



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART II

PUBLICATION OF INFORMATION BY LOCAL AUTHORITIES

Modifications etc. (not altering text)

C1 Pt. II (ss. 2-4) applied (6.4.1995) (*temp.* until 1.4.1996) by S.I. 1995/789, art. 2, Sch. para. 6

2 Duty of authorities to publish information. **E+W**

(1) The authorities to whom this section applies are—

- (a) a county council;
- [^{F1}(aa) a county borough council;]
- (b) a district council;
- (c)^{F2}
- (d) a London borough council;
- (e) the Common Council of the City of London;
- (f) the Council of the Isles of Scilly;
- (g) in Scotland, a [^{F3}council constituted under section 2 of the Local Government etc. (Scotland) Act 1994];
- (h) a fire authority constituted by a combination scheme under section 5 or 6 of the ^{M1}Fire Services Act 1947, or in Scotland, a joint [^{F4}board] constituted by an administration scheme under section 36 of that Act [^{F5}or section 147 of the Local Government (Scotland) Act 1973];
- (j) [^{F6}a police committee constituted under section 2 of the Police Act 1964 or in Scotland]a police authority constituted under section 2 of the ^{M2}Police (Scotland) Act 1967 ;

Status: Point in time view as at 01/04/1996.

Changes to legislation: Local Government, Planning and Land Act 1980, Part II is up to date with all changes known to be in force on or before 26 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)

- (k) [^{F6}a combined police authority constituted in accordance with the provisions of an amalgamation scheme under section 21 of the Police Act 1964 or in Scotland], a joint police [^{F7}board] constituted in accordance with the provisions of an amalgamation scheme under section 19 [^{F7}, 20 or 21B] of the Police (Scotland) Act 1967; . . . ^{F8}
- [^{F9}(ka) a joint authority established by Part IV of the ^{M3}Local Government Act 1985;]
 - (l) ^{F10}
- (2) The Secretary of State may issue for the purposes of this section a code of recommended practice as to the publication of information by such authorities about the discharge of their functions and other matters (including forecasts) which he considers to be related.
- (3) In relation to the Inner London Education Area functions conferred on education authorities by the Education Acts 1944 to 1980 shall be treated for the purposes of this section as conferred on the Inner London Education Authority.
- (4) a code may be prepared either by the Secretary of State or by some other person at his request.
- (5) The Secretary of State may from time to time revise or request some other person to revise the whole or any part of a code.
- (6) A code may specify—
 - (a) that publication be made in periodical reports or in any other specified manner;
 - (b) the occasions on which such publication is to made; and
 - (c) the form which such publication is to take.
- (7) Without prejudice to the generality of subsection (6) above, a code may specify, as a manner of publishing information—
 - (a) its dispatch with, or inclusion in, a demand note on which a rate is levied under the ^{M4}General Rate Act 1967 or the ^{M5} Local Government (Scotland) Act 1973
 - [^{F11}(b) its inclusion in a statement of accounts prepared by an authority to which this section applies in accordance with regulations under section 23 of the ^{M6}Local Government Finance Act 1982 or in an abstract of accounts prepared by such an authority in accordance with regulations under section 105 of the ^{M7}Local Government (Scotland) Act 1973; or]
 - (c) its being made available for inspection by members of the public at an authority’s office or elsewhere.
- (8) A code may specify steps which authorities are to take to inform the public of the availability of the information.
- (9) Where a code specifies information as to the cost of the discharge of any of the functions of authorities, it may specify how the cost is to be determined.
- (10) More than one code may be issued under this section, and different codes may deal with—
 - (a) different classes of information;
 - (b) different kinds of authority or the same kind of authority in different circumstances or different areas ;
 - (c) different manners, forms or occasions of publication.

Status: Point in time view as at 01/04/1996.

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Extent Information

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

Textual Amendments

- F1** S. 2(1)(aa) inserted (3.4.1995) by 1994 c. 19, s. 66(6), **Sch. 16 para. 57(1)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1), **Sch. 5**
- F2** S. 2(1)(e) repealed by Local Government Act 1985 (c. 51, SIF 81:1) ss. 1, 102, Sch. 17
- F3** Words in s. 2(1)(g) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 120(2)(a)**; S.I. 1996/323, **art. 4(1)(c)**
- F4** Word in s. 2(1)(h) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 120(2)(b)(i)**; S.I. 1996/323, **art. 4(1)(c)**
- F5** Words in s. 2(1)(h) inserted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 120(2)(b)(ii)**; S.I. 1996/323, **art. 4(1)(c)**
- F6** Words in s. 2(1)(j)(k) repealed (1.10.1994 for certain purposes only and 1.4.1995 otherwise) by 1994 c. 29, ss. 43, 93, Sch. 4 Pt. I para. 19, **Sch. 9 Pt. I**; S.I. 1994/2025, **art. 6(1)(2)(6)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F7** Words in s. 2(1)(k) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 120(2)(c)**; S.I. 1996/323, **art. 4(1)(c)**
- F8** Word repealed by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. II para. 59(1)(a)**
- F9** S. 2(1)(ka) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 para. 59(1)(a)**
- F10** S. 2(1)(l) repealed by Education Reform Act 1988 (c. 40, SIF 41:1), s. 237, **Sch. 13 Pt. I**
- F11** S. 2(7)(b) substituted by Local Government Finance Act 1982 (c. 32, SIF 81:1), s. 34, **Sch. 5 para 8(1)**

Modifications etc. (not altering text)

- C2** S. 2(7)(ka) extended by S.I. 1985/1884, art. 10, Sch. 3 para 4(s), **1987/2110** art. 2, Sch. 1 para 8(n)

Marginal Citations

- M1** 1947 c. 41 (50).
M2 1967 c. 77.
M3 1985 c. 51 (81:1).
M4 1967 c. 9 (103:1, 2).
M5 1973 c. 65 (81:2).
M6 1982 c. 32 (81:1).
M7 1973 c. 65(81:2).

2 Duty of authorities to publish information. **S**

- (1) The authorities to whom this section applies are—
- (a) a county council;
 - [^{F21}(aa) a county borough council;]
 - (b) a district council;
 - (c)^{F22}
 - (d) a London borough council;
 - (e) the Common Council of the City of London;
 - (f) the Council of the Isles of Scilly;
 - (g) in Scotland, a [^{F23}council constituted under section 2 of the Local Government etc. (Scotland) Act 1994];

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- (h) a fire authority constituted by a combination scheme under section 5 or 6 of the ^{M11}Fire Services Act 1947, or in Scotland, a joint [^{F23}board] constituted by an administration scheme under section 36 of that Act [^{F24}or section 147 of the ^{M12}Local Government (Scotland) Act 1973];
- (j) [^{F25}a police committee constituted under section 2 of the ^{M13} Police Act 1964 or in Scotland] a police authority constituted under section 2 of the ^{M14} Police (Scotland) Act 1967 ;
- (k) [^{F25}a combined police authority constituted in accordance with the provisions of an amalgamation scheme under section 21 of the Police Act 1964 or in Scotland], a joint police [^{F23}board] constituted in accordance with the provisions of an amalgamation scheme under section 19 [, 20 or 21B] of the Police (Scotland) Act 1967; . . . ^{F26}
- [^{F27}(ka) a joint authority established by Part IV of the ^{M15}Local Government Act 1985;]
- (l) ^{F28}
- (2) The Secretary of State may issue for the purposes of this section a code of recommended practice as to the publication of information by such authorities about the discharge of their functions and other matters (including forecasts) which he considers to be related.
- (3) In relation to the Inner London Education Area functions conferred on education authorities by the Education Acts 1944 to 1980 shall be treated for the purposes of this section as conferred on the Inner London Education Authority.
- (4) a code may be prepared either by the Secretary of State or by some other person at his request.
- (5) The Secretary of State may from time to time revise or request some other person to revise the whole or any part of a code.
- (6) A code may specify—
- that publication be made in periodical reports or in any other specified manner;
 - the occasions on which such publication is to made; and
 - the form which such publication is to take.
- (7) Without prejudice to the generality of subsection (6) above, a code may specify, as a manner of publishing information—
- its dispatch with, or inclusion in, a demand note on which a rate is levied under the ^{M16}General Rate Act 1967 ^{F29} . . .
- [^{F30}(aa) its dispatch with, or inclusion in—
- a demand note for payment of rates issued under section 237(1) of the ^{M17}Local Government (Scotland) Act 1947 ; or
 - [a notice given by virtue of regulations made under paragraph 2 of ^{F31}(ii) Schedule 2 to the Local Government Finance Act 1992]]
- its inclusion in an abstract of accounts prepared by an authority to whom this section applies in accordance with regulations under section 166 of the ^{M18} Local Government Act 1972 or section 105 of the ^{M19}Local Government (Scotland) Act 1973; or
 - its being made available for inspection by members of the public at an authority's office or elsewhere.
- (8) A code may specify steps which authorities are to take to inform the public of the availability of the information.

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- (9) Where a code specifies information as to the cost of the discharge of any of the functions of authorities, it may specify how the cost is to be determined.
- (10) More than one code may be issued under this section, and different codes may deal with—
- (a) different classes of information;
 - (b) different kinds of authority or the same kind of authority in different circumstances or different areas ;
 - (c) different manners, forms or occasions of publication.

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only.

Textual Amendments

- F21** S. 2(1)(aa) inserted (3.4.1995) by 1994 c. 19, s. 66(6), **Sch. 16 para. 57(1)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1), **Sch. 5**
- F22** S. 2(1)(c) repealed by Local Government Act 1985 (c. 51, SIF 81:1) ss. 1, 102, Sch. 17
- F23** Words in s. 2(1)(g)(h)(k) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 120(2)**; S.I. 1996/323, **art. 4(1)(c)**
- F24** Words in s. 2(1)(h) inserted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 120(2)**; S.I. 1996/323, **art. 4(1)(c)**
- F25** Words in s. 2(1)(j)(k) repealed (1.10.1994 for certain purposes only and 1.4.1995 otherwise) by 1994 c. 29, ss. 43, 93, Sch. 4 Pt. I para. 19, **Sch. 9 Pt. I**; S.I. 1994/2025, **art. 6(1)(2)(6)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F26** Word repealed by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. II para. 59(1)(a)**
- F27** S. 2(1)(ka) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 para. 59(1)(a)**
- F28** S. 2(1)(l) repealed by Education Reform Act 1988 (c. 40, SIF 41:1), s. 237, **Sch. 13 Pt. I**
- F29** Words repealed by Local Government Finance Act 1988 (c. 41, SIF 103:2), s. 137, **Sch. 12 Pt. II para. 14**
- F30** S. 2(7)(aa) inserted by Local Government Finance Act 1988 (c. 41, SIF 103:2), s. 137, **Sch. 12 Pt. II para. 14**
- F31** S. 2(7)(aa)(ii) substituted (1.10.1992) by Local Government Finance Act 1992 (c. 14), s. 117(1), **Sch. 13 para. 49** (with s. 118(1)(2)(4)); S.I. 1992/2183, **art. 2(c)**.

Modifications etc. (not altering text)

- C3** S. 2(7)(ka) extended by S.I. 1985/1884, art. 10, Sch. 3 para 4(s), **1987/2110** art. 2, Sch. 1 para 8(n)

Marginal Citations

- M11** 1947 c. 41 (50).
- M12** 1973 c. 65.
- M13** 1964 c. 48 (95).
- M14** 1967 c. 77.
- M15** 1985 c. 51 (81:1).
- M16** 1967 c. 9 (103:1, 2).
- M17** 1947 c. 43(103:2).
- M18** 1972 c. 70 (81:1).
- M19** 1973 c. 65 (81:2).

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3 Supplementary provisions relating to codes of practice on publication of information.

- (1) The Secretary of State may make regulations requiring authorities to whom section 2 above applies to publish any description of information specified in a code issued under that section if in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description.
- (2) The Secretary of State may make regulations requiring such authorities to publish any description of information specified in a code issued under section 2 above in the manner and form specified in the code, if in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description in that manner and from.
- (3) Where the occasions specified in a code for the publication of any description of information recur not more often than once a year, the Secretary of State may make regulations requiring authorities to publish information of that description on the occasions specified in the code, if in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description on those occasions.
- (4) Where the occasions specified in a code for the publication of any description of information recur more often than once a year, the Secretary of State may make regulations requiring authorities to publish information on the occasions specified in the code if—
 - (a) the information is of a description to which this subsection applies; and
 - (b) in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description on the occasions specified in the code.
- (5) The descriptions of information to which subsection (4) above applies are—
 - (a) information about the discharge of authorities' functions relating to housing or land;
 - (b) information about the number of their employees or the number of any description of their employees; and
 - (c) information about the determination of applications for planning permission under ^{F12}the Town and Country Planning Act 1990] or the ^{M8}Town and Country Planning (Scotland) Act 1972.
- (6) The Secretary of State may by order direct that subsection (4) above shall apply to descriptions of information other than those specified in subsection (5) above.
- (7) Any regulations under this section and any order under subsection (6) above may make different provision in relation to authorities in England, authorities in Scotland and authorities in Wales.
- (8) The power to make any such regulations or order shall be exercisable by statutory instrument.
- (9) A statutory instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) No order under subsection (6) above shall have effect until approved by a resolution of each House of Parliament.

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- (11) Before issuing a code under section 2 above or making regulations under this section or an order under subsection (6) above the Secretary of State shall consult such associations of authorities to whom section 2 above applies as appear to him to be concerned and any such authority with whom consultation appears to him to be desirable.
- (12) A code may specify and regulations under subsection (2) above may require that any description of information shall be published to the public in general or to any section of it.

Textual Amendments

F12 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 44\(1\)](#)

Marginal Citations

M8 [1972 c. 52 \(123:2\)](#).

4 Power to direct bodies to publish information.

- (1) The relevant Minister may direct that a body or description of bodies specified in any of the paragraphs of subsection (4) below shall publish information about the discharge of their functions and other matters (including forecasts) which he considers to be related.
- (2) Different directions may be given to bodies of the same description in different areas.
- (3) A direction under this section may specify—
 - (a) the manner in which information is to be published;
 - (b) the occasions on which such publication is to be made; and
 - (c) the form which such publication is to take.
- (4) The bodies and descriptions of bodies mentioned in subsection (1) above are—
 - (a) development corporations established under the ^{M9}[^{F13}New Towns Act 1981] or the ^{M10}New Towns (Scotland) Act 1968;
 - (b) the Commission for New Towns;
 - ^{F14}(c) water authorities;]
 - (d) urban development corporations within the meaning of Part XVI of this Act;
 - (e) Passenger Transport Executives . . . ^{F15}
 - (f) ^{F16}
 - (g) district councils [^{F17}or Welsh county councils or county borough councils]carrying on road passenger transport undertakings.
- (5) In this section “the relevant Minister ” means in relation—
 - (a) to the descriptions of bodies mentioned in subsection (4)(e) and (g) above, in the application of those paragraphs to England; . . . ^{F16}
 - (b) ^{F16}the Minister of Transport.
- ^{F18}(5A) In this section “the relevant Minister ” means, in relation to the National Rivers Authority, the Secretary of State or the Minister of Agriculture, Fisheries and Food]

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- (6) Subject to [F19 subsections (5) and (5A)] above, in this section “the relevant Minister ” means the Secretary of State.
- (7) A direction given to a F20 . . . council under this section may only relate to its road passenger transport undertaking.

Textual Amendments

- F13** Words substituted by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), s. 81, [Sch. 12 para. 28\(a\)](#)
- F14** S. 4(4)(c) commencing “water ” substituted for s. 4(4)(c) commencing “the National ” by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 25 para. 61\(1\)\(a\)](#), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\)](#), [58](#)
- F15** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), [Sch. 8](#)
- F16** S. 4(4)(f), (5)(b) and the word “and ” immediately preceding it repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(b\)](#), [Sch. 7](#)
- F17** Words in s. 4(4)(g) inserted (3.4.1995) by 1994 c. 19, s. 66(6), [Sch. 16 para. 57\(2\)\(a\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1995/852, art. 9(1), [Sch. 5](#)
- F18** S. 4(5A) inserted by [Water Act 1989 \(c.15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1) [Sch. 25 para. 61\(1\)\(b\)](#), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\)](#), [58](#)
- F19** Words “subsections (5) and (5A) ” substituted for “subsection (5) ” by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 25 para. 61\(1\)\(c\)](#), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\)](#), [58](#)
- F20** Word in s. 4(7) repealed (3.4.1995) by 1994 c. 19, s. 66(6)(8), [Sch. 16 para. 57\(2\)\(b\)](#), [Sch. 18](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1995/852, art. 9(1), [Sch. 5](#)

Marginal Citations

- M9** 1981 c. 64 ([123:3](#)).
- M10** 1968 c. 16 ([123:4](#)).

Status:

Point in time view as at 01/04/1996.

Changes to legislation:

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