



2014 CHAPTER 8

PART 8

ACCESS TO MEETINGS AND DOCUMENTS

Access to agenda and connected reports

43.—(1) Copies of the agenda for a meeting of a council and, subject to subsection (2), copies of any report for the meeting must be open to inspection by members of the public at the offices of the council in accordance with subsection (3).

(2) If the clerk of the council thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) the whole of any report which, or any part which, relates only to items during which, in the opinion of the clerk, the meeting is likely not to be open to the public.

(3) Any document which is required by subsection (1) to be open to inspection must be open to inspection at least five days before the meeting, except that—

- (a) where the meeting is convened at shorter notice, the copies of the agenda and reports must be open to inspection from the time the meeting is convened, and
- (b) where an item is added to an agenda copies of which are open to inspection by the public, copies of the item (or of the revised agenda), and the copies of any report for the meeting relating to the item, must be open to inspection from the time the item is added to the agenda;

but nothing in this subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the council.

- (4) An item of business may not be considered at a meeting of a council unless either—
- (a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) for at least five days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or
 - (b) by reason of special circumstances, which must be specified in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (5) Where by virtue of subsection (2) the whole or any part of a report for a meeting is not open to inspection by the public under subsection (1)—
- (a) every copy of the report or of the part must be marked “Not for publication”; and
 - (b) there must be stated on every copy of the whole or any part of the report the description, in terms of Schedule 6, of the exempt information by virtue of which the council is likely to exclude the public during the item to which the report relates.
- (6) Where a meeting of a council is required by section 42 to be open to the public during the proceedings or any part of them there must be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and, subject to subsection (8), of the reports for the meeting.
- (7) There must, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper—
- (a) a copy of the agenda for a meeting of a council and, subject to subsection (8), a copy of each of the reports for the meeting;
 - (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and
 - (c) if the clerk of the council thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (8) Subsection (2) applies in relation to copies of reports provided in pursuance of subsection (6) or (7) as it applies in relation to copies of reports provided in pursuance of subsection (1).