection (1) substitute—

“(1) If a Local Commissioner completes an investigation of a matter, he shall prepare a report of the results of the investigation and send a copy to each of the persons concerned (subject to subsection (1B)).

(1A) A Local Commissioner may include in a report on a matter under subsection (1) any recommendations that he could include in a further report on the matter by virtue of section 31(2A) to (2BA).

(1B) If, after the investigation of a matter is completed, the Local Commissioner decides—

- (a) that he is satisfied with action which the authority concerned have taken or propose to take, and
- (b) that it is not appropriate to prepare and send a copy of a report under subsection (1),

he may instead prepare a statement of his reasons for the decision and send a copy to each of the persons concerned.

(1C) If a Local Commissioner decides—

- (a) not to investigate a matter, or
- (b) to discontinue an investigation of a matter,

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 175. (See end of Document for details)

he shall prepare a statement of his reasons for the decision and send a copy to each of the persons concerned.

(1D) For the purposes of subsections (1) to (1C), the persons concerned are—

- (a) the complainant (if any),
- (b) any person who referred the matter under section 26C(2),
- (c) the authority concerned, and
- (d) any other authority or person who is alleged in the complaint, or who otherwise appears to the Local Commissioner, to have taken or authorised the action which is or would be the subject of the investigation.”

(3) In subsection (2), for “the complaint” substitute “ a complaint about the matter ”.

(4) In subsection (2AA)(a), for “the duty imposed by subsection (1)(c) above” substitute “ the duty to send a report or statement to the Authority under subsection (1), (1B) or (1C) ”.

(5) Before subsection (3) insert—

“(2B) Subsections (3) to (8) apply in the case of a report under subsection (1).”

(6) In subsection (3), for “the interests of the complainant and of persons other than the complainant” substitute “ the interests of the complainant (if any) and of other persons ”.

(7) In subsection (7), for “the interests of the complainant and of persons other than the complainant” substitute “ the interests of the complainant (if any) and of other persons ”.

Commencement Information

- II** S. 175 in force at 1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008 by [S.I. 2008/917](#), [art. 2\(1\)\(i\)](#) (with [art. 6\(5\)](#))

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