



2014 CHAPTER 8

PART 6

EXECUTIVE ARRANGEMENTS

*Meetings and access to information etc.*

**Meetings and access to information etc.**

**34.—**(1) Meetings are to be open to the public or held in private.

(2) Subject to regulations under section 35(4), it is for a council executive to decide which meetings are to be open to the public and which are to be held in private.

(3) A written record must be kept of prescribed decisions made at meetings which are held in private.

(4) Written records under subsection (3) must include reasons for the decisions to which they relate.

(5) In this section “meetings” means meetings of an executive or any sub-committee of an executive.

**Meetings and access to information etc.: further provision and regulations**

**35.—**(1) Written records under section 34(3), together with such reports, background papers or other documents as may be prescribed, must be made available to members of the public in accordance with regulations.

(2) Regulations under subsection (1) may make provision for or in connection with preventing the whole or part of any record or document containing prescribed information from being made available to members of the public.

- (3) Regulations may make provision—
- (a) with respect to the access of the public to meetings of joint committees, or sub-committees of such committees, at which decisions are made in connection with the discharge of functions which are the responsibility of executives (including provision enabling such meetings to be held in private);
  - (b) for or in connection with requiring written records to be kept of decisions made at meetings which by virtue of paragraph (a) are held in private;
  - (c) for or in connection with requiring written records falling within paragraph (b) to include reasons;
  - (d) for or in connection with requiring any such written records to be made available to members of the public;
  - (e) for or in connection with requiring documents connected with decisions to which any such written records relate to be made available to members of the public.
- (4) Regulations may make provision—
- (a) as to the circumstances in which meetings falling within section 34, or particular proceedings at such meetings, must be open to the public;
  - (b) as to the circumstances in which meetings falling within section 34, or particular proceedings at such meetings, must be held in private;
  - (c) with respect to the information which is to be included in written records kept by virtue of this section or section 34;
  - (d) with respect to the reasons which are to be included in any such written records;
  - (e) with respect to the persons who are to produce, keep or make available any such written records;
  - (f) for or in connection with requiring any such written records to be made available to members of councils or to overview and scrutiny committees or sub-committees;
  - (g) for or in connection with requiring documents connected with decisions to which any such written records relate to be made available to members of councils or to overview and scrutiny committees or sub-committees;
  - (h) for or in connection with requiring information to be made available by electronic means;
  - (i) for or in connection with conferring rights on members of the public or members of councils, overview and scrutiny committees or sub-committees in relation to records or documents;
  - (j) for or in connection with the creation of offences in respect of any rights or requirements conferred or imposed by virtue of this section or section 34.

(5) Regulations may make provision for or in connection with requiring prescribed information about prescribed decisions made in connection with the discharge of functions which are the responsibility of a council executive to be made available to members of the public or members of the council.

(6) The provision which may be made under subsection (5) includes provision—

- (a) requiring prescribed information to be made available in advance of the prescribed decisions mentioned in that subsection;
- (b) as to the way or form in which prescribed information is to be made available.

(7) Regulations may make provision which, in relation to meetings falling within—

- (a) section 34; or
- (b) subsection (3)(a),

applies or reproduces (with or without modifications) any provisions of Part 8.

(8) Regulations may make provision in relation to—

- (a) the publication by executives of councils under section 32 of responses to reports or recommendations of overview and scrutiny committees and their sub-committees; or
- (b) the provision by executives of councils under section 32 of copies of such responses,

which applies or reproduces (with or without modifications) any provisions of section 33 (confidential and exempt information).