
STATUTORY INSTRUMENTS

2000 No. 3272

**The Local Authorities (Executive Arrangements)
(Access to Information) (England) Regulations 2000**

PART II

PROVISIONS FOR AND IN CONNECTION WITH EXECUTIVE DECISIONS

Recording of executive decisions made at meetings

3.—(1) As soon as reasonably practicable after a private meeting or a public meeting of a decision making body at which an executive decision has been made, the proper officer, or in the event that the proper officer is not present at that meeting, the person presiding, shall ensure that a written statement is produced in respect of every executive decision made at that meeting which must include the information specified in paragraph (2).

(2) The statement referred to in paragraph (1) must include;

- (a) a record of the decision;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the decision making body at the meeting at which the decision was made;
- (d) a record of any conflict of interest in relation to the matter decided which is declared by any member of the decision making body which made the decision; and
- (e) in respect of any declared conflict of interest, a note of any dispensation granted by the local authority's standards committee.

(3) For the purposes of paragraph (1) of this regulation "person presiding" means the person actually presiding, or the person nominated to preside, at that meeting.

(4) Executive decisions made by decision making bodies are prescribed decisions for the purposes of section 22(3) of the 2000 Act (duty to keep written records of private meetings).

Recording of executive decisions made by individuals

4.—(1) As soon as is reasonably practicable after an individual member has made any executive decision he shall produce, or if he instructs the proper officer to do so, the proper officer shall produce, a written statement in respect of that executive decision which includes the information specified in paragraph (2).

(2) The statement referred to in paragraph (1) must include—

- (a) a record of the decision;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected at the time by the member when he made the decision;

- (d) a record of any conflict of interest declared by any executive member who is consulted by the member, in relation to the decision; and
- (e) in respect of any declared conflict of interest a note of any dispensation granted by the local authority's standards committee.

(3) Executive decisions made by individual members of local authority executives are prescribed decisions for the purposes of section 22(4) of the 2000 Act (duty to keep a written record of decisions made by individual members of local authority executives).

(4) As soon as is reasonably practicable after an officer has made a decision which is a key decision, the officer shall produce a written statement which must include—

- (a) a record of the decision;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the officer at the time when he made the decision;
- (d) a record of any conflict of interest declared, in relation to the decision, by any executive member who was consulted by the officer who made the decision; and
- (e) in respect of any declared conflict of interest in relation to the decision a note of any dispensation granted by the local authority's standards committee.

Inspection of documents following executive decisions

5.—(1) Subject to regulation 21, after a private meeting or a public meeting of a decision making body at which an executive decision has been made, after an individual member has made an executive decision or after an officer has made a key decision the proper officer shall ensure that a copy of—

- (a) any records prepared in accordance with regulations 3 or 4; and
- (b) any report considered at the meeting or, as the case may be, considered by the individual member or officer and relevant to a decision recorded in accordance with regulations 3 or 4 or, where only part of the report is relevant to such a decision, that part,

shall be available for inspection by members of the public, as soon as is reasonably practicable, at the offices of the relevant local authority.

(2) Where a request on behalf of a newspaper is made for a copy of any of the documents available for public inspection under paragraph (1), those documents shall be supplied for the benefit of the newspaper by the local authority on payment by the newspaper to the local authority of postage, copying or other necessary charge for transmission.

Inspection of background papers

6. Subject to regulation 21, when a copy of the whole or part of a report for a private meeting or a public meeting is made available for inspection by members of the public in accordance with regulation 5 or 11, at the same time—

- (a) a copy of a list compiled by the proper officer of the background papers to the report or part of the report, must be included in the report or, as the case may be, part of the report; and
- (b) at least one copy of each of the documents included in that list,

shall be available for inspection by the public at the offices of the relevant local authority.