

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations apply to county councils and county borough councils in Wales which are operating executive arrangements under Part II of the Local Government Act 2000. They make provision relating to public access to meetings, decisions and documents of local authority executives and their committees. In addition, they also deal with access to information relating to decisions made by joint committees of local authorities where these are solely comprised of executive members and are discharging an executive function.

Under executive arrangements individual members will be able to make executive decisions and so the Regulations also make provision in respect of access to documents where executive decisions are made by individual members.

The general principle of the Regulations is for the public to have access to meetings, documents and decisions where a local authority executive, a committee or an individual is to take an “executive decision”. The term “executive decision” is defined in regulation 2.

Part I of the Regulations contains introductory material and definitions of terms used in the Regulations.

Part II contains general matters which relate to all executive decisions. In particular regulations 3 and 4 provide (subject to certain specified exemptions) that meetings of local authority executives must be held in public. The rules regarding access to agenda and reports for meetings of executives are set out in regulation 5.

Regulations 6 and 7 specify that, where an executive decision is recorded, a note must be made of the reasons for the decision, when the decision was made, details of any conflict of interest and any consultation undertaken. The provisions concerning recording apply to executive decisions made collectively, or by individual members.

In regulation 8 there are provisions related to inspection of documentation following executive decisions. There are requirements with regard to inspection of background papers at regulation 9.

In Part III members of local authorities and of overview and scrutiny committees are given additional rights in relation to access to information. Additional rights for members in general are contained in regulation 10. The common law position of “the need to know” is preserved.

Regulation 11 sets out additional rights for members of overview and scrutiny committees in relation to decisions that they are scrutinising. In certain circumstances these members can have access to relevant exempt or confidential information. Nothing in these regulations permits the disclosure of such information by members of overview and scrutiny committees.

Part IV contains further general provisions relating to information. Regulation 12 stipulates certain additional information which a local authority must make available concerning its executive arrangements. In regulation 13 there are provisions which specify to how inspection of documentation is to be afforded to the public by a local authority. Regulation 14 creates offences

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Changes and effects yet to be applied to :

- Regulations applied (with modifications) by S.I. 2002/802 reg. 11(8)
- reg. 2 words inserted by S.I. 2021/357 reg. 2
- reg. 3 omitted (temp.) by S.I. 2020/442 reg. 23(2)
- reg. 4(1) omitted (temp.) by S.I. 2020/442 reg. 23(3)(a)
- reg. 4(2) words inserted (temp.) by S.I. 2020/442 reg. 23(3)(b)
- reg. 4(3) words inserted (temp.) by S.I. 2020/442 reg. 23(3)(b)
- reg. 4(6)(a) substituted by S.I. 2021/357 reg. 3(2)
- reg. 4(6)(a) words substituted (temp.) by S.I. 2020/442 reg. 23(3)(c)(i)
- reg. 4(6)(a)(i) words substituted (temp.) by S.I. 2020/442 reg. 23(3)(c)(ii)
- reg. 4(6)(a)(ii) words substituted (temp.) by S.I. 2020/442 reg. 23(3)(c)(iii)
- reg. 4(6)(b) word omitted (temp.) by S.I. 2020/442 reg. 23(3)(c)(iv)
- reg. 4(6)(b)(ii) omitted (temp.) by S.I. 2020/442 reg. 23(3)(c)(iv)
- reg. 5(1) words substituted by S.I. 2021/357 reg. 4(2)
- reg. 5(1) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(a)
- reg. 5(2) word substituted by S.I. 2021/357 reg. 4(3)
- reg. 5(2) word substituted (temp.) by S.I. 2020/442 reg. 23(4)(b)
- reg. 5(2) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(c)
- reg. 5(3) words substituted by S.I. 2021/357 reg. 4(4)(a)(i)
- reg. 5(3) words substituted by S.I. 2021/357 reg. 4(4)(a)(ii)
- reg. 5(3) words substituted by S.I. 2021/357 reg. 4(4)(d)
- reg. 5(3) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(d)(i)
- reg. 5(3) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(d)(ii)
- reg. 5(3) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(d)(v)
- reg. 5(3)(a) word substituted by S.I. 2021/357 reg. 4(4)(b)
- reg. 5(3)(a) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(d)(iii)
- reg. 5(3)(b) substituted by S.I. 2021/357 reg. 4(4)(c)
- reg. 5(3)(b) substituted (temp.) by S.I. 2020/442 reg. 23(4)(d)(iv)
- reg. 5(4) substituted by S.I. 2002/1385 reg. 2(2)
- reg. 5(4)(a) word omitted by S.I. 2021/357 reg. 4(5)(b)
- reg. 5(4)(a) words substituted by S.I. 2021/357 reg. 4(5)(a)
- reg. 5(4)(a) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(e)(i)
- reg. 5(5) words inserted (temp.) by S.I. 2020/442 reg. 23(4)(f)(ii)
- reg. 5(5) words substituted by S.I. 2021/357 reg. 4(6)
- reg. 5(5) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(f)(i)
- reg. 5(6)-(8) omitted (temp.) by S.I. 2020/442 reg. 23(4)(g)
- reg. 5(6) words inserted by S.I. 2021/357 reg. 4(7)(a)
- reg. 5(6) words inserted by S.I. 2021/357 reg. 4(7)(b)
- reg. 5(8) words substituted by S.I. 2021/357 reg. 4(8)
- reg. 8 substituted (temp.) by S.I. 2020/442 reg. 23(5)
- reg. 8 heading word substituted by S.I. 2021/357 reg. 7(2)
- reg. 8(1) words substituted by S.I. 2021/357 reg. 7(3)
- reg. 8(2) word substituted by S.I. 2021/357 reg. 7(4)
- reg. 9 omitted (temp.) by S.I. 2020/442 reg. 23(6)
- reg. 9 heading word substituted by S.I. 2021/357 reg. 8(2)
- reg. 9 word substituted by S.I. 2021/357 reg. 8(3)
- reg. 9(b) substituted by S.I. 2021/357 reg. 8(4)
- reg. 10 words substituted (temp.) by S.I. 2020/442 reg. 23(7)(b)
- reg. 10(1) words omitted (temp.) by S.I. 2020/442 reg. 23(7)(a)(ii)
- reg. 10(1) words substituted by S.I. 2007/951 reg. 2(a)

- reg. 10(1) words substituted by S.I. 2021/357 reg. 9(2)(a)
- reg. 10(1) words substituted by S.I. 2021/357 reg. 9(2)(b)
- reg. 10(1) words substituted (temp.) by S.I. 2020/442 reg. 23(7)(a)(i)
- reg. 10(1) words substituted (temp.) by S.I. 2020/442 reg. 23(7)(a)(iii)
- reg. 10(2) word substituted by S.I. 2021/357 reg. 9(3)
- reg. 13(1) omitted (temp.) by S.I. 2020/442 reg. 23(8)(a)
- reg. 13(2) omitted (temp.) by S.I. 2020/442 reg. 23(8)(a)
- reg. 13(3) words substituted by S.I. 2021/357 reg. 10(2)(a)
- reg. 13(3) words substituted by S.I. 2021/357 reg. 10(2)(b)
- reg. 13(3) words substituted (temp.) by S.I. 2020/442 reg. 23(8)(b)(i)
- reg. 13(3) words substituted (temp.) by S.I. 2020/442 reg. 23(8)(b)(ii)
- reg. 13(4) substituted by S.I. 2021/357 reg. 10(3)
- reg. 13(4) words substituted (temp.) by S.I. 2020/442 reg. 23(8)(c)
- reg. 13(5) word substituted by S.I. 2021/357 reg. 10(5)(a)
- reg. 13(5) words inserted (temp.) by S.I. 2020/442 reg. 23(8)(d)(i)
- reg. 13(5) words substituted by S.I. 2021/357 reg. 10(5)(b)
- reg. 13(5) words substituted by S.I. 2021/357 reg. 10(5)(c)
- reg. 13(5) words substituted (temp.) by S.I. 2020/442 reg. 23(8)(d)(ii)
- reg. 13(6) substituted by S.I. 2021/357 reg. 10(6)
- reg. 13(6) words inserted (temp.) by S.I. 2020/442 reg. 23(8)(f)(i)
- reg. 13(6) words omitted (temp.) by S.I. 2020/442 reg. 23(8)(f)(ii)
- reg. 14 omitted by S.I. 2021/357 reg. 11
- reg. 14 omitted (temp.) by S.I. 2020/442 reg. 23(9)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 4(6A) inserted by S.I. 2021/357 reg. 3(3)
- reg. 5(4)(a)(i) word omitted (temp.) by S.I. 2020/442 reg. 23(4)(e)(ii)
- reg. 5(4)(a)(ii) words substituted (temp.) by S.I. 2020/442 reg. 23(4)(e)(iii)
- reg. 6(2)(ba) inserted by S.I. 2021/357 reg. 5
- reg. 7(4)(ba) inserted by S.I. 2021/357 reg. 6
- reg. 10(2)(2A) substituted for reg. 2 by S.I. 2007/951 reg. 2(b)
- reg. 10(2A) word substituted by S.I. 2021/357 reg. 9(3)
- reg. 12(4) inserted by S.I. 2022/412 reg. 3
- reg. 13(4A) inserted by S.I. 2021/357 reg. 10(4)
- reg. 13(5A) inserted (temp.) by S.I. 2020/442 reg. 23(8)(e)
- reg. 13(6A)-(6C) inserted by S.I. 2021/357 reg. 10(7)