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WELSH STATUTORY INSTRUMENTS

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**2001 No. 2290**

**Local Authorities (Executive Arrangements) (Decisions,  
Documents and Meetings) (Wales) Regulations 2001**

**PART I  
GENERAL**

**Name, commencement and application**

1.—(1) The name of these Regulations is the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 and they shall come into force on 28th July 2001.

(2) These Regulations apply to Wales only.

**Interpretation**

2. In these Regulations—

“the 1972 Act” (“Deddf 1972”) means the Local Government Act 1972<sup>(1)</sup>;

“the 2000 Act” (“Deddf 2000”) means the Local Government Act 2000; “background papers” (“*papurau cefndir*”), in relation to a report, means those documents, other than published works, that—

- (a) relate to the subject matter of the report; and
- (b) in the opinion of the proper officer—
  - (i) disclose any facts or matters on which the report or an important part of the report is based, and
  - (ii) were relied on to a material extent in preparing the report;

“confidential information” (“*gwybodaeth gyfrinachol*”) means—

- (a) information furnished to the authority by the National Assembly for Wales or 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, a reference to the obligation of confidence is to be construed accordingly;

“copy” (“*copi*”), in relation to any document, includes a copy made from a copy;

“decision-maker” (“*penderfynwr*”) means the decision making body by which, or the individual member by whom, an executive decision is made;

“decision making body” (“*corff penderfynu*”) in relation to an executive decision means—

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(1) 1972 c. 70.

- (a) the executive of a local authority;
- (b) a committee of a local authority executive;
- (c) a joint committee, where all the members of the joint committee are members of a local authority executive; or
- (d) a sub-committee of a joint committee, where all the members of the joint committee are members of a local authority executive, which is authorised to discharge the function to which the executive decision relates in accordance with the Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2001<sup>(2)</sup>;

“document” (“*dogfen*”) means any report or background paper, other than one which is only in a draft form, taken into consideration in relation to an executive decision;

“executive decision” (“*penderfyniad gweithrediaeth*”) means a decision made or to be made by a decision-maker in connection with the discharge of a function which is the responsibility of the executive of a local authority;

“exempt information” (“*gwybodaeth esempt*”) has the meaning given by section 100I of the 1972 Act (exempt information and power to vary Schedule 12A)<sup>(3)</sup>;

“information” (“*gwybodaeth*”) includes an expression of opinion, recommendation and any decision made;

“joint committee” (“*cyd-bwyllgor*”) means a committee appointed under section 102(1) of the 1972 Act (appointment of committees) in accordance with regulations made under section 120 of the 2000 Act<sup>(4)</sup>;

“local authority” (“*awdurdod lleol*”) means a county council or a county borough council which is operating executive arrangements in accordance with the 2000 Act; “meeting” (“*cyfarfod*”), means a meeting of the executive of the authority, or of a committee or sub-committee of that executive, in accordance with these regulations;

“newspaper” (“*papur newydd*”) includes—

- (a) a news agency which systematically carries on the business of selling and supplying reports or information to newspapers; and
- (b) any organisation which is systematically engaged in collecting news—
  - (i) for sound or television broadcasts; or
  - (ii) for inclusion in programmes to be included in any programme service within the meaning of the Broadcasting Act 1990 other than a sound or television broadcasting service within the meaning of Part III or Part I of that Act respectively<sup>(5)</sup>; or
  - (iii) for use in electronic or any other format to provide news to the public by means of the Internet .

“overview and scrutiny committee” (“*pwylgor trosolygu a chraffu*”), means a committee appointed in pursuance of section 21 of the 2000 Act (overview and scrutiny committees);

“political adviser or assistant” (“*cynghorydd neu gynorthwydd gwleidyddol*”) means a person appointed in pursuance of section 9 of the Local Government and Housing Act 1989 (assistants for political groups)<sup>(6)</sup> or paragraph 6 of Schedule 1 to the 2000 Act (mayor’s assistant);

(2) S.I. 2001/?.

(3) Section 100I was inserted by the Local Government (Access to Information) Act 1985 (c. 43).

(4) See regulation 11 of the Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2001 (S.I. 2001/?).

(5) 1990 c. 42. The definition of “programme service” is to be found in section 201. Subsection (1)(bb) of that section was inserted by the Broadcasting Act 1996 (c. 55), Schedule 10, Part I, paragraph 11. The definition of “sound broadcasting service” is to be found in section 126(1), amended by the Broadcasting Act 1996, Schedule 10, Part I, paragraph 9. The definition of “television broadcasting service” will be found in section 2(5), amended by the Broadcasting Act 1996, Schedule 10, Part I, paragraph 1.

(6) 1989 c. 42.

“proper officer” (“*swyddog priodol*”) has the same meaning as in section 270(3) of the 1972 Act (general provisions as to interpretation);

“relevant local authority” (“*awdurdod lleol perthnasol*”) means the local authority whose executive is responsible for the discharge of the function to which the executive decision relates;

“report” (“*adroddiad*”) in relation to an executive decision does not include a report in draft form;

“standards committee” (“*pwyllgor safonau*”) means the standards committee of the relevant local authority as established under section 53 of the 2000 Act (standards committees).