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STATUTORY INSTRUMENTS

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**2006 No. 1738**

The Children Act 1989 Representations  
Procedure (England) Regulations 2006

PART 3

Representations – general

**Representations not to be considered**

**8.—(1)** A local authority shall not consider, or further consider, representations under these Regulations to the extent that the representations concern any matter in relation to which—

- (a) the complainant has stated in writing to the local authority that he is taking, or intends to take, proceedings in any court or tribunal;
- (b) the local authority are taking or proposing to take disciplinary proceedings against any person;
- (c) the local authority have been notified that any person is conducting an investigation in contemplation of criminal proceedings; or
- (d) the local authority have been notified that criminal proceedings are pending,

and the local authority decide that consideration, or further consideration, of the representations under these Regulations would prejudice the conduct of any proceedings or investigation falling under this paragraph.

(2) Any proceedings or investigation falling under paragraph (1) shall be referred to for the purposes of this regulation as a “concurrent consideration”.

(3) Where a local authority decide that they should not consider, or further consider, representations in accordance with paragraph (1) the local authority shall as soon as possible give notice in writing to the complainant explaining the reasons for their decision and specifying the relevant concurrent consideration.

(4) Where the concurrent consideration specified in a notice under paragraph (3) has been discontinued or completed the complainant to whom the notice was given may resubmit to the local authority the representations to which the notice relates and, subject to paragraph (5), the local authority shall consider them in accordance with regulations 9 to 20.

(5) Where a complainant resubmits representations in accordance with paragraph (4) he must do so no later than one year after the concurrent consideration is discontinued or completed and accordingly regulation 9(1) shall not apply.