



# Local Government, Planning and Land Act 1980

## 1980 CHAPTER 65

### PART II

#### PUBLICATION OF INFORMATION BY LOCAL AUTHORITIES

#### **2 Duty of authorities to publish information**

- (1) The authorities to whom this section applies are—
- (a) a county council;
  - (b) a district council;
  - (c) the Greater London Council;
  - (d) a London borough council;
  - (e) the Common Council of the City of London ;
  - (f) the Council of the Isles of Scilly;
  - (g) in Scotland, a regional, islands or district council;
  - (h) a fire authority constituted by a combination scheme under section 5 or 6 of the Fire Services Act 1947, or in Scotland, a joint committee constituted by an administration scheme under section 36 of that Act;
  - (j) a police committee constituted under section 2 of the Police Act 1964 or in Scotland a police authority constituted under section 2 of the Police (Scotland) Act 1967;
  - (k) a combined police authority constituted in accordance with the provisions of an amalgamation scheme under section 21 of the Police Act 1964 or in Scotland, a joint police committee constituted in accordance with the provisions of an amalgamation scheme under section 19 or 21A of the Police (Scotland) Act 1967 ; and
  - (l) the Inner London Education Authority.
- (2) The Secretary of State may issue for the purposes of this section a code of recommended practice as to the publication of information by such authorities about

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the discharge of their functions and other matters (including forecasts) which he considers to be related.

- (3) In relation to the Inner London Education Area functions conferred on education authorities by the Education Acts 1944 to 1980 shall be treated for the purposes of this section as conferred on the Inner London Education Authority.
- (4) A code may be prepared either by the Secretary of State or by some other person at his request
- (5) The Secretary of State may from time to time revise or request some other person to revise the whole or any part of a code.
- (6) A code may specify—
  - (a) that publication be made in periodical reports or in any other specified manner ;
  - (b) the occasions on which such publication is to be made; and
  - (c) the form which such publication is to take.
- (7) Without prejudice to the generality of subsection (6) above, a code may specify, as a manner of publishing information—
  - (a) its dispatch with, or inclusion in, a demand note on which a rate is levied under the General Rate Act 1967 or the Local Government (Scotland) Act 1973 ;
  - (b) its inclusion in an abstract of accounts prepared by an authority to whom this section applies in accordance with regulations under section 166 of the Local Government Act 1972 or section 105 of the Local Government (Scotland) Act 1973 ; or
  - (c) its being made available for inspection by members of the public at an authority's offices or elsewhere.
- (8) A code may specify steps which authorities are to take to inform the public of the availability of the information.
- (9) Where a code specifies information as to the cost of the discharge of any of the functions of authorities, it may specify how the cost is to be determined.
- (10) More than one code may be issued under this section, and different codes may deal with—
  - (a) different classes of information ;
  - (b) different kinds of authority or the same kind of authority in different circumstances or different areas;
  - (c) different manners, forms or occasions of publication.

### **3 Supplementary provisions relating to codes of practice on publication of information**

- (1) The Secretary of State may make regulations requiring authorities to whom section 2 above applies to publish any description of information specified in a code issued under that section if in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description.
- (2) The Secretary of State may make regulations requiring such authorities to publish any description of information specified in a code issued under section 2 above in the manner and form specified in the code, if in his opinion it is necessary to make such

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- regulations in order to ensure that authorities publish information of that description in that manner and form.
- (3) Where the occasions specified in a code for the publication of any description of information recur not more often than once a year, the Secretary of State may make regulations requiring authorities to publish information of that description on the occasions specified in the code, if in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description on those occasions.
  - (4) Where the occasions specified in a code for the publication of any description of information recur more often than once a year, the Secretary of State may make regulations requiring authorities to publish information on the occasions specified in the code if—
    - (a) the information is of a description to which this sub section applies; and
    - (b) in his opinion it is necessary to make such regulations in order to ensure that authorities publish information of that description on the occasions specified in the code.
  - (5) The descriptions of information to which subsection (4) above applies are—
    - (a) information about the discharge of authorities' functions relating to housing or land;
    - (b) information about the number of their employees or the number of any description of their employees ; and
    - (c) information about the determination of applications for planning permission under the Town and Country Planning Act 1971 or the Town and Country Planning (Scotland) Act 1972.
  - (6) The Secretary of State may by order direct that subsection (4) above shall apply to descriptions of information other than those specified in subsection (5) above.
  - (7) Any regulations under this section and any order under subsection (6) above may make different provision in relation to authorities in England, authorities in Scotland and authorities in Wales.
  - (8) The power to make any such regulations or order shall be exercisable by statutory instrument.
  - (9) A statutory instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
  - (10) No order under subsection (6) above shall have effect until approved by a resolution of each House of Parliament.
  - (11) Before issuing a code under section 2 above or making regulations under this section or an order under subsection (6) above the Secretary of State shall consult such associations of authorities to whom section 2 above applies as appear to him to be concerned and any such authority with whom consultation appears to him to be desirable.
  - (12) A code may specify and regulations under subsection (2) above may require that any description of information shall be published to the public in general or to any section of it.

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#### **4 Power to direct bodies to publish information**

- (1) The relevant Minister may direct that a body or description of bodies specified in any of the paragraphs of subsection (4) below shall publish information about the discharge of their functions and other matters (including forecasts) which he considers to be related.
- (2) Different directions may be given to bodies of the same description in different areas.
- (3) A direction under this section may specify—
  - (a) the manner in which information is to be published;
  - (b) the occasions on which such publication is to be made ;and
  - (c) the form which such publication is to take.
- (4) The bodies and descriptions of bodies mentioned in subsection (1) above are—
  - (a) development corporations established under the New Towns Act 1965 or the Near Towns (Scotland) Act 1968 ;
  - (b) the Commission for the New Towns;
  - (c) water authorities;
  - (d) urban development corporations within the meaning of Part XVI of this Act;
  - (e) Passenger Transport Executives established by orders under section 9 of the Transport Act 1968 or section 202 of the Local Government Act 1972;
  - (f) the London Transport Executive ; and
  - (g) district councils carrying on road passenger transport undertakings.
- (5) In this section " the relevant Minister " means in relation—
  - (a) to the descriptions of bodies mentioned in subsection (4)(e) and (g) above, in the application of those paragraphs to England; and
  - (b) to the London Transport Executive,  
the Minister of Transport.
- (6) Subject to subsection (5) above, in this section "the relevant Minister " means the Secretary of State.
- (7) A direction given to a district council under this section may only relate to its road passenger transport undertaking.