



Local Government Act 1999

1999 CHAPTER 27

PART I

BEST VALUE

Best value inspections

11 Inspectors' powers and duties.

- (1) An inspector has a right of access at all reasonable times—
- (a) to any premises of the best value authority concerned, and
 - (b) to any document relating to the authority which appears to him to be necessary for the purposes of the inspection.

[^{F1}(1A) The right conferred by subsection (1)(b) includes power to inspect, copy or take away the document.]

- (2) An inspector—
- (a) may require a person holding or accountable for any such document to give him such information and explanation as he thinks necessary, and
 - (b) may require that person to attend before him in person to give the information or explanation or to produce the document.

[^{F2}(2A) In relation to a document kept in electronic form, the power in subsection (2)(b) to require a person to produce a document includes power to require it to be produced in a form in which it is legible and can be taken away.

- (2B) In connection with inspecting such a document, an inspector—
- (a) may obtain access to, and inspect and check the operation of, any computer and associated apparatus or material which he considers is or has been used in connection with the document;
 - (b) may require a person within subsection (2C) to afford him such reasonable assistance as he may require for that purpose.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1999, Section 11. (See end of Document for details)

- (2C) A person is within this subsection if he is—
- (a) the person by whom or on whose behalf the computer is or has been used; or
 - (b) a person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material.]
- (3) A best value authority shall provide an inspector with every facility and all information which he may reasonably require for the purposes of the inspection.
- (4) An inspector shall—
- (a) give three clear days’ notice of any requirement under this section, and
 - (b) ^{F3} ..., if so required, produce documents identifying himself.
- (5) A person who without reasonable excuse [^{F4} obstructs the exercise of any power conferred by this section or] fails to comply with a requirement of an inspector under this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) Any expenses incurred by an inspector in connection with proceedings for an offence under subsection (5) alleged to have been committed in relation to an inspection of a best value authority are, so far as not recovered from any other source, recoverable from the authority.
- [^{F5}(7) In this section “ inspector ” means—
- (a) [^{F6} an inspector or assistant inspector appointed under section 10(1) or (2).]
 - ^{F7}(b)]

Textual Amendments

- F1** S. 11(1A) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), **ss. 151(2)(a)**, 245(5); S.I. 2008/172, art. 2(1)(b)
- F2** S. 11(2A)-(2C) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), **ss. 151(2)(b)**, 245(5); S.I. 2008/172, art. 2(1)(b)
- F3** Word in s. 11(4)(b) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), s. 245(5), **Sch. 8 para. 16, Sch. 18 Pt. 8**; S.I. 2008/917, art. 2(1)(e)(i)(v)
- F4** Words in s. 11(5) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), **ss. 151(2)(c)**, 245(5); S.I. 2008/172, art. 2(1)(b)
- F5** S. 11(7) substituted (1.4.2005) by [Public Audit \(Wales\) Act 2004](#) (c. 23), s. 73, **Sch. 1 para. 10**; S.I. 2005/558, art. 2, **Sch. 1**
- F6** Words in s. 11(7) substituted for s. 11(7)(a) (4.4.2014) by [Local Audit and Accountability Act 2014](#) (c. 2), s. 49(1), **Sch. 10 para. 3**; S.I. 2014/900, art. 2(c)
- F7** S. 11(7)(b) omitted (1.4.2014) by virtue of [Public Audit \(Wales\) Act 2013](#) (anaw 3), s. 35(2), **Sch. 4 para. 10** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)

Modifications etc. (not altering text)

- C1** S. 11 applied by 1998 c. 18, s. 41A(5) (as inserted (18.11.2003 for specified purposes, 27.11.2003 for specified purposes, 1.4.2004 in so far as not already in force) by [Local Government Act 2003](#) (c. 26), **ss. 109(1)**, 128(3)(c), 128(4)(d); S.I. 2003/2938, arts. 2(d), 6(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, **Sch. 1 Pt. I**)
- C2** Ss. 10-13 applied (with modifications) (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004](#) (c. 21), **ss. 24**, 61; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- C3** S. 11(1)-(6) applied (1.9.2005) by [Children Act 2004](#) (Joint Area Reviews) Regulations 2005 (S.I. 2005/1973), reg. 1(1), **Sch. para. 8(2)**

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1999, Section 11. (See end of Document for details)

Commencement Information

- II** S. 11 wholly in force at 1.4.2000; s. 11 not in force at Royal Assent see s. 27 ; s. 11 in force (E.) at 1.4.2000 and (W.) for certain purposes at 1.4.2000 by [S.I. 1999/2169](#) , [art. 4\(2\)](#), [Sch. 3](#); s. 11 in force (W.) at 1.4.2000 by [S.I. 1999/2815](#), [art. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1999, Section 11.