



Local Government Act 1974

1974 CHAPTER 7

PART III

LOCAL GOVERNMENT ADMINISTRATION

25 Authorities subject to investigation.

- (1) This Part of this Act applies to [^{F1}the following authorities]—
- (a) any local authority,
 - [^{F2}(aaa) the Greater London Authority;]
 - (aa)
 - [^{F3}(ab) a National Park authority [^{F4}for a National Park in England];]
 - (b) any joint board the constituent authorities of which are all local authorities,
 - [^{F5}(ba) ^{F6}.....]
 - (bb) any development corporation established for the purposes of a new town,
 - [^{F7}(bbb)
 - (bc)
 - (bd) any urban development corporation established by an order under section 135 of the Local Government, Planning and Land Act 1980 [^{F8}for an urban development area in England,]
 - [^{F9}(bda) a Mayoral development corporation,]
 - [^{F10}(be) any housing action trust established under Part III of the Housing Act 1988 [^{F11}for a designated area in England]]
 - [^{F12}(bf) the [^{F13}Homes and Communities] Agency;]
 - [^{F14}(bg) a fire and rescue authority [^{F15}in England] constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;]
 - [^{F16}(bh) a fire and rescue authority created by an order under section 4A of that Act;]
 - [^{F17}(c) any joint authority established by Part IV of the Local Government Act 1985;]
 - [^{F18}(cza) the London Fire Commissioner;]

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- [^{F19}(ca) any police and crime commissioner;]
- [^{F19}(caa) the Mayor's Office for Policing and Crime;]
- ^{F20}(cb)]^{F21} ...
- [^{F22}(cc) Transport for London; [^{F23}and]]
- ^{F24}(cd)
- [^{F25}(ce) any economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009;
- (cf) any combined authority established under section 103 of that Act;]
- [^{F26}(cg) any combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;]
- [^{F27}(d) in relation to the flood defence functions of the Environment Agency, within the meaning of the Water Resources Act 1991, the Environment Agency and [^{F28}any Regional Flood and Coastal Committee]^{F29} ... ;][^{F30};and
- (e) the London Transport Users' Committee.]

(2) Her Majesty may by Order in Council provide that this Part of this Act shall also apply, subject to any modifications or exceptions specified in the Order, to any authority specified in the Order, being an authority which is established by or under an Act of Parliament, and which has power to levy a rate, or to issue a precept.

(3) An Order made by virtue of subsection (2) above may be varied or revoked by a subsequent Order so made and shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Any reference to an authority to which this Part of this Act applies includes a reference—

- (a) to the members and officers of that authority, and
- [^{F31}(b) to a committee or sub-committee of that authority (including a joint committee or joint sub-committee on which the authority are represented),]
- ^{F31}(c)
- [^{F31}and (for the avoidance of doubt) subsections (4ZA) to (5) apply for the purposes of this subsection.]

[^{F32}(4ZA) Any reference to an authority to which this Part of this Act applies also includes, in the case of a local authority operating executive arrangements, the executive.]

[^{F33}(4A) Any reference to an authority to which this Part of this Act applies also includes, in the case of the Greater London Authority, a reference to each of the following—

- (a) the London Assembly;
- ^{F34}(b)
- ^{F35}(c)]

^{F36}(4B)

[^{F37}(5) Any reference to an authority to which this Part of this Act applies also includes a reference to—

- ^{F38}(a)
- ^{F39}(b)
- [^{F40}(c) an admission appeal panel constituted [^{F41}by the authority] in accordance with regulations under section 94(5) or 95(3) of [^{F42}the School Standards and Framework Act 1998] ,]

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- (d) the governing body of any community, foundation or voluntary school [^{F43} maintained by the authority] so far as acting in connection with the admission of pupils to the school or otherwise performing any of their functions under Chapter I of Part III of that Act.][^{F44}and
- (e) an exclusion [^{F45}review] panel constituted [^{F46} by the authority] in accordance with regulations under [^{F47}section 51A] of the Education Act 2002.]
- [^{F48}(6) Subsection (7) has effect where an authority to which this Part of this Act applies exercise a function entirely or partly by means of an arrangement with another person.
- (7) For the purposes of this Part of this Act, action taken by or on behalf of the other person in carrying out the arrangement shall be treated as action taken—
- (a) on behalf of the authority, and
- (b) in the exercise of the authority's function.
- (8) Subsection (7) does not have effect where, by virtue of another enactment, the action would be treated as action taken by the authority.]

Textual Amendments

- F1** Words inserted by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), s. 29, **Sch. 3 para. 4**
- F2** S. 25(1)(aaa) inserted (8.5.2000) by [1999 c. 29, s. 74\(2\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/801, art. 2(b), **Sch. Pt. 2**
- F3** S. 25(1)(ab) inserted (19.9.1995) by [1995 c. 25, ss. 63\(5\), 125\(2\)](#), **Sch. 7 para. 18(1)** (with ss. 7(6), 115, 117, [Sch. 8 para. 7](#), [Sch. 23 para. 12](#))
- F4** Words in s. 25(1)(ab) inserted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 6 para. 10(a)** (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F5** S. 25(1)(ba)–(bd) inserted by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), s. 29, **Sch. 3 para. 4**
- F6** S. 25(1)(ba) omitted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 8 para. 18\(2\)\(a\)](#), **Sch. 16**; S.I. 2008/3068, **art. 2(1)(w)(3)** (with arts. 6-13)
- F7** S. 25(1)(bbb) repealed (31.3.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)
- F8** Words in s. 25(1)(bd) inserted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 6 para. 10(b)** (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F9** S. 25(1)(bda) inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(1)(l), **Sch. 22 para. 4**
- F10** S. 25(1)(be) inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(1), **Sch. 17 para. 19**
- F11** Words in s. 25(1)(be) inserted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 6 para. 10(c)** (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F12** S. 25(1)(bf) inserted (10.11.1993) by [1993 c. 28, s. 187\(1\)](#), **Sch. 21 para. 6(1)**; S.I. 1993/2762, **art. 3**.
- F13** Words in s. 25(1)(bf) substituted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 8 para. 18\(2\)\(b\)](#); S.I. 2008/3068, **art. 2(1)(w)(3)** (with arts. 6-13)
- F14** S. 25(1)(bg) substituted (1.10.2004 except in relation to W., 10.11.2004 in relation to W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, **Sch. 1 para. 42**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F15** Words in s. 25(1)(bg) inserted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 6 para. 10(d)** (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F16** S. 25(1)(bh) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 34**; S.I. 2017/399, reg. 2, [Sch. para. 38](#)
- F17** S. 25(1)(c)(ca)(cb) substituted for s. 25(1)(c) by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, **Sch. 14 Pt. II para. 51(a)**
- F18** S. 25(1)(cza) substituted (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 2 para. 49**; S.I. 2018/227, **reg. 4(c)**

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- F19** S. 25(1)(ca)(caa) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 121**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 39)
- F20** S. 25(1)(cb) repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F21** Word in s. 25(1)(cb) repealed (3.7.2000) by 1999 c. 29, s. 423, **Sch. 34 Pt. IX** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F22** S. 25(1)(CC) inserted (8.5.2000) by 1999 c. 29, s. 394(1)(5) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**
- F23** Word “and” preceding para. (d) in s. 25(1) repealed (3.7.2000) by 1999 c. 29, ss. 247(7), 423, Sch. 18 para. 16(1)(2)(a), **Sch. 34 Pt. IV** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F24** S. 25(1)(cd) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 6(9)(a)**; S.I. 2015/994, art. 6(g)
- F25** S. 25(1)(ce)(cf) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(6), **Sch. 6 para. 41(2)**; S.I. 2009/3318, art. 2(c)
- F26** S. 25(1)(cg) inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 55** (with s. 247)
- F27** S. 25(1)(d) substituted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 18** (with ss. 7(6), 115, 117, Sch. 23 para. 12); S.I. 1996/186, art. 3
- F28** Words in s. 25(1)(d) substituted (14.7.2014) by Water Act 2014 (c. 21), s. 94(2)(r), **Sch. 10 para. 2**
- F29** Words in s. 25(1)(d) omitted (14.7.2017) by virtue of Environment (Wales) Act 2016 (anaw 3), s. 88(3)(c), **Sch. 2 para. 19**; S.I. 2017/714, art. 2
- F30** S. 25(1)(e) and word “and” immediately preceding it inserted (3.7.2000) by 1999 c. 29, s. 247(7), **Sch. 18 para. 16(1)(2)(b)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F31** S. 25(4)(b) and words substituted for s. 25(4)(b)(c) (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. 172(2), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F32** S. 25(4ZA) 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. 172(3), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F33** S. 25(4A) inserted (8.5.2000) by 1999 c. 29, s. 74(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(b), **Sch. Pt. 2**
- F34** S. 25(4A)(b) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 172(4), 245(5), **Sch. 18 Pt. 14**; S.I. 2008/917, art. 2(1)(i)(ii)(v) (with art. 6(5))
- F35** S. 25(4A)(c) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 172(4), 245(5), **Sch. 18 Pt. 14**; S.I. 2008/917, art. 2(1)(i)(ii)(v) (with art. 6(5))
- F36** S. 25(4B) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 172(5), 245(5), **Sch. 18 Pt. 14**; S.I. 2008/917, art. 2(1)(i)(ii)(v) (with art. 6(5))
- F37** S. 25(5) substituted (1.9.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 4(2), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F38** S. 25(5)(a) repealed (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), Sch. 3 para. 2(a), **Sch. 18 Pt. 3**; S.I. 2007/935, art. 7(o)(q)
- F39** S. 25(5)(b) repealed (20.1.2003 for E., 9.1.2004 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/2961, art. 7, Sch. Pt. IV
- F40** S. 25(5)(c) substituted (20.1.2003 for E., 31.5.2005 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 21 para. 2(a)** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2005/1395, art. 4, 5(3)(4), Sch.
- F41** Words in s. 25(5)(c) 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. 172(6)(a), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))
- F42** Words in s. 25(5)(c) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 2(b)**; S.I. 2007/935, art. 7(o)
- F43** Words in s. 25(5)(d) 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. 172(6)(b), 245(5); S.I. 2008/917, art. 2(1)(i) (with art. 6(5))

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- F44** S. 25(5)(e) and word inserted (20.1.2003 for E., 9.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), Sch. 21 para. 2(b) (with ss. 210(8), 214(4)); [S.I. 2002/2952](#), art. 2; [S.I. 2003/2961](#), art. 7, Sch. Pt. IV
- F45** Word in s. 25(5)(e) substituted (1.9.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 1 para. 2\(a\)](#); [S.I. 2012/1087](#), art. 3 (with art. 4)
- F46** Words in s. 25(5)(e) 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. 172\(6\)\(c\)](#), 245(5); [S.I. 2008/917](#), art. 2(1)(i) (with art. 6(5))
- F47** Words in s. 25(5)(e) substituted (1.9.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 1 para. 2\(b\)](#); [S.I. 2012/1087](#), art. 3 (with art. 4)
- F48** S. 25(6)-(8) 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. 172\(7\)](#), 245(5); [S.I. 2008/917](#), art. 2(1)(i) (with art. 6(5))

Modifications etc. (not altering text)

- C1** S. 25(1)(c) amended by [S.I. 1985/1884](#), art. 10, [Sch. 3 para. 4\(k\)](#) and by [S.I. 1989/1815](#), art. 2, [Sch. 1 para. 6\(b\)](#)
- C2** S. 25(1)(c) extended by [S.I. 1987/2110](#), art. 2(2), [Sch. 2 para. 8\(h\)](#)

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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\(b\)](#)