

# Local Government Act 1972 c. 70

## s. 250 Power to direct inquiries.



Law In Force

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### Subjects

Administrative law; Civil evidence; Civil procedure; Criminal law; Local government

### Keywords

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### 250.— Power to direct inquiries.

(1) Where any Minister is authorised by this Act to determine any difference, to make or confirm any order, to frame any scheme, or to give any consent, confirmation, sanction or approval to any matter, or otherwise to act under this Act, and where the Secretary of State is authorised to hold an inquiry, either under this Act or under any other enactment relating to the functions of a local authority, he may cause a local inquiry to be held.

(2) For the purpose of any such local inquiry, the person appointed to hold the inquiry may by summons require any person to attend, at a time and place stated in the summons, to give evidence or to produce any documents in his custody or under his control which relate to any matter in question at the inquiry, and may take evidence on oath, and for that purpose administer oaths: [...]<sup>1</sup>

Provided that—

(a) no person shall be required, in obedience to such summons, to attend to give evidence or to produce any such documents, unless the necessary expenses of this attendance are paid or tendered to him; and

(b) nothing in this section shall empower the person holding the inquiry to require the production of the title, or of any instrument relating to the title, of any land not being the property of a local authority.

(3) Every person who refuses or deliberately fails to attend in obedience to a summons issued under this section, or to give evidence, or who deliberately alters, suppresses, conceals, destroys, or refuses to produce any book or other document which he is required or is liable to be required to produce for the purposes of this section, shall be liable on summary conviction to a fine not exceeding [level 3 on the standard scale]<sup>2</sup> or to imprisonment for a term not exceeding six months, or to both.

(4) Where a Minister causes an inquiry to be held under this section, the costs incurred by him in relation to the inquiry [...]<sup>3</sup> shall be paid by such local authority or party to the inquiry as he may direct, and the Minister may cause the amount of the costs so incurred to be certified, and any amount so certified and directed to be paid by any authority or person shall be recoverable from that authority or person by the Minister summarily as a civil debt.

(5) [The Secretary of State]<sup>4</sup> may make orders as to the costs of the parties at the inquiry and as to the parties by whom the costs are to be paid, and every such order may be made a rule of the High Court on the application of any party named in the order.

(6) This section shall extend to local inquiries held by the Secretary of State under the provisions of the [Local Government Act 1929](#) or the [Ferries \(Acquisition by Local Authorities\) Act 1919](#).

## Notes

- 1 Words repealed by Statute Law (Repeals) Act 1989 (c.43), s. 1(1), Sch. 1 Pt. IV
- 2 Words substituted by Criminal Justice Act 1982 (c.48), ss. 38, 46
- 3 Words repealed by Housing and Planning Act 1986 (c.63), ss. 24(3), 39(4), 49(2), 53(2), Sch. 12 Pt. III
- 4 This enactment applies as if in s.250(5) words were substituted by National Health Service (Service Committees and Tribunal) Regulations 1992/664 [Pt II reg.11\(16\)](#) (April 1, 1992)

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