
STATUTORY INSTRUMENTS

2008 No. 2038

The London Waste and Recycling Board Order 2008

PART 4

Provision of information etc.

Annual report

- 14.**—(1) For each financial year, the Board must—
- (a) prepare an annual report on how it has discharged its functions during the year; and
 - (b) send a copy of the report to the London borough councils, the Common Council and the Secretary of State.
- (2) In this article, “financial year” means—
- (a) the period beginning with the day on which the Board is established and ending with the next 31st March; and
 - (b) each subsequent period of 12 months ending with 31st March.

Board priorities and provision of financial assistance

- 15.**—(1) The Board must, by 31st March each year, prepare and publish a document setting out how it will meet its objectives in the following 12 month period, including—
- (a) its priorities for that period; and
 - (b) its strategy for the provision of financial assistance to any person during that period for the purposes of—
 - (i) the provision of facilities for or in connection with the collection, treatment or disposal of waste produced in Greater London;
 - (ii) conducting research into new technologies or techniques for the collection, treatment or disposal of waste; or
 - (iii) securing, or assisting in securing, the performance of any function of a London borough council or the Common Council relating to waste.

(2) If the Board wishes to provide financial assistance to any person for any of the purposes in paragraph (1)(b) before 1st April 2009, it must, before doing so, prepare and publish a document containing the information in paragraph (1) for the period to 1st April 2009.

Provision of information to the Secretary of State

16. The Board must provide the Secretary of State with such information as the Secretary of State requires relating to the discharge or proposed discharge of the Board’s functions.

Provision of information to the public

17.—(1) The Board must make the following available for inspection by the public, free of charge, at all reasonable times—

- (a) the document referred to in article 15;
- (b) annual reports of the Board;
- (c) approved minutes of Board and committee meetings;
- (d) details of the remuneration of Board members;
- (e) a list of Board and committee members;
- (f) the register of Board and committee members' interests;
- (g) the dates of Board meetings and the agendas for those meetings.

(2) Any person who requests it must be provided with a copy of, or extract from, any document in paragraph (1) on payment of a reasonable charge.

Public access to meetings

18.—(1) A meeting of the Board must be open to the public.

This is subject to paragraphs (2) and (3).

(2) The Board must exclude the public from a meeting during an item of business if, during that item, confidential information may be disclosed to the public in breach of the obligation of confidence.

(3) The Board may exclude the public from a meeting during an item of business if, during that item, any of the following information may be disclosed to the public and the Board considers that in all the circumstances of the case the public interest in preventing disclosure of the information outweighs the public interest in disclosure of the information—

- (a) information relating to any individual;
- (b) information which is likely to reveal the identity of an individual;
- (c) information relating to the financial or business affairs of any particular person;
- (d) commercially sensitive information;
- (e) information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any employment matter arising between the Board and any employee; or
- (f) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

(4) In this article, “confidential information” means—

- (a) information provided to the Board by a Government department upon terms that prohibit the disclosure of the information to the public, and
- (b) information that may not be disclosed to the public by virtue of any enactment, rule of law or order of the court,

and, in each case, the reference to the obligation of confidence is to be construed accordingly.

(5) This article is without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

(6) Any reference in this article to the Board includes any committee of the Board.