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STATUTORY INSTRUMENTS

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**2008 No. 1085**

**The Standards Committee (England) Regulations 2008**

**PART 2**

**CONSTITUTION AND GENERAL PROCEEDINGS OF  
STANDARDS COMMITTEES AND SUB-COMMITTEES**

**Application of the Local Government Act 1972**

**8.—(1)** Subject to paragraphs (2), (3), (5) and (6), Part 5A of the 1972 Act<sup>(1)</sup> shall apply in relation to meetings of a standards committee, or sub-committee of a standards committee, of an authority as it applies to meetings of a principal council in England.

(2) Sections 100E, 100G, 100J and 100K of that Part shall not apply.

(3) Where, by virtue of paragraph (1), a responsible authority must act in accordance with section 100A(6)(a), 100B(1) or 100C(1) of the 1972 Act it shall also give to every parish council for which it is responsible—

- (a) written notice of the time and place of the meeting at least five clear days before that meeting or, if the meeting is convened at shorter notice, then at the time that it is convened;
- (b) a copy of the agenda for the meeting and a copy of any report for the meeting at least five clear days before the meeting, except that—
  - (i) where the meeting is convened at shorter notice, the copies of the agenda and any report shall be given to the parish council at the time the meeting is convened; and
  - (ii) where an item is added to an agenda, of which a copy has been given to a parish council, a copy of the item (or of the revised agenda), and of any report to be presented at the meeting relating to the item shall be given to the parish council at the time the item is added to the agenda; and
- (c) a copy of the minutes excluding so much of the minutes of proceedings during which the meeting was not open to the public under section 100A(2) or (4) of the 1972 Act, or where applicable, a copy of a summary made under section 100C(2) of that Act.

(4) Nothing in paragraph (3)(b) requires copies of any agenda item or report to be given to the parish council until copies are available to members of the responsible authority.

- (a) (5) (a) Where a meeting of a sub-committee of a standards committee is convened to consider an allegation received under section 57A(1) of the Act or to review a decision under section 57B of the Act, the following provisions of this paragraph shall apply, and the provisions of Part 5A of the 1972 Act shall not apply.
- (b) The sub-committee shall produce a summary in writing of its consideration of the allegation or review of the decision.
- (c) The written summary—

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(1) Part 5A was inserted by the Local Government (Access to Information) Act 1985 (c. 43).

- (i) must record the main points considered, its conclusion as regards the allegation or review of the decision and the reasons for that conclusion;
- (ii) must be prepared having regard to any relevant guidance issued by the Standards Board;
- (iii) may give the name of any member, co-opted member, former member or former co-opted member, who was the subject of the allegation, unless such disclosure is not in the public interest or would prejudice any investigation;
- (iv) must be made available for inspection by members of the public at the offices of the authority for a period of six years beginning with the date of the meeting; and
- (v) must be given to any parish council of which any person who is the subject of an allegation referred to in the written summary is a member;

but nothing in this sub-paragraph requires the written summary to be open to inspection or given to any parish council until the person who is the subject of the allegation has been given a written summary under section 57C(2) of the Act.

(6) Where a meeting of a standards committee, or sub-committee of a standards committee, is convened to consider a matter under regulations 13 or 16 to 20 of these Regulations, or referred under section 58(1)(c) of Act, the provisions of Parts 1 to 3 of Schedule 12A to the 1972 Act shall apply as if, after paragraph 7 of that Schedule, the following descriptions of exempt information were inserted—

**“7A.** Information which is subject to any obligation of confidentiality.

**7B.** Information which relates in any way to matters concerning national security.

**7C.** Information presented to a standards committee, or to a sub-committee of a standards committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000.”.