
STATUTORY INSTRUMENTS

1992 No. 1497

**LOCAL GOVERNMENT, ENGLAND AND WALES
LOCAL AUTHORITIES,
ACCESS TO INFORMATION**

The Local Government (Access to
Information) (Variation) Order 1992

<i>Made</i>	- - - -	<i>24th June 1992</i>
<i>Laid before Parliament</i>		<i>26th June 1992</i>
<i>Coming into force</i>	- -	<i>17th July 1992</i>

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of their powers under section 100I (2) and (3) of the Local Government Act 1972(1) and of all other powers enabling him in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Access to Information) (Variation) Order 1992, and shall come into force on 17th July 1992.

Exempt information — further qualification

2. Part II (Qualifications) of Schedule 12A (Access to Information: Exempt Information) to the Local Government Act 1972 shall be varied by the addition, after paragraph 6, of the following—

“7. Information falling within any paragraph of Part 1 above is not exempt information by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992 (S.I. 1992 No. 1492).”

22nd June 1992

Michael Howard
Secretary of State for the Environment

(1) 1972 c. 70, as amended by the Local Government (Access to Information) Act 1985 c. 43.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

24th June 1992

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

The Local Government (Access to Information) Act 1985 (1985 c. 43) amended the Local Government Act 1972 (1972 c. 70) so as to provide for greater public access to the meetings and information held by principal councils. Certain categories of information are, however, generally exempt in law from those provisions. These categories are specified in Part 1 of Schedule 12A to the 1972 Act, but they are subject to qualifications set out in Part II of the Schedule. In order, therefore, for information to be exempt from the public access requirements, it must fall both within a category described in Part 1 of the Schedule, and outside any relevant qualification in Part II.

This Order adds an additional qualification to Part II, so that the public access provisions of the Act will apply to information which is otherwise exempt (because it falls within a Part I category) if that information relates to proposed development for which the relevant local planning authority is empowered to grant itself planning permission.