



Local Government Act 2000

2000 CHAPTER 22

PART II

ARRANGEMENTS WITH RESPECT TO EXECUTIVES ETC.

Provisions with respect to executive arrangements

[^{F1}21D Publication etc of reports, recommendations and responses: confidential and exempt information

- (1) This section applies to—
 - (a) the publication under section 21B of any document comprising—
 - (i) a report or recommendations of an overview and scrutiny committee, or
 - (ii) a response of a local authority to any such report or recommendations, and
 - (b) the provision of a copy of such a document—
 - (i) to a member of a local authority under section 21A(8) or section 21B, or
 - (ii) to a relevant partner authority under section 21C,by an overview and scrutiny committee or a local authority.
- (2) The overview and scrutiny committee or the local authority, in publishing the document or providing a copy of the document to a relevant partner authority—
 - (a) must exclude any confidential information, and
 - (b) may exclude any relevant exempt information.
- (3) The overview and scrutiny committee or the local authority, in providing a copy of the document to a member of the local authority, may exclude any confidential information or relevant exempt information.
- (4) Where information is excluded under subsection (2) or (3), the overview and scrutiny committee or the local authority, in publishing, or providing a copy of, the document—

Status: Point in time view as at 30/04/2012. This version of this provision has been superseded.

Changes to legislation: Local Government Act 2000, Section 21D is up to date with all changes known to be in force on or before 22 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) may replace so much of the document as discloses the information with a summary which does not disclose that information, and
 - (b) must do so if, in consequence of excluding the information, the document published, or copy provided, would be misleading or not reasonably comprehensible.
- (5) If by virtue of subsection (2), (3) or (4) an overview and scrutiny committee, in publishing or providing a copy of a report or recommendations—
- (a) excludes information, or
 - (b) replaces part of the report or recommendations with a summary,
- it is nevertheless to be taken for the purposes of section 21B(3)(c) or (d) to have published or provided a copy of the report or recommendations.
- (6) In this section—
- “confidential information” has the meaning given by section 100A(3) of the Local Government Act 1972 (admission to meetings of principal councils),
- “exempt information” has the meaning given by section 100I of that Act, and, in relation to—
- (a) any report or recommendations of an overview and scrutiny committee which has functions under section 21(2)(f), or
 - (b) any response to such a report or recommendations,
- also includes information which is exempt information under section 246 of the National Health Service Act 2006 ^{F2}or section 186 of the National Health Service (Wales) Act 2006],
- “relevant exempt information” means—
- (a) in relation to a report or recommendations of an overview and scrutiny committee, exempt information of a description specified in a resolution of the overview and scrutiny committee under section 100A(4) of the Local Government Act 1972 which applied to the proceedings, or part of the proceedings, at any meeting of the overview and scrutiny committee at which the report was, or recommendations were, considered, and
 - (b) in relation to a response of the authority, exempt information of a description specified in such a resolution of the authority which applied to the proceedings, or part of the proceedings, at any meeting of the authority at which the report or response was, or recommendations were, considered, and
- “relevant partner authority”, in relation to an overview and scrutiny committee which is a relevant committee within the meaning of section 21C, has the same meaning as in that section.
- (7) In this section, references to an overview and scrutiny committee include references to a sub-committee of such a committee.]

Textual Amendments

- F1** Ss. 21B-21D inserted (1.4.2009) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), **ss. 122(1), 245(5)**; S.I. 2008/3110, art. 4(d)
- F2** Words in s. 21D(6) inserted (30.4.2012) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), **ss. 65(2), 178(3)**; S.I. 2012/1187, art. 2(1)(g)

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Modifications etc. (not altering text)

- C1** S. 21D applied (E.) (12.8.2009) by [The Local Authorities \(Overview and Scrutiny Committees\) \(England\) Regulations 2009 \(S.I. 2009/1919\)](#), regs. 1(1), **8** (with reg. 12)
- C2** Ss. 21A-21D: power to apply conferred by 2007 c. 28, s. 123(5)(b)(ii) (as substituted (12.1.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 32(1)**, 148(2)(a)(ii))

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