
STATUTORY INSTRUMENTS

2012 No. 2089

**The Local Authorities (Executive Arrangements) (Meetings
and Access to Information) (England) Regulations 2012**

PART 5

**Additional rights of members of the local authority
and of members of overview and scrutiny committees**

Additional rights of access to documents for members of overview and scrutiny committees

17.—(1) Subject to paragraph (3) a member of an overview and scrutiny committee of a relevant local authority is entitled to a copy of any document which—

- (a) is in the possession or under the control of the executive of that authority; and
- (b) contains material relating to—
 - (i) any business that has been transacted at a meeting of a decision-making body of that authority;
 - (ii) any decision that has been made by an individual member of that executive in accordance with executive arrangements; or
 - (iii) any decision that has been made by an officer of the authority in accordance with executive arrangements.

(2) Subject to paragraph (3), where a member of an overview and scrutiny committee requests a document which falls within paragraph (1), the executive must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the executive receives the request.

(3) No member of an overview and scrutiny committee is entitled to a copy—

- (a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to—
 - (i) an action or decision that that member is reviewing or scrutinising; or
 - (ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or
- (b) of a document or part of a document containing advice provided by a political adviser or assistant.

(4) Where the executive determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document for a reason set out in paragraph (1) or (3), it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.