



Local Government Act 1974

1974 CHAPTER 7

PART III

LOCAL GOVERNMENT ADMINISTRATION

30 Reports on investigations.

[^{F1}(1) If a Local Commissioner completes an investigation of a matter [^{F2}under this Part of this Act], 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)).]

[^{F1}(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,

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

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(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.]

(2) Where [^{F3} a complaint about the matter] was referred by a person who was a member of an authority but who has since ceased to be a member of that authority, the report or statement shall be sent to the chairman, or, as the case may be, mayor of that authority.

[^{F4}(2AA) If the authority concerned is the Greater London Authority—

- (a) [^{F5} the duty to send a report or statement to the Authority under subsection (1), (1B) or (1C)] shall be discharged by sending the report or statement to both the Mayor of London and the London Assembly; and
- (b) in a case falling within subsection (2) above, the duty imposed by that subsection shall be discharged by sending the report or statement to both the Mayor of London and the London Assembly.]

[^{F6}(2AB) Where an authority are operating executive arrangements which involve a mayor and cabinet executive ^{F7}..., subsection (2) shall have effect as if the words “, or, as the case may be, mayor of that authority” were omitted.]

(2A)

[^{F8}(2B) Subsections (3) to (8) apply in the case of a report under subsection (1).]

(3) Apart from identifying the authority or authorities concerned, the report shall not, ^{F9}...

- (a) mention the name of any person, or
- (b) contain any particulars which, in the opinion of the Local Commissioner, are likely to identify any person and can be omitted without impairing the effectiveness of the report,

unless, after taking into account the public interest as well as [^{F10} the interests of the complainant (if any) and of other persons], the Local Commissioner considers it necessary to mention the name of that person or to include in the report any such particulars.

[^{F11}(3AA) Nothing in subsection (3) above prevents a report—

- (a) mentioning the name of, or
- (b) containing particulars likely to identify,

the Mayor of London or any member of the London Assembly.]

^{F12}(3A)

(4) Subject to the provisions of subsection (7) below, the authority concerned shall for a period of three weeks make copies of the report available for inspection by the public without charge at all reasonable hours at one or more of their offices; and any person shall be entitled to take copies of, or extracts from, the report when so made available.

[^{F13}(4A) Subject to subsection (7) below, the authority concerned shall supply a copy of the report to any person on request if he pays such charge as the authority may reasonably require.]

(5) Not later than [^{F14}two weeks] after the report is received by the authority concerned, the proper officer of the authority shall give public notice, by advertisement in newspapers and such other ways as appear to him appropriate, that [^{F15}copies of the report will be available as provided by subsections (4) and (4A)] above, and shall specify the date,

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- being a date [^{F16}not more than one week after the public notice is first given], from which the period of three weeks will begin.
- (6) If a person having the custody of a report made available for inspection as provided by subsection (4) above obstructs any person seeking to inspect the report, or to make a copy of, or extract from, the report, he shall be liable on summary conviction to a fine not exceeding [^{F17}level 3 on the standard scale].
- (7) The Local Commissioner may, if he thinks fit after taking into account the public interest as well as [^{F18}the interests of the complainant (if any) and of other persons], direct that a report specified in the direction shall not be subject to the provisions of subsections (4) [^{F19}, (4A) and (5) above].
- [^{F20}(8) Where the authority concerned is the Greater London Authority, any functions exercisable under this section by or in relation to the Authority (other than functions exercisable by or in relation to the proper officer of the Authority) shall be exercisable by or in relation to the Mayor and the Assembly acting jointly on behalf of the Authority, and references to the authority concerned (other than references to the proper officer or a member of the authority concerned) shall be construed accordingly.]

Textual Amendments

- F1** S. 30(1)-(1D) substituted for s. 30(1) (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 175\(2\)](#), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F2** Words in s. 30(1) inserted (1.10.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(1), [Sch. 5 para. 9](#); S.I. 2010/1863, art. 2
- F3** Words in s. 30(2) substituted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 175\(3\)](#), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F4** S. 30(2AA) inserted (8.5.2000) by 1999 c. 29, [s. 74\(1\)\(4\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, [art. 2\(2\)\(b\)](#)
- F5** Words in s. 30(2AA)(a) substituted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 175\(4\)](#), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F6** S. 30(2AB) inserted (E.) (6.5.2002) by S.I. 2002/1057, [art. 8\(1\)](#)
- F7** Words in s. 30(2AB) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(2), Sch. 3 para. 14(2), [Sch. 18 Pt. 3](#)
- F8** S. 30(2B) inserted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 175\(5\)](#), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F9** Words in s. 30(3) repealed (22.5.2012) by [Local Government Act 2000 \(c. 22\)](#), s. 108(3)(b)(c), Sch. 5 para. 15(a), [Sch. 6](#); S.I. 2012/1358, art. 2
- F10** Words in s. 30(3) substituted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 175\(6\)](#), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F11** S. 30(3AA) inserted (8.5.2000) by 1999 c. 29, [s. 74\(1\)\(5\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, [art. 2\(2\)\(b\)](#)
- F12** S. 30(3A) repealed (22.5.2012) by [Local Government Act 2000 \(c. 22\)](#), s. 108(3)(b)(c), Sch. 5 para. 15(b), [Sch. 6](#); S.I. 2012/1358, art. 2
- F13** S. 30(4A) inserted by [Local Government Act 1988 \(c. 9\)](#), SIF 81:1, 2), s. 29, [Sch. 3 para. 6\(2\)\(5\)](#)
- F14** Words substituted by [Local Government Act 1988 \(c. 9\)](#), SIF 81:1, 2), s. 29, [Sch. 3 para. 6\(3\)\(a\)\(5\)](#)
- F15** Words substituted by [Local Government Act 1988 \(c. 9\)](#), SIF 81:1, 2), s. 29, [Sch. 3 para. 6\(3\)\(b\)\(5\)](#)
- F16** Words substituted by [Local Government Act 1988 \(c. 9\)](#), SIF 81:1, 2), s. 29, [Sch. 3 para. 6\(3\)\(c\)\(5\)](#)

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- F17** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**
- F18** Words in s. 30(7) substituted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 175(7), 245(5)**; S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F19** Words substituted by Local Government Act 1988 (c. 9, SIF 81:1, 2), s. 29, **Sch. 3 para. 6(4)(5)**
- F20** S. 30(8) added (8.5.2000) by 1999 c. 29, s. **74(1)(6)** (with Sch. 12 para. 9(1)); S.I. 2000/801, **art. 2(2)(b)**

Modifications etc. (not altering text)

- C1** S. 30: ss. 26-34 modified by S.I. 1991/559, **art. 2(3)**
- C2** Ss. 27–30 modified by S.I. 1986/452, **art. 8(3)**
- C3** S. 30(3A) disapplied by SI 2001/2289 art.4 (as inserted (1.9.2004) by The Conduct of Members (Model Code of Conduct) (Wales) (Amendment) (No. 2) Order 2004 (S.I. 2004/1510), arts. 1(1), **3**)
- C4** S. 30(3A) disapplied (3.5.2007) by The Local Authorities (Model Code of Conduct) Order 2007 (S.I. 2007/1159), arts. 1(1), **3(b)** (with art. 1(2))

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(bzb) inserted by [2022 c. 30 Sch. 10 para. 2\(2\)\(a\)](#)
- s. 33(3B) inserted by [2022 c. 30 Sch. 10 para. 2\(4\)](#)
- s. 33ZA(1)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(2\)\(b\)](#)
- s. 33ZA(3)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(4\)\(b\)](#)
- s. 33ZB(4)(e)(f) inserted by [2022 c. 30 Sch. 10 para. 4\(b\)](#)