

# **LOCAL GOVERNMENT (REVIEW OF DECISIONS) ACT 2015**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

11. [Section 1](#) inserts a new section 22A (decisions invoking health or safety: notification, reasons for review) in the Local Government Act 1974.
12. The new section 22A provides that where a local authority takes a decision relating to health and safety at an event that stops the holding of the event, imposes restrictions upon the event or imposes conditions upon the event, that decision must be given in writing to the organiser of the event or the applicant who caused the decision to be made. The written decision must be given if not on the day the decision is taken then the next working day. If the decision stops, restricts or places conditions on the event, the written notification must record these details and give reasons.
13. If the event organiser or the person given notification of the decision requests it, the local authority must undertake a review of the decision, that review to be completed as soon as reasonably practicable and in any event within 15 days of receipt of the request. The review may result in the decision being confirmed, withdrawn, replaced by any other decision that could have been taken in the first instance, or varied. Subsection (7) provides that any existing right of appeal against a decision also applies in relation to any decision following a review.
14. [Section 2](#) amends section 28 of the Local Government Act 1974 (procedure in respect of investigations under Part 3 by local Commissioners) making provision for the Local Government Ombudsman to ‘fast track’ certain categories of complaint, allowing (for example) the Ombudsman to quickly investigate complaints that decisions about events have constituted maladministration so that the Ombudsman can determine the outcome of the complaint and make a recommendation before the event takes place.
15. [Section 3](#) recognises that, as matter of House of Commons procedure, a Money resolution needed to be agreed for the Bill from which the Act resulted.
16. [Section 4](#) gives the Secretary of State power to make an order amending other legislation in consequence of the Act. For example, this power might need to be used if the provisions under section 1 that apply to an event are not wholly in step with provisions that apply to the event under other legislation.