



Local Government Act 1972

1972 CHAPTER 70

[^{F1}PART VA

ACCESS TO MEETINGS AND DOCUMENTS OF CERTAIN AUTHORITIES, COMMITTEES AND SUB-COMMITTEES.]

[^{F1}100A Admission to meetings of principal councils. **E**

- (1) A meeting of a principal council shall be open to the public except to the extent that they are excluded (whether during the whole or part of the proceedings) under subsection (2) below or by resolution under subsection (4) below.
- (2) The public shall be excluded from a meeting of a principal council during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence; and nothing in this Part shall be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.
- (3) For the purposes of subsection (2) above, “confidential information” means—
 - (a) information furnished to the council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
 - (b) information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court;and, in either case, the reference to the obligation of confidence is to be construed accordingly.
- (4) A principal council may by resolution exclude the public from a meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I below.
- (5) A resolution under subsection (4) above shall—

Status: Point in time view as at 01/08/2020. This version of this provision has been superseded.

Changes to legislation: Local Government Act 1972, Section 100A is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) identify the proceedings, or the part of the proceedings, to which it applies, and
- (b) state the description, in terms of Schedule 12A to this Act, of the exempt information giving rise to the exclusion of the public,

and where such a resolution is passed this section does not require the meeting to be open to the public during proceedings to which the resolution applies.

[Where the public are excluded from a meeting of a principal council in England under ^{F2}(5A) subsection (2) or (4), the council may also prevent any person from reporting on the meeting using methods—

- (a) which can be used without that person’s presence at the meeting, and
- (b) which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later.]

(6) The following provisions shall apply in relation to a meeting of a principal council, that is to say—

- (a) public notice of the time and place of the meeting shall be given by posting it at the offices of the council [^{F3}five clear days] at least before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened;
- (b) while the meeting is open to the public, the council shall not have power to exclude members of the public from the meeting; and
- (c) [^{F4}subject to subsection (7D),] while the meeting is open to the public, duly accredited representatives of newspapers attending the meeting for the purpose of reporting the proceedings for those newspapers shall, so far as practicable, be afforded reasonable facilities for taking their report and, unless the meeting is held in premises not belonging to the council or not on the telephone, for telephoning the report at their own expense.

(7) [^{F5}Subject to subsection (7A)] nothing in this section shall require a principal council to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.

[While a meeting of a principal council in England is open to the public, any person ^{F6}(7A) attending is to be permitted to report on the meeting.

(7B) Subsection (7A) does not require a principal council in England to permit oral reporting or oral commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.

(7C) A person attending a meeting of a principal council in England for the purpose of reporting on the meeting must, so far as practicable, be afforded reasonable facilities for doing so.

(7D) Subsection (7C) applies in place of subsection (6)(c) in the case of a principal council in England.

(7E) Any person who attends a meeting of a principal council in England for the purpose of reporting on the meeting may use any communication method, including the internet, to publish, post or otherwise share the results of the person’s reporting activities.

(7F) Publication and dissemination may take place at the time of the meeting or occur after the meeting.]

(8) This section is without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

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- [In this section “reporting” means—
- ^{F7}(9) (a) filming, photographing or making an audio recording of proceedings at a meeting,
- (b) using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later, or
- (c) reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later to persons not present.]]

Extent Information

- E1** This version of this provision extends to England only; a separate version has been created for Wales only

Textual Amendments

- F1** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), **s. 1(1)**
- F2** S. 100A(5A) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **4(2)**
- F3** Words in s. 110A(6)(a) substituted (E.) (1.10.2002) by [The Local Authorities \(Access to Meetings and Documents\) \(Period of Notice\) \(England\) Order 2002 \(S.I. 2002/715\)](#), arts. 1(2), **2**
- F4** Words in s. 100A(6)(c) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **4(3)**
- F5** Words in s. 100A(7) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **4(4)**
- F6** S. 100A(7A)-(7F) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **4(5)**
- F7** S. 100A(9) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **4(6)**

Modifications etc. (not altering text)

- C1** Ss. 100A-100D applied (12.11.2009 for specified purposes, 1.10.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 151(7)(a)**, 324(1)(c)(d) (with ss. 172(3), 185); S.I. 2010/2195, art. 3(2)(b)
- C2** S. 100A applied in part (with modifications) (5.7.2011) by [The South East Lincolnshire Joint Strategic Planning Committee Order 2011 \(S.I. 2011/1455\)](#), art. 1, **Sch. para. 7(1)(a)**
- C3** S. 100A applied in part (13.5.2007) [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(a)**
- C4** Ss. 100A-100D extended (with modifications) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\)](#), **s. 2(1)**
- C5** Ss. 100A-100D applied (with modifications) by [Community Health Councils \(Access to Information\) Act 1988 \(c. 24, SIF 113:2\)](#), **s. 1(1)(2)**
- S. 100A applied (with modifications) (W.) (28.7.2001) by S.I. 2001/2283, **regs. 26, 27**
- C6** Ss. 100A-100D applied (with modifications) (E.) (1.1.2003) by [The Commission for Patient and Public Involvement in Health \(Membership and Procedure\) Regulations 2002 \(S.I. 2002/3038\)](#), reg. 11, **Sch. 2 para. 1(1)(2)**
- C7** S. 100A applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(a)**
- C8** S. 100A applied in part (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(a)**

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- C9** Ss. 100A-100D applied (12.11.2009 for certain purposes and otherwise prosp.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 151(7)(a)**, [324\(1\)\(c\)\(3\)](#) (with [ss. 172\(3\)](#), [185](#))
- C10** Pt. 5A modified (W.) (30.4.2012) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), **ss. 14(8)**, **178(3)**; S.I. 2012/1187, art. 2(1)(b)
- C11** S. 100A applied (with modifications) (1.4.2015) by [The Local Audit \(Auditor Panel\) Regulations 2014 \(S.I. 2014/3224\)](#), [regs. 1\(1\)](#), **9(2)** (with [reg. 1\(3\)](#)) (as amended (W.) (1.5.2021) by [The Local Government and Elections \(Wales\) Act 2021 \(Consequential Amendments and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/356\)](#), [reg. 7\(3\)\(a\)](#))
- C12** S. 100A(4) modified (11.5.2001 for specified purposes, 1.1.2003 for E. and otherwise 1.3.2007) by [2001 c. 15](#), [ss. 9](#), [70\(2\)](#), [Sch. 1](#) (with [ss. 64\(9\)](#), [65\(4\)](#)); S.I. 2003/53, **art. 3(a)**; S.I. 2006/1407, [art. 2](#), **Sch. 1 Pt. 2 para. 8**
- S. 100A(4) modified (1.3.2007) by [National Health Service Act 2006 \(c. 41\)](#), **ss. 246(2)**, [277\(1\)](#) (subject to [s. 277\(2\)-\(5\)](#))

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