

SCHEDULES

SCHEDULE 10

Section 34

BEST VALUE INSPECTIONS

- 1 The Local Government Act 1999 is amended as follows.
2 For section 10 substitute—

“10 Inspections

- (1) The Secretary of State may appoint a person to carry out an inspection of a specified best value authority’s compliance with the requirements of this Part in relation to specified functions.
- (2) The Secretary of State may appoint assistant inspectors for the purposes of the inspection.
- (3) The appointment of an assistant inspector must be made on the recommendation of the inspector, unless the Secretary of State thinks that the urgency of the inspection makes it necessary to dispense with this requirement.
- (4) In carrying out an inspection, the inspector and any assistant inspector must—
- (a) have regard to any guidance issued by the Secretary of State generally in relation to inspections, and
 - (b) comply with any directions issued by the Secretary of State in relation to that inspection.”

- 3 In section 11(7) (powers and duties: definition of “inspector”), for paragraph (a) substitute “an inspector or assistant inspector appointed under section 10(1) or (2).”
4 For section 12 substitute—

“12 Fees

An authority inspected under section 10 must pay the reasonable fees of the inspector for carrying out the inspection.”

- 5 (1) Section 13 (reports) is amended as follows.
- (2) In subsection (1)—
- (a) for “the Audit Commission” substitute “an inspector”, and
 - (b) for “it” substitute “the inspector”.
- (3) In subsection (2)(a), for “Commission” substitute “inspector”.
- (4) In subsection (3)—
- (a) for “Commission” substitute “inspector”, and

Status: This is the original version (as it was originally enacted).

- (b) in paragraph (a), after “to the authority concerned” insert “and to the Secretary of State”.
- (5) After subsection (3) insert—
 - “(3A) The Secretary of State may publish a report and any information in respect of a report.”
- (6) In subsection (4)—
 - (a) for “Commission” substitute “inspector”, and
 - (b) omit paragraph (b) and the word “and” preceding it.
- (7) In subsection (4A)—
 - (a) for “Commission” substitute “inspector”, and
 - (b) for “it” substitute “the inspector”.
- 6 In section 15 (Secretary of State’s powers)—
 - (a) omit subsection (10), and
 - (b) in subsections (11) and (12) omit “or (10)”.
- 7 Omit section 22(1) (Audit Commission).
- 8 In section 25(2) (coordination of inspections: persons to whom the section applies), for paragraph (a) substitute—
 - “(a) an inspector or assistant inspector appointed under section 10(1) or (2);”.
- 9 Omit section 26(3) (consultation with Audit Commission before issuing guidance).
- 10 In section 33 (grants to Audit Commission and Wales Audit Office) omit subsections (2) and (3)(a).
- 11 On the coming into force of the repeal (by the Welfare Reform Act 2012) of section 139D of the Social Security Administration Act 1992 omit—
 - (a) section 13(4A) of the Local Government Act 1999, and
 - (b) the amendments made to it by paragraph 5(7) of this Schedule.