



# Local Government Act 1972

## 1972 CHAPTER 70

### [<sup>F1</sup>PART VA

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

##### Textual Amendments

- F1** Pt. 5A (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985](#) (c. 43, SIF 81:1, 2), s. **1(1)**

##### Modifications etc. (not altering text)

- C1** Pt. 5A power to apply (with modifications) conferred by 2000 c. 22, s. 9GA(7) (as inserted (3.12.2011 for specified purposes) by [Localism Act 2011](#) (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e))
- C2** Pt. 5A applied in part (with modifications) by [The Standards Committee \(England\) Regulations 2008](#) (S.I. 2008/1085), **reg. 8**
- C3** Pt. 5A modified by 2000 c. 22, s. 9FA(6)(a) (as inserted (3.12.2011 for specified purposes) by [Localism Act 2011](#) (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e))
- C4** Pt. 5A applied (28.3.2008) by [The Bedfordshire \(Structural Changes\) Order 2008](#) (S.I. 2008/907), **art. 20(6)**
- C5** Pt. 5A applied (5.3.2008) by [The Cheshire \(Structural Changes\) Order 2008](#) (S.I. 2008/634), **art. 9(8)**
- C6** Pt. 5A applied (with modifications) (6.4.2008) by [The Town and Country Planning \(Mayor of London\) Order 2008](#) (S.I. 2008/580), **art. 9**
- C7** Pt. 5A (ss. 100A–100K) modified by [Local Government \(Access to Information\) Act 1985](#) (c. 43, SIF 81:1, 2), s. 3, **Sch. 2 para. 7**  
Pt. 5A (ss. 100A–100K) modified (11.9.1998) by 1998 c. 18, **ss. 10(6)**, 55(2)  
Pt. 5A (ss. 100A–100K) modified (E.) (2.4.2001) by S.I. 2001/1299, **reg. 6(10)(a)**  
Pt. 5A (ss. 100A–100K) modified (W.) (28.7.2001) by S.I. 2001/2284, **reg. 5(1)(a)**  
Pt. 5A (ss. 100A–100K) modified (1.4.2005) by [Public Audit \(Wales\) Act 2004](#) (c. 23), **ss. 24(7)**, 73; S.I. 2005/558, **art. 2(1)**, Sch. 1
- C8** Pt. 5A (ss. 100A–100K) extended (6.3.1992) by [Local Government Finance Act 1992](#) (c. 14), s. **67(4)**  
Pt. 5A (ss. 100A–100K) extended (with modifications) (8.5.2000 and 3.7.2000) by 1999 c. 29, **ss. 58**, 61, 65 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, 3

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- Pt. 5A (ss. 100A-100K) extended (E.) (26.10.2000) and (W.) (28.7.2001) by 2000 c. 22, **ss. 21(11)(a), 108(4)-(6)**; S.I. 2000/2849, **art. 2(a)**
- C9** Pt. 5A (ss. 100A-100K) applied (12.4.1994) by S.I. 1994/867, **reg. 11(6)**  
 Pt. 5A (ss. 100A-100K) applied (with modifications) (28.6.1995) by 1995 c. iii, s. 26, **Sch. 1**  
 Pt. 5A (ss. 100A-100K) applied (with modifications) (8.5.2000 for specified purposes otherwise 3.7.2000) by 1988 c. 41, **s. 115(3A)** (as inserted (8.5.2000 for specified purposes otherwise 3.7.2000) by 1999 c. 29, s. 131(3) (with **Sch. 12 para. 9(1)**); S.I. 1999/3434, **arts. 3, 4**)  
 Pt. 5A applied (with modifications) (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), **art. 21(2)(a)**  
 Pt. 5A applied (with modifications) (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), **art. 21(2)(a)**  
 Pt. 5A (ss. 100A-100K) applied (W.) (28.7.2001) by S.I. 2001/2284, **reg. 19(8)**  
 Pt. 5A (ss. 100A-100K) applied (W.) (1.4.2002) by The Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2002 (S.I. 2002/802), **reg. 11(8)(9)**
- C10** Pt. 5A (ss. 100A-100K): power to make provisions about matters of the kind dealt with in this part conferred (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4** para. (a)(iii); S.I. 1997/1930, **art. 2(1)(2)(m)**  
 Pt. 5A (ss. 100A-100K): power to apply or reproduce (with or without modifications) conferred (E.) (7.8.2000 for specified purposes otherwise 26.10.2000) and (W.) (1.11.2000) by 2000 c. 22, **s. 22(12)**; S.I. 2000/2187, **art. 2(b)**; S.I. 2000/2849, **art. 2(b)**; S.I. 2000/2948, **art. 2**  
 Pt. 5A (ss. 100A-100K): power to apply or reproduce conferred (W.) (1.11.2000 and 19.12.2000 with application in relation to police authorities in Wales) and (E.) (19.12.2000) by 2000 c. 22, **s. 53(12)**; S.I. 2000/2948, **art. 2**; S.I. 2000/3335, **art. 2**  
 Pt. 5A (ss. 100A-100K): power to apply (with or without modifications) conferred (1.1.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), s. 20(11), **Sch. 6 para. 5**; S.I. 2002/3190, **art. 2**  
 Pt. 5A (ss. 100A-100K): power to apply (with or without modifications) conferred (1.9.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), **ss. 19(5), 42(3)**; S.I. 2003/2246, **art. 2**
- C11** Pt. 5A applied (with modifications) by S.I. 2001/2812, **reg. 7(1)** (as substituted (1.3.2006) by The Relevant Authorities (Standards Committee) (Amendment) Regulations 2006 (S.I. 2006/87), **reg. 2(a)**)
- C12** Pt. 5A: power to apply (with modifications) conferred (1.3.2007) by National Health Service Act 2006 (c. 41), **ss. 241(5), 277(1)** (subject to s. 277(2)-(5))
- C13** Pt. 5A (ss. 100A-100K) (except ss. 100E, 100G, 100J, 100K) applied (28.8.2001) by S.I. 2001/2812, **reg. 7(1)(2)** (as amended by S.I. 2003/1483, **reg. 3(2)**)
- C14** Pt. 5A modified (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 9(1)**  
 Pt. 5A modified (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 16(8)**
- C15** Pt. 5A: power to apply conferred (25.11.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), **ss. 71(9), 148(5)**; S.I. 2009/3087, **art. 2(b)**
- C16** Pt. 5A applied in part (with modifications) (1.4.2010) by The Town and Country Planning (Regional Strategy) (England) Regulations 2010 (S.I. 2010/601), **regs. 1(1), 6**
- C17** Pt. 5A modified (30.4.2012) by Local Government (Wales) Measure 2011 (nawm 4), **ss. 14(8), 178(3)**; S.I. 2012/1187, **art. 2(1)(b)**
- C18** Pt. 5A modified (30.4.2012) by Local Government (Wales) Measure 2011 (nawm 4), **ss. 83(7), 178(3)**; S.I. 2012/1187, **art. 2(1)(j)**
- C19** Pt. 5A applied (with modifications) (7.6.2012) by Localism Act 2011 (c. 20), **ss. 35(8), 240(2)**; S.I. 2012/1463, **art. 2(f)**
- C20** Pt. 5A applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), **regs. 1(1), 3-6, Sch. Pts. 1-3**
- C21** Pt. 5A modified (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 7 para. 9(6)(7)**; S.I. 2015/841, **art. 3(p)** (with **Sch. para. 1**) (as amended (27.6.2016) by S.I. 2016/675, **art. 2**)

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## **[<sup>F2</sup>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—
  - (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 <sup>F3</sup>(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 [<sup>F4</sup>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) [<sup>F5</sup>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

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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) [<sup>F6</sup>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 <sup>F7</sup>(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.
- [ In this section “reporting” means—
- <sup>F8</sup>(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

- F2** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F3** S. 100A(5A) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\), regs. 1, 4\(2\)](#)
- F4** 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](#)
- F5** 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\(3\)](#)

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- F6** 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)**
- F7** 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)**
- F8** 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)**

- C22** 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)
- C23** 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)**
- C24** 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)**
- C25** 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)**
- C26** 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**
- C27** 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)**
- C28** 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)**
- C29** 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)**
- C30** 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)
- C31** 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)
- C32** 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))
- C33** 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))

#### **[F2]100A Admission to meetings of principal councils. W**

- (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

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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—
- (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 <sup>F3</sup>(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 three 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) [<sup>F5</sup>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) [<sup>F6</sup>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 <sup>F7</sup>(7A) attending is to be permitted to report on the meeting.

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- (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.
- [ In this section “reporting” means—
- <sup>F8</sup>(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

- E4** This version of this provision extends to Wales only; a separate version has been created for England only

#### Textual Amendments

- F2** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F3** S. 100A(5A) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\), regs. 1, 4\(2\)](#)
- F5** 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\(3\)](#)
- F6** 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\(4\)](#)
- F7** S. 100A(7A)-(7F) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\), regs. 1, 4\(5\)](#)
- F8** 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)

- C22** 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\(2\)\(b\)](#)

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- C23** 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)**
- C25** 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)**
- C26** 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**
- C28** 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)**
- C29** 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)**
- C30** 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](#))
- C32** 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))
- C33** 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\(2\)-\(5\)](#))

## **[<sup>F9</sup>100B Access to agenda and connected reports. E**

- (1) Copies of the agenda for a meeting of a principal council and, subject to subsection (2) below, copies of any report for the meeting shall be open to inspection by members of the public at the offices of the council in accordance with subsection (3) below.
- (2) If the proper officer thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) above the whole of any report which, or any part which, relates only to items during which, in his opinion, the meeting is likely not to be open to the public.
- (3) Any document which is required by subsection (1) above to be open to inspection shall be so open at least [<sup>F10</sup>five clear days] before the meeting, except that—
  - (a) where the meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened, and
  - (b) where an item is added to an agenda copies of which are open to inspection by the public, copies of the item (or of the revised agenda), and the copies of any report for the meeting relating to the item, shall be open to inspection from the time the item is added to the agenda;
 but nothing in this subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the council.
- (4) An item of business may not be considered at a meeting of a principal council unless either—
  - (a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least [<sup>F11</sup>five clear days] before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or



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- (b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (5) Where by virtue of subsection (2) above the whole or any part of a report for a meeting is not open to inspection by the public under subsection (1) above—
- (a) every copy of the report or of the part shall be marked “Not for publication”; and
- (b) there shall be stated on every copy of the whole or any part of the report the description, in terms of Schedule 12A to this Act, of the exempt information by virtue of which the council are likely to exclude the public during the item to which the report relates.
- (6) Where a meeting of a principal council is required by section 100A above to be open to the public during the proceedings or any part of them, there shall be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and, subject to subsection (8) below, of the reports for the meeting.
- (7) There shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper—
- (a) a copy of the agenda for a meeting of a principal council and, subject to subsection (8) below, a copy of each of the reports for the meeting;
- (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and
- (c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (8) Subsection (2) above applies in relation to copies of reports provided in pursuance of subsection (6) or (7) above as it applies in relation to copies of reports provided in pursuance of subsection (1) above.]

#### Extent Information

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

#### Textual Amendments

- F9** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F10** Words in s. 100B(3) 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\(2\), 3\(a\)](#)
- F11** Words in s. 100B(4)(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\(2\), 3\(b\)](#)

#### Modifications etc. (not altering text)

- C22** 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\(2\)\(b\)](#)
- C34** Ss. 100A–100D extended (with modifications) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\), s. 2\(1\)](#)
- C35** 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. 100B applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283, regs. 26, 27](#)

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- C36** 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)
- C37** 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)
- C38** S. 100B applied (with modifications) (1.4.2015) by The Local Audit (Auditor Panel) Regulations 2014 (S.I. 2014/3224), regs. 1(1), 9(3) (with reg. 1(3))
- C39** S. 100B(2) restricted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), ss. 24(5)(6), 73; S.I. 2005/558, art. 2(1), Sch. 1

### [<sup>F9</sup>100B Access to agenda and connected reports. **W**

- (1) Copies of the agenda for a meeting of a principal council and, subject to subsection (2) below, copies of any report for the meeting shall be open to inspection by members of the public at the offices of the council in accordance with subsection (3) below.
- (2) If the proper officer thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) above the whole of any report which, or any part which, relates only to items during which, in his opinion, the meeting is likely not to be open to the public.
- (3) Any document which is required by subsection (1) above to be open to inspection shall be so open at least three clear days before the meeting, except that—
  - (a) where the meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened, and
  - (b) where an item is added to an agenda copies of which are open to inspection by the public, copies of the item (or of the revised agenda), and the copies of any report for the meeting relating to the item, shall be open to inspection from the time the item is added to the agenda;

but nothing in this subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the council.
- (4) An item of business may not be considered at a meeting of a principal council unless either—
  - (a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least three clear days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or
  - (b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (5) Where by virtue of subsection (2) above the whole or any part of a report for a meeting is not open to inspection by the public under subsection (1) above—
  - (a) every copy of the report or of the part shall be marked “Not for publication”; and
  - (b) there shall be stated on every copy of the whole or any part of the report the description, in terms of Schedule 12A to this Act, of the exempt information by virtue of which the council are likely to exclude the public during the item to which the report relates.
- (6) Where a meeting of a principal council is required by section 100A above to be open to the public during the proceedings or any part of them, there shall be made available for

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the use of members of the public present at the meeting a reasonable number of copies of the agenda and, subject to subsection (8) below, of the reports for the meeting.

- (7) There shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper—
- (a) a copy of the agenda for a meeting of a principal council and, subject to subsection (8) below, a copy of each of the reports for the meeting;
  - (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and
  - (c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (8) Subsection (2) above applies in relation to copies of reports provided in pursuance of subsection (6) or (7) above as it applies in relation to copies of reports provided in pursuance of subsection (1) above.]

#### Extent Information

- E5** This version of this provision extends to Wales only; a separate version has been created for England only

#### Textual Amendments

- F9** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), **s. 1(1)**

#### Modifications etc. (not altering text)

- C22** 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)
- C34** 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)**
- C35** 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. 100B applied (with modifications) (W.) (28.7.2001) by S.I. 2001/2283, **regs. 26, 27**
- C37** 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)
- C38** S. 100B applied (with modifications) (1.4.2015) by [The Local Audit \(Auditor Panel\) Regulations 2014 \(S.I. 2014/3224\)](#), **regs. 1(1), 9(3)** (with reg. 1(3))
- C39** S. 100B(2) restricted (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), **ss. 24(5)(6)**, 73; S.I. 2005/558, **art. 2(1)**, Sch. 1

### [<sup>F12</sup>100C Inspection of minutes and other documents after meetings.

- (1) After a meeting of a principal council the following documents shall be open to inspection by members of the public at the offices of the council until the expiration of the period of six years beginning with the date of the meeting, namely—
- (a) the minutes, or a copy of the minutes, of the meeting, excluding so much of the minutes of proceedings during which the meeting was not open to the public as discloses exempt information;
  - (b) where applicable, a summary under subsection (2) below;
  - (c) a copy of the agenda for the meeting; and

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- (d) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.
- (2) Where, in consequence of the exclusion of parts of the minutes which disclose exempt information, the document open to inspection under subsection (1)(a) above does not provide members of the public with a reasonably fair and coherent record of the whole or part of the proceedings, the proper officer shall make a written summary of the proceedings or the part, as the case may be, which provides such a record without disclosing the exempt information.]

#### Textual Amendments

**F12** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)

#### Modifications etc. (not altering text)

- C22** 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\(2\)\(b\)](#)
- C40** Ss. 100A-100D extended (with modifications) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\), s. 2\(1\)](#)
- C41** 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. 100C applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283, regs. 26, 27](#)
- C42** 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\(1\)\(2\)](#)
- C43** 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)

#### [<sup>F13</sup>100D Inspection of background papers.

- [ Subject, in the case of section 100C(1), to subsection (2) below, if and so long as copies <sup>F14</sup>(1) of the whole or part of a report for a meeting of a principal council are required by section 100B(1) or 100C(1) above to be open to inspection by members of the public—
- (a) those copies shall each include a copy of a list, compiled by the proper officer, of the background papers for the report or the part of the report, and
- (b) at least one copy of each of the documents included in that list shall also be open to inspection at the offices of the council.]
- (2) Subsection (1) above does not require a copy <sup>F15</sup> . . . of any document included in the list, to be open to inspection after the expiration of the period of four years beginning with the date of the meeting.
- (3) Where a copy of any of the background papers for a report is required by subsection (1) above to be open to inspection by members of the public, the copy shall be taken for the purposes of this Part to be so open if arrangements exist for its production to members of the public as soon as is reasonably practicable after the making of a request to inspect the copy.
- (4) Nothing in this section—

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- (a) requires any document which discloses exempt information to be included in the list referred to in subsection (1) above; or
  - (b) without prejudice to the generality of subsection (2) of section 100A above, requires or authorises the inclusion in the list of any document which, if open to inspection by the public, would disclose confidential information in breach of the obligation of confidence, within the meaning of that subsection.
- (5) For the purposes of this section the background papers for a report are those documents relating to the subject matter of the report which—
- (a) disclose any facts or matters on which, in the opinion of the proper officer, the report or an important part of the report is based, and
  - (b) have, in his opinion, been relied on to a material extent in preparing the report, but do not include any published works.]

#### Textual Amendments

- F13** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F14** S. 100D(1) substituted (1.10.2000 for E., 28.7.2001 for W.) by [2000 c. 22, ss. 97\(1\), 108\(4\); S.I. 2000/2187, art. 3](#)
- F15** Words in s. 100D(2) repealed (1.10.2000 for E., 28.7.2001 for W.) by [2000 c. 22, ss. 97\(2\), 107\(2\), 108\(4\), Sch. 6; S.I. 2000/2187, art. 3](#)

#### Modifications etc. (not altering text)

- C22** 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\(2\)\(b\)](#)
- C44** Ss. 100A–100D extended (with modifications) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\), s. 2\(1\)](#)
- C45** 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. 100D applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283, regs. 26, 27](#) (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\(2\)\(f\) \(with regs. 10, 11\)](#))
- C46** 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\(1\)\(2\)](#)
- C47** 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\)](#)

#### [<sup>F16</sup>100E Application to committees and sub-committees.

- (1) Sections 100A to 100D above shall apply in relation to a committee or sub-committee of a principal council as they apply in relation to a principal council.

[ But in section 100A, subsections (5A), (7A) to (7F) and (9) do not apply to a committee <sup>F17</sup>(1A) which is appointed or established jointly by one or more principal councils in England and one or more principal councils in Wales, or a sub-committee of such a committee.]

- (2) In the application by virtue of this section of sections 100A to 100D above in relation to a committee or sub-committee—

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- (a) section 100A(6)(a) shall be taken to have been complied with if the notice is given by posting it at the time there mentioned at the offices of every constituent principal council and, if the meeting of the committee or sub-committee to which that section so applies is to be held at premises other than the offices of such a council, at those premises;
  - (b) for the purposes of section 100A(6)(c), premises belonging to a constituent principal council shall be treated as belonging to the committee or sub-committee; and
  - (c) for the purposes of sections 100B(1), 100C(1) and 100D(1), offices of any constituent principal council shall be treated as offices of the committee or sub-committee.
- (3) Any reference in this Part to a committee or sub-committee of a principal council is a reference to—
- (a) a committee which is constituted under an enactment specified in section 101(9) below or which is appointed by one or more principal councils under section 102 below; or
  - (b) a joint committee not falling within paragraph (a) above which is appointed or established under any enactment by two or more principal councils and is not a body corporate; or
  - [ a committee in place by virtue of section 107D(3)(c)(ii) of the Local Democracy, Economic Development and Construction Act 2009;
  - <sup>F18</sup>(bba) a joint committee in place by virtue of section 107E of that Act;]
  - [ the Navigation Committee of the Broads Authority; or]
  - <sup>F19</sup>(bb)
  - (c) a sub-committee appointed or established under any enactment by one or more committees falling within [<sup>F20</sup>paragraphs (a) to (bb)] above.
- (4) Any reference in this Part to a constituent principal council, in relation to a committee or sub-committee, is a reference—
- (a) in the case of a committee, to the principal council, or any of the principal councils, of which it is a committee; and
  - (b) in the case of a sub-committee, to any principal council which, by virtue of paragraph (a) above, is a constituent principal council in relation to the committee, or any of the committees, which established or appointed the sub-committee.]

#### Textual Amendments

- F16** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F17** S. 100E(1A) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\), regs. 1, 4\(7\)](#)
- F18** S. 100E(3)(bba)(bbb) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\), s. 25\(2\), Sch. 5 para. 2](#)
- F19** S. 100E(3)(bb) inserted by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\), ss. 21, 23\(2\), 27\(2\), Sch. 6 para. 10\(4\)](#)
- F20** Words substituted by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\), ss. 21, 23\(2\), 27\(2\), Sch. 6 para. 10\(4\)](#)

*Status: Point in time view as at 05/05/2017.*

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## **[<sup>F21</sup>100E] Inspection of records relating to functions exercisable by members**

- (1) The [<sup>F22</sup>appropriate authority] may by regulations make provision for written records of decisions made or action taken by a member of a local authority, in exercise of a function of the authority by virtue of arrangements made under section 236 of the Local Government and Public Involvement in Health Act 2007 [<sup>F23</sup>or under section 56 of the Local Government (Wales) Measure 2011], to be made and provided to the authority by the member.
- (2) Any written record provided to the authority under regulations under subsection (1) shall be open to inspection by members of the public at the offices of the authority for the period of six years beginning with the date on which the decision was made or action was taken.

[ In this section “appropriate authority” means—

- <sup>F24</sup>(2A)
  - (a) in relation to local authorities in England, the Secretary of State;
  - (b) in relation to local authorities in Wales, the Welsh Ministers.
  - (c) in subsection (3), after “Parliament” insert “ (in the case of regulations made by the Secretary of State) or a resolution of the National Assembly for Wales (in the case of regulations made by the Welsh Ministers) ”.]
- (3) A statutory instrument containing regulations under subsection (1) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

### **Textual Amendments**

- F21** S. 100EA inserted (12.12.2008) by Local Government and Public Involvement in [Health Act 2007](#) (c. 28), **ss. 237(1), 245**; S.I. 2008/3110, **art. 2(i)**
- F22** Words in s. 100EA(1) substituted (30.4.2012) by [Local Government \(Wales\) Measure 2011](#) (nawm 4), **ss. 57(1)(a)(i), 178(3)**; S.I. 2012/1187, **art. 2(1)(d)**
- F23** Words in s. 100EA(1) inserted (30.4.2012) by [Local Government \(Wales\) Measure 2011](#) (nawm 4), **ss. 57(1)(a)(ii), 178(3)**; S.I. 2012/1187, **art. 2(1)(d)**
- F24** S. 100EA(2A) inserted (30.4.2012) by [Local Government \(Wales\) Measure 2011](#) (nawm 4), **ss. 57(1)(b), 178(3)**; S.I. 2012/1187, **art. 2(1)(d)**

## **[<sup>F25</sup>100F] Additional rights of access to documents for members of principal councils. E**

- (1) Any document which is in the possession or under the control of a principal council and contains material relating to any business to be transacted at a meeting of the council or a committee or sub-committee of the council shall, subject to [<sup>F26</sup>subsections (2) to (2C)] below, be open to inspection by any member of the council.

[<sup>F27</sup>(2) In relation to a principal council in England, subsection (1) above does not require the document to be open to inspection if it appears to the proper officer that it discloses exempt information.]

[ But subsection (1) above does require (despite subsection (2) above) the document to

<sup>F28</sup>(2A) be open to inspection if the information is information of a description for the time being falling within—

- (a) paragraph 3 of Schedule 12A to this Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract), or
- (b) paragraph 6 of Schedule 12A to this Act.

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- (2B) In subsection (2A) above, “the authority” has the meaning given in paragraph 11(2) of Schedule 12A to this Act.
- (2C) In relation to a principal council in Wales, subsection (1) above does not require the document to be open to inspection if it appears to the proper officer that it discloses exempt information of a description falling within any of paragraphs 12 to 18, 21, 23, 24 and 26 of Schedule 12A to this Act.]
- (3) [<sup>F29</sup>The appropriate person] may by order amend [<sup>F30</sup>subsections (2) to (2C)] above—
- (a) by adding to the descriptions of exempt information to which [<sup>F31</sup>those subsections refer] for the time being; or
  - (b) by removing any description of exempt information to which [<sup>F32</sup>those subsections refer] for the time being.
- [ In subsection (3) above “the appropriate person” means—
- <sup>F33</sup>(3A) (a) in relation to England, the Secretary of State;  
 (b) in relation to Wales, the National Assembly for Wales.]
- (4) Any statutory instrument containing an order under subsection (3) [<sup>F34</sup>made by the Secretary of State] above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The rights conferred by this section on a member of a principal council are in addition to any other rights he may have apart from this section.]

#### Extent Information

- E3** This version of this provision extends to England only; a separate version has been created for Wales only

#### Textual Amendments

- F25** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F26** Words in s. 100F(1) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(2\)](#)
- F27** S. 100F(2) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(3\)](#)
- F28** S. 100F(2A)(2B)(2C) inserted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(4\)](#)
- F29** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(a\)](#)
- F30** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(b\)](#)
- F31** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(c\)](#)
- F32** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(d\)](#)
- F33** S. 100F(3A) inserted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(6\)](#)
- F34** Words in s. 100F(4) inserted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(7\)](#)



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### Modifications etc. (not altering text)

**C48** S. 100F applied (with modifications) (W.) (28.7.2001) by S.I. 2001/2283, regs. 26, 27

## [<sup>F25</sup>100F Additional rights of access to documents for members of principal councils. **W**

- (1) Any document which is in the possession or under the control of a principal council and contains material relating to any business to be transacted at a meeting of the council or a committee or sub-committee of the council shall, subject to [<sup>F117</sup>subsections (2) to (2E)] below, be open to inspection by any member of the council.
- [<sup>F27</sup>(2) In relation to a principal council in England, subsection (1) above does not require the document to be open to inspection if it appears to the proper officer that it discloses exempt information.]
- [ But subsection (1) above does require (despite subsection (2) above) the document to
- <sup>F28</sup>(2A) be open to inspection if the information is information of a description for the time being falling within—
- (a) paragraph 3 of Schedule 12A to this Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract), or
  - (b) paragraph 6 of Schedule 12A to this Act.
- (2B) In subsection (2A) above, “the authority” has the meaning given in paragraph 11(2) of Schedule 12A to this Act.
- [<sup>F118</sup>(2C) In relation to a principal council in Wales, subsection (1) above does not require the document to be open to inspection if it appears to the proper officer that it discloses exempt information.]
- [ But subsection (1) above does require (despite subsection (2C) above) the document
- <sup>F119</sup>(2D) to be open to inspection if the information is information of a description for the time being falling within —
- (a) paragraph 14 of Schedule 12A to this Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract), or
  - (b) paragraph 17 of Schedule 12A to this Act.
- (2E) In subsection (2D) above, “the authority” has the meaning given in paragraph 22(2) of Schedule 12A to this Act.]
- (3) [<sup>F29</sup>The appropriate person] may by order amend [<sup>F120</sup>subsections (2) to (2E)] above—
- (a) by adding to the descriptions of exempt information to which [<sup>F31</sup>those subsections refer] for the time being; or
  - (b) by removing any description of exempt information to which [<sup>F32</sup>those subsections refer] for the time being.
- [ In subsection (3) above “the appropriate person” means—
- <sup>F33</sup>(3A) (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the National Assembly for Wales.]
- (4) Any statutory instrument containing an order under subsection (3) [<sup>F34</sup>made by the Secretary of State] above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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- (5) The rights conferred by this section on a member of a principal council are in addition to any other rights he may have apart from this section.]]

#### Extent Information

- E6** This version of this provision extends to Wales only; a separate version has been created for England only

#### Textual Amendments

- F25** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F27** S. 100F(2) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(3\)](#)
- F28** S. 100F(2A)(2B)(2C) inserted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(4\)](#)
- F29** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(a\)](#)
- F31** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(c\)](#)
- F32** Words in s. 100F(3) substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(5\)\(d\)](#)
- F33** S. 100F(3A) inserted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(6\)](#)
- F34** Words in s. 100F(4) inserted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\), art. 2\(7\)](#)
- F117** Words in s. 100F(1) substituted (W.) (21.4.2007) by [The Local Government \(Access to Information\) \(Variation\) \(Wales\) Order 2007 \(S.I. 2007/969\), art. 2\(2\)](#)
- F118** S. 100F(2C) substituted (21.4.2007) by [The Local Government \(Access to Information\) \(Variation\) \(Wales\) Order 2007 \(S.I. 2007/969\), art. 2\(3\)](#)
- F119** S. 100F(2D)(2E) inserted (W.) (21.4.2007) by [The Local Government \(Access to Information\) \(Variation\) \(Wales\) Order 2007 \(S.I. 2007/969\), art. 2\(4\)](#)
- F120** Words in s. 100F(3) substituted (W.) (21.4.2007) by [The Local Government \(Access to Information\) \(Variation\) \(Wales\) Order 2007 \(S.I. 2007/969\), art. 2\(5\)](#)

#### Modifications etc. (not altering text)

- C48** S. 100F applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283, regs. 26, 27](#)

#### [<sup>F35</sup>100G] Principal councils to publish additional information.

- (1) A principal council shall maintain a register stating—
- (a) the name and address of every member of the council for the time being [<sup>F36</sup>together with, in the case of a councillor,] the ward or division which he represents; and
  - (b) the name and address of every member of each committee or sub-committee of the council for the time being.
- (2) A principal council shall maintain a list—
- (a) specifying those powers of the council which, for the time being, are exercisable from time to time by officers of the council in pursuance of arrangements made under this Act or any other enactment for their discharge by those officers; and

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- (b) stating the title of the officer by whom each of the powers so specified is for the time being so exercisable;
- but this subsection does not require a power to be specified in the list if the arrangements for its discharge by the officer are made for a specified period not exceeding six months.
- (3) There shall be kept at the offices of every principal council a written summary of the rights—
- (a) to attend meetings of a principal council and of committees and sub-committees of a principal council, and
- (b) to inspect and copy documents and to be furnished with documents, which are for the time being conferred by this Part, Part XI below and such other enactments as the Secretary of State by order specifies.
- (4) The register maintained under subsection (1) above, the list maintained under subsection (2) above and the summary kept under subsection (3) above shall be open to inspection by the public at the offices of the council.]

#### Textual Amendments

**F35** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), [s. 1\(1\)](#)

**F36** Words in s. 100G(1)(a) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 74, 245](#), [Sch. 3 para. 7\(2\)](#)

#### Modifications etc. (not altering text)

**C49** S. 100G applied (with modifications) (8.1.1996) by [1995 c. x, ss. 1\(3\), 44](#), [Sch. Pt. I](#)

#### [<sup>F37</sup>100HSupplemental provisions and offences.

- (1) A document directed by any provision of this Part to be open to inspection shall be so open at all reasonable hours and—
- (a) in the case of a document open to inspection by virtue of section 100D(1) above, upon payment of such reasonable fee as may be required for the facility; and
- (b) in any other case, without payment.
- (2) Where a document is open to inspection by a person under any provision of this Part, the person may, subject to subsection (3) below—
- (a) make copies of or extracts from the document, or
- (b) require the person having custody of the document to supply to him a photographic copy of or of extracts from the document,
- upon payment of such reasonable fee as may be required for the facility.
- (3) Subsection (2) above does not require or authorise the doing of any such act which infringes the copyright in any work except that, where the owner of the copyright is a principal council, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.

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- (4) If, without reasonable excuse, a person having the custody of a document which is required by section 100B(1) [<sup>F38</sup>, 100C(1) or 100EA(2)] above to be open to inspection by the public—
- (a) intentionally obstructs any person exercising a right conferred by this Part to inspect, or to make a copy of or extracts from, the document, or
  - (b) refuses to furnish copies to any person entitled to obtain them under any provision of this Part,
- he shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (5) Where any accessible document for a meeting to which this subsection applies—
- (a) is supplied to, or open to inspection by, a member of the public, or
  - (b) is supplied for the benefit of any newspaper, in pursuance of section 100B(7) above,
- the publication thereby of any defamatory matter contained in the document shall be privileged unless the publication is proved to be made with malice.
- (6) Subsection (5) above applies to any meeting of a principal council and any meeting of a committee or sub-committee of a principal council; and, for the purposes of that subsection, the “accessible documents”; for a meeting are the following—
- (a) any copy of the agenda or of any item included in the agenda for the meeting;
  - (b) any such further statements or particulars for the purpose of indicating the nature of any item included in the agenda as are mentioned in section 100B(7) (b) above;
  - (c) any copy of a document relating to such an item which is supplied for the benefit of a newspaper in pursuance of section 100B(7)(c) above;
  - (d) any copy of the whole or part of a report for the meeting;
  - (e) any copy of the whole or part of any background papers for a report for the meeting, within the meaning of section 100D above.
- (7) The rights conferred by this Part to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment.]

#### Textual Amendments

**F37** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), **s. 1(1)**

**F38** Words in s. 100H(4) substituted (12.12.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 237(2)**, 245; S.I. 2008/3110, **art. 2(i)**

#### Modifications etc. (not altering text)

**C50** S. 100H extended (with modifications) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\)](#), ss. 2(2), 4

**C51** S. 100H amended by [Community Health Councils \(Access to Information\) Act 1988 \(c. 24, SIF 113:2\)](#), **s. 1(4)(a)**

**C52** S. 100H applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283](#), **regs. 26, 27** (as amended (W.) (21.5.2021) by [The Local Government and Elections \(Wales\) Act 2021 \(Consequential Amendments and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/356\)](#), reg. 7(2)(g))

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S. 100H 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(3)**

**C53** S. 100H(2)(b) modified by Community Health Councils (Access to Information) Act 1988 (c. 24, SIF 113:2), **s.1(4)(b)**

**C54** S. 100H(3) modified by Community Health Councils (Access to Information) Act 1988 (c. 24, SIF 113:2), **s. 1(4)(c)**

**C55** S. 100H(5) applied by Community Health Councils (Access to Information) Act 1988 (c. 24, SIF 113:2), **s. 1(4)(d)**

### **[<sup>F39</sup>100I Exempt information and power to vary Schedule 12A.**

(1) [<sup>F40</sup>In relation to principal councils in England,]the descriptions of information which are, for the purposes of this Part, exempt information are those for the time being specified in Part I of Schedule 12A to this Act, but subject to any qualifications contained in Part II of that Schedule; and Part III has effect for the [<sup>F41</sup>interpretation of Parts 1 to 3 of that Schedule].

[ In relation to principal councils in Wales, the descriptions of information which are,  
<sup>F42</sup>(1A) for the purposes of this Part, exempt information are those for the time being specified in Part 4 of Schedule 12A to this Act, but subject to any qualifications contained in Part 5 of that Schedule; and Part 6 has effect for the interpretation of Parts 4 to 6 of that Schedule.]

(2) [<sup>F43</sup>The appropriate person] may by order vary Schedule 12A to this Act by adding to it any description or other provision or by deleting from it or varying any description or other provision for the time being specified or contained in it.

(3) [<sup>F43</sup>The appropriate person] may exercise the power conferred by subsection (2) above by amending any Part of Schedule 12A to this Act, with or without amendment of any other Part.

[ In this section “the appropriate person” means—

<sup>F44</sup>(3A) (a) in relation to England, the Secretary of State;  
(b) in relation to Wales, the National Assembly for Wales.]

(4) Any statutory instrument containing an order under this section [<sup>F45</sup>made by the Secretary of State] shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### **Textual Amendments**

**F39** Pt. VA (ss. 100A–100K) inserted by Local Government (Access to Information) Act 1985 (c. 43, SIF 81:1, 2), **s. 1(1)**

**F40** Words in s. 100I(1) inserted (1.3.2006) by The Local Government (Access to Information) (Variation) Order 2006 (S.I. 2006/88, **art. 3(2)**)

**F41** Words in s. 100I(1) substituted (1.3.2006) by The Local Government (Access to Information) (Variation) Order 2006 (S.I. 2006/88, **art. 3(2)**)

**F42** S. 100I(1A) inserted (1.3.2006) by The Local Government (Access to Information) (Variation) Order 2006 (S.I. 2006/88, **art. 3(3)**)

**F43** Words in s. 100I(2)(3) substituted (1.3.2006) by The Local Government (Access to Information) (Variation) Order 2006 (S.I. 2006/88, **art. 3(4)**)

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- F44** S. 100I(3A) inserted (1.3.2006) by The Local Government (Access to Information) (Variation) Order 2006 (S.I. 2006/88, **art. 3(5)**)
- F45** Words in s. 100I(4) inserted (1.3.2006) by The Local Government (Access to Information) (Variation) Order 2006 (S.I. 2006/88, **art. 3(6)**)

**Modifications etc. (not altering text)**

- C56** S. 100I applied (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)(b)**
- C57** S. 100I applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283](#), **regs. 26, 27**
- C58** Sch. 12A paras. 1-11 applied (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)(c)**
- C59** S. 100I(1) applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(b)**
- C60** S. 100I(1) 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)(b)**
- C61** S. 100I(1) applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(b)**
- C62** S. 100I(1) 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))
- C63** S. 100I(2) extended (E.W.) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\)](#), **ss. 2(3)**, 4 and by [Community Health Councils \(Access to Information\) Act 1988 \(c. 24, SIF 113:2\)](#), **s. 1(5)**

**[<sup>F46</sup>100J Application to new authorities, Common Council, etc.**

- (1) Except in this section, [<sup>F47</sup>and subject as follows,] any reference in this Part to a principal council includes a reference to—
- <sup>F48</sup>(a) .....
  - (b) a joint authority;
  - <sup>F49</sup>(ba) .....
  - [<sup>F51</sup>the London Fire and Emergency Planning Authority;]
  - <sup>F50</sup>(bb) .....
  - [ an economic prosperity board;
  - <sup>F52</sup>(bc) .....
  - (bd) a combined authority;]
  - [ Transport for London;]
  - <sup>F53</sup>(be) .....
  - [ a sub-national transport body;]
  - <sup>F54</sup>(bf) .....
  - (c) the Common Council;
  - [ The Broads Authority;]
  - <sup>F55</sup>(cc) .....
  - [ a National Park authority;]
  - <sup>F56</sup>(cd) .....
  - (d) a joint board or joint committee falling within subsection (2) below;
  - <sup>F57</sup>(e) .....
  - <sup>F58</sup>(eza) .....
  - <sup>F59</sup>(ea) .....

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<sup>F60</sup>(f) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.]

[ the Homes and Communities Agency so far as it is exercising functions  
<sup>F61</sup>(g) conferred on it in relation to a designated area by virtue of a designation order.]

[ a Mayoral development corporation.]  
<sup>F62</sup>(h)

(2) A joint board or joint committee falls within this subsection if—

- (a) it is constituted under any enactment as a body corporate; and
- (b) it discharges functions of two or more principal councils;

and for the purposes of this subsection any body falling within paragraph (a), (b) [<sup>F63</sup> [<sup>F64</sup>, <sup>F65</sup>... (bb)]] [<sup>F66</sup>, (bc), (bd)] or (c) of subsection (1) above shall be treated as a principal council.

[ In its application by virtue of subsection (1)(g) above in relation to the Homes and  
<sup>F67</sup>(2A) Communities Agency, a reference in this Part to the offices of the council (however expressed)—

- (a) is to be treated as a reference to such premises located within the designated area as the Homes and Communities Agency considers appropriate, and
- (b) in the application of section 100A(6)(a) above to a case where the meeting is to be held at premises other than those mentioned in paragraph (a) above, includes a reference to those other premises.]

[ In section 100A, subsections (5A), (7A) to (7F) and (9) do not apply to—

<sup>F68</sup>(2B) <sup>F69</sup>(a) .....  
(b) the Common Council other than in its capacity as a local authority or police authority;  
(c) a joint board or a joint committee falling within subsection (2) above;  
(d) the Homes and Communities Agency; or  
(e) a Mayoral development corporation.]

(3) In its application by virtue of subsection (1) above in relation to a body falling within paragraph <sup>F70</sup> . . . , (b), <sup>F71</sup> . . . [<sup>F72</sup> [<sup>F73</sup>(bb)],] [<sup>F74</sup>(bc), (bd)], [<sup>F75</sup>(be)], [<sup>F76</sup>(bf)], [<sup>F77</sup>(cc)], [<sup>F78</sup>(cd)], (d) <sup>F79</sup> . . . . [<sup>F80</sup>, (f) or (h)] of that subsection, section 100A (6)(a) above shall have effect with the insertion after the word “council” of the words “ and, if the meeting is to be held at premises other than those offices, at those premises ”.]

[<sup>F81</sup>(3YA) In its application by virtue of subsection (1)(be) above in relation to Transport for London, section 100E(3) has effect as if for paragraph (bb) there were substituted—

“(bb) a committee of Transport for London (with “committee”, in relation to Transport for London, here having the same meaning as in Schedule 10 to the Greater London Authority Act 1999); or”]

[<sup>F82</sup>(3ZA) In its application by virtue of subsection (1)(g) above in relation to the Homes and Communities Agency, section 100E above shall have effect as if—

- (a) in subsection (2), paragraph (c) was omitted, and
- (b) in subsection (3), for paragraphs (a) to (c) there were substituted—

“(a) a committee established under paragraph 6(1) of Schedule 1 to the Housing and Regeneration Act 2008 for the purpose of exercising functions conferred on the Homes and

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Communities Agency in relation to a designated area by virtue of a designation order; or

- (b) a sub-committee of such a committee established under paragraph 6(2) of that Schedule to that Act for that purpose.”

[ In its application by virtue of subsection (1)(h) above in relation to a Mayoral  
<sup>F83</sup>(3ZAA) development corporation, section 100E(3) has effect as if for paragraphs (a) to (c) there were substituted—

- “(a) a committee which is established under Schedule 21 to the Localism Act 2011 by a principal council, or  
 (b) a sub-committee established under that Schedule by a committee within paragraph (a).”]

(3ZB) In its application by virtue of subsection (1)(g) above in relation to the Homes and Communities Agency, section 100G(1) above shall have effect as if paragraph (a) was omitted.]

<sup>F84</sup>(3A) .....

(4) In its application by virtue of subsection (1) above, section 100G(1)(a) above shall have effect—

- (a) in relation to a joint authority <sup>F85</sup> ... [ <sup>F86</sup>, [ <sup>F87</sup>a sub-national transport body,] an economic prosperity board, [ <sup>F88</sup>or [a combined authority] <sup>F89</sup> ... [ <sup>F90</sup> . . . , with the substitution for the words [ <sup>F91</sup>after “together with”] of the words “[ <sup>F92</sup>the] name or description of the body [ <sup>F93</sup>or other person that] appointed him ”; and

[ in relation to the Broads Authority or its Navigation Committee [ <sup>F95</sup>or any  
<sup>F94</sup>(aa) National Park authority], with the substitution for the words [ <sup>F96</sup>after “together with”] of the words “[ <sup>F97</sup>the] name of the [ <sup>F98</sup>person who] appointed him ”; and]

- (b) in relation to [ <sup>F99</sup>a Mayoral development corporation, or] joint board or joint committee falling within subsection (2) above, with the omission of the words [ <sup>F100</sup> after “for the time being”]; and

- (c) in relation to a [ <sup>F101</sup>fire and rescue authority falling within subsection (1)(f) above], with the substitution for the words [ <sup>F102</sup>, in the case of a councillor, the]“ward or division” of the words “ [ <sup>F103</sup>the]constituent area ”.

[ [ <sup>F105</sup>In its application by virtue of subsection (1)(bb) above in relation to the London  
<sup>F104</sup>(4A) Fire and Emergency Planning Authority, section 100G(1)(a) shall have effect with the substitution for the words [ <sup>F106</sup>together with, in the case of a councillor,]“the ward or division which he represents” of the words

- (i) if he is an Assembly representative, whether he is a London member or a constituency member and, if a constituency member, the Assembly constituency for which he is a member; or

- (ii) if he is a borough representative, the council of which he is a member (whether a London borough council or the Common Council).”]

[ In its application by virtue of subsection (1)(be) above in relation to Transport for  
<sup>F108</sup>(4AA) London, section 100G shall have effect—

- (a) with the substitution for subsection (1)(a) and (b) of—

- “(a) the name of every member of the council for the time being; and



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- (b) the name of every member of each committee or sub-committee of the council for the time being.”, and
- (b) with the insertion in subsection (2)(b) after “exercisable” of “, but not an officer by whom such a power is exercisable at least partly as a result of sub-delegation by any officer”.]

[ In this section “designated area” and “designation order” have the same meanings as <sup>F109</sup>(4B) in Part 1 of the Housing and Regeneration Act 2008.]

<sup>F110</sup>(5) . . . . .]

### Textual Amendments

- F46** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F47** Words in s. 100J(1) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\), regs. 1, 4\(8\)\(a\)](#)
- F48** Words repealed by [Education Reform Act 1988 \(c. 40 SIF 41:1\), ss. 231\(7\), 235\(6\), 237\(2\), Sch. 13 Pt. I](#)
- F49** S. 100J(1)(ba) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(7\), Sch. 13 para. 6\(7\)\(f\)\(i\); S.I. 2015/994, art. 6\(g\)](#)
- F50** S. 100J(1)(bb) inserted (3.7.2000) by [1999 c. 29, ss. 331\(2\) \(with Sch. 12 para. 9\(1\)\); S.I. 2000/1094, art. 4\(d\)](#)
- F51** S. 100J(1)(bb) omitted (31.1.2017 for specified purposes) by virtue of [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 2 para. 37\(2\)](#)
- F52** S. 100J(1)(bc)(bd) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\), ss. 119, 148\(6\), Sch. 6 para. 18\(a\); S.I. 2009/3318, art. 2\(c\)](#)
- F53** S. 100J(1)(be) inserted (3.5.2012) by [Localism Act 2011 \(c. 20\), ss. 231\(3\), 240\(2\); S.I. 2012/1008, art. 3\(d\) \(with arts. 7, 9-11\)](#)
- F54** S. 100J(1)(bf) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\), s. 25\(2\), Sch. 5 para. 3\(a\)](#)
- F55** S. 100J(1)(cc) inserted by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\), ss. 21, 23\(2\), 27\(2\), Sch. 6 para. 10\(5\)](#)
- F56** S. 100J(1)(cd) inserted (19.9.1995) by [1995 c. 25, ss. 63\(5\), 125\(2\), Sch. 7 para. 12\(2\)\(a\) \(with ss. 7\(6\), 115, 117, Sch. 8 para. 7\)](#)
- F57** S. 100J(1)(e) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 104\(2\); S.I. 2011/3019, art. 3, Sch. 1 \(with Sch. 2 para. 27\)](#)
- F58** S. 100J(1)(eza) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 104\(2\); S.I. 2011/3019, art. 3, Sch. 1 \(with Sch. 2 para. 27\)](#)
- F59** S. 100J(1)(ea) repealed (1.4.2002) by [2001 c. 16, ss. 128, 137, 138\(2\), Sch. 6 para. 26\(a\), Sch. 7 Pt. 5\(1\); S.I. 2002/344, art. 3\(j\)\(k\)\(m\) \(with transitional provisions in art. 4\)](#)
- F60** S. 100J(1)(f) substituted (1.10.2004 for E. and 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\), ss. 53, 61, Sch. 1 para. 39\(2\); S.I. 2004/2304, art. 2\(2\) \(subject to art. 3\); S.I. 2004/2917, art. 2](#)
- F61** S. 100J(1)(g) inserted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 56, 325, Sch. 8 para. 15\(2\); S.I. 2008/3068, art. 2\(1\)\(w\) \(with savings and transitional provisions in arts. 6-13\)](#)
- F62** S. 100J(1)(h) inserted (15.1.2012) by [Localism Act 2011 \(c. 20\), s. 240\(1\)\(l\), Sch. 22 para. 3\(2\)](#)
- F63** Words in s. 100J(2) inserted (3.7.2000) by [1999 c. 29, s. 331\(3\) \(with Sch. 12 para. 9\(1\)\); S.I. 2000/1094, art. 4\(d\)](#)
- F64** Word in s. 100J(2) omitted (31.1.2017 for specified purposes) by virtue of [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 2 para. 37\(3\)](#)
- F65** Word in s. 100J(2) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(7\), Sch. 13 para. 6\(7\)\(f\)\(ii\); S.I. 2015/994, art. 6\(g\)](#)

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- F66** Words in s. 100J(2) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 119, 148(6), **Sch. 6 para. 18(b)**; S.I. 2009/3318, **art. 2(c)**
- F67** S. 100J(2A) inserted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 325, **Sch. 8 para. 15(3)**; S.I. 2008/3068, **art. 2(1)(w)** (with savings and transitional provisions in arts. 6-13)
- F68** S. 100J(2B) inserted (6.8.2014) by The Openness of Local Government Bodies Regulations 2014 (S.I. 2014/2095), regs. 1, **4(8)(b)**
- F69** S. 100J(2B)(a) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 6(7)(f)(iii)**; S.I. 2015/994, art. 6(g)
- F70** Reference to paragraph (a) repealed by Education Reform Act 1988 (c. 40, SIF 41:1) ss. 231(7), 235(6), 237(2), Sch. 13 Pt. I
- F71** Word in s. 100J(3) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 6(7)(f)(iv)**; S.I. 2015/994, art. 6(g)
- F72** Word in s. 100J(3) omitted (31.1.2017 for specified purposes) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 37(4)**
- F73** Words in s. 100J(3) inserted (3.7.2000) by 1999 c. 29, **s. 331(4)** (with Sch. 12 para. 9(1)); S.I. 2000/1094, **art. 4(d)**
- F74** Words in s. 100J(3) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 119, 148(6), **Sch. 6 para. 18(c)**; S.I. 2009/3318, **art. 2(c)**
- F75** Word in s. 100J(3) inserted (3.5.2012) by Localism Act 2011 (c. 20), **ss. 231(4)**, 240(2); S.I. 2012/1008, **art. 3(d)** (with arts. 7, 9-11)
- F76** Word in s. 100J(3) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 5 para. 3(b)**
- F77** (cc) inserted by Norfolk and Suffolk Broads Act 1988 (c. 4, SIF 81:1), ss. 21, 23(2), 27(2), **Sch. 6 para. 10(5)**
- F78** Words in s. 100J(3) inserted (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 12(2)(b)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- F79** Words in s. 100J(3) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 104(3)**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 27)
- F80** Words in s. 100J(3) substituted (15.1.2012) by Localism Act 2011 (c. 20), s. 240(1)(l), **Sch. 22 para. 3(3)**
- F81** S. 100J(3YA) inserted (3.5.2012) by Localism Act 2011 (c. 20), **ss. 231(5)**, 240(2); S.I. 2012/1008, art. 3(d) (with arts. 7, 9-11)
- F82** S. 100J(3ZA)(3ZB) inserted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 325, **Sch. 8 para. 15(4)**; S.I. 2008/3068, **art. 2(1)(w)** (with savings and transitional provisions in arts. 6-13)
- F83** S. 100J(3ZAA) inserted (15.1.2012) by Localism Act 2011 (c. 20), s. 240(1)(l), **Sch. 22 para. 3(4)**
- F84** S. 100J(3A) repealed (1.4.2002) by 2001 c. 16, ss. 128, 137, 138(2), Sch. 6 para. 26(c), Sch. 7 Pt. 5(1); S.I. 2002/344, **art. 3(j)(k)(m)** (with transitional provisions in art. 4)
- F85** Words in s. 100J(4)(a) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 6(7)(f)(v)**; S.I. 2015/994, art. 6(g)
- F86** Words in s. 100J(4)(a) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 119, 148(6), **Sch. 6 para. 18(d)**; S.I. 2009/3318, **art. 2(c)**
- F87** Words in s. 100J(4)(a) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 5 para. 3(c)**
- F88** Word in s. 100J(4)(a) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 104(4)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F89** Words in s. 100J(4)(a) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 104(4)(b)**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 27)
- F90** Words in s. 100J(4)(a) substituted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 Pt. I para. 9(3)(a)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3236, art. 4, **Sch.**
- F91** Words in s. 100J(4)(a) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(2)(a)**
- F92** Word in s. 100J(4)(a) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(2)(b)**

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- F93** Words in s. 100J(4)(a) substituted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 Pt. I para. 9(3)(b)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3236, **art. 4, Sch.**
- F94** S. 100J(4)(aa) inserted by Norfolk and Suffolk Broads Act 1988 (c. 4, SIF 81:1), ss. 21, 23(2), 27(2), **Sch. 6 para. 10(5)**
- F95** Words in s. 100J(4)(aa) inserted (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 12(2)(c)(i)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)
- F96** Words in s. 100J(4)(aa) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(3)(a)**
- F97** Words in s. 100J(4)(aa) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(3)(b)**
- F98** Words in s. 100J(4)(aa) substituted (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 12(2)(c)(ii)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)
- F99** Words in s. 100J(4)(b) inserted (15.1.2012) by Localism Act 2011 (c. 20), s. 240(1)(l), **Sch. 22 para. 3(5)**
- F100** Words in s. 100J(4)(b) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(4)**
- F101** Words in s. 100J(4)(c) substituted (1.10.2004 for E. and 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), ss. 53, 61, **Sch. 1 para. 39(3)**; S.I. 2004/2304, **art. 2(2)** (subject to art. 3); S.I. 2004/2917, **art. 2**
- F102** Words in s. 100J(4)(c) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(5)(a)**
- F103** Word in s. 100J(4)(c) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(5)(b)**
- F104** S. 100J(4A) inserted (3.7.2000) by 1999 c. 29, s. 331(5) (with **Sch. 12 para. 9(1)**); S.I. 2000/1094, **art. 4(d)**
- F105** S. 100J(4A) omitted (31.1.2017 for specified purposes) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 37(5)**
- F106** Words in s. 100J(4A) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(6)(a)**
- F107** Word in s. 100J(4A) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 74, 245, **Sch. 3 para. 8(6)(b)**
- F108** S. 100J(4AA) inserted (3.5.2012) by Localism Act 2011 (c. 20), ss. 231(6), 240(2); S.I. 2012/1008, **art. 3(d)** (with arts. 7, 9-11)
- F109** S. 100J(4B) inserted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 325, **Sch. 8 para. 15(5)**; S.I. 2008/3068, **art. 2(1)(w)** (with savings and transitional provisions in arts. 6-13)
- F110** S. 100J(5) repealed (1.10.2004 for E. and 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), ss. 53, 54, 61, **Sch. 1 para. 39(4), Sch. 2**; S.I. 2004/2304, **art. 2(2)** (subject to art. 3); S.I. 2004/2917, **art. 2**

#### Modifications etc. (not altering text)

- C64** S. 100J(1)(b) amended by S.I. 1985/1884, **art. 10, Sch. 3 para. 1(h)**
- C65** S. 100J(1)(b) modified by S.I. 1987/2110, **art. 2(2), Sch. 1 para. 3(h)**

### [<sup>F111</sup>100K] Interpretation and application of Part VA.

(1) In this Part—

“committee or sub-committee of a principal council” shall be construed in accordance with section 100E(3) above [<sup>F112</sup> (and see [<sup>F113</sup> section 100J(3YA), (3ZA)(b)] [<sup>F114</sup> and (3ZAA)] above)];

“constituent principal council” shall be construed in accordance with section 100E(4) above;

“copy”, in relation to any document, includes a copy made from a copy;

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“exempt information” has the meaning given by section 100I above;  
 “information” includes an expression of opinion, any recommendations and any decision taken;  
 “newspaper” includes—

- (a) a news agency which systematically carries on the business of selling and supplying reports or information to news-papers; and
- (b) any organisation which is systematically engaged in collecting news—
  - (i) for sound or television broadcasts; or
  - [ for inclusion in programmes to be included in any programme service
  - <sup>F115</sup>(ii) (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service;]

“principal council” shall be construed in accordance with section 100J above.

- (2) Any reference in this Part to a meeting is a reference to a meeting held after 1st April 1986]
- [<sup>F116</sup>(3) The Secretary of State may by order amend sections 100A(6)(a) and 100B(3) and (4) (a) above so as to substitute for each reference to three clear days such greater number of days as may be specified in the order.
- <sup>F116</sup>(4) Any statutory instrument containing an order under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F111** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F112** Words in s. 100K inserted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 56, 325, Sch. 8 para. 16; S.I. 2008/3068, art. 2\(1\)\(w\)](#) (with savings and transitional provisions in arts. 6-13)
- F113** Words in s. 100K(1) substituted (3.5.2012) by [Localism Act 2011 \(c. 20\), ss. 231\(7\), 240\(2\); S.I. 2012/1008, art. 3\(d\)](#) (with arts. 7, 9-11)
- F114** Words in s. 100K(1) inserted (15.1.2012) by [Localism Act 2011 \(c. 20\), s. 240\(1\)\(l\), Sch. 22 para. 3\(6\)](#)
- F115** S. 100K(1)(b)(ii) substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\), s. 203\(1\), Sch. 20 para. 16](#)
- F116** S. 100K(3)(4) inserted (E.) (1.10.2000) and (W.) (28.7.2001) by [2000 c. 22, ss. 98\(1\), 108\(4\); S.I. 2000/2187, art. 3](#)

#### Modifications etc. (not altering text)

- C66** S. 100K applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283, regs. 26, 27](#) (as amended (W.) (21.5.2021) by [The Local Government and Elections \(Wales\) Act 2021 \(Consequential Amendments and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/356\), reg. 7\(2\)\(h\)](#))

**Status:**

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**Changes to legislation:**

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