

These notes refer to the Local Government and Elections (Wales) Act 2021 (c.1) which received Royal Assent on 20 January 2021

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Promoting Access to Local Government

Chapter 4: Access to Meetings of Local Authorities

Section 48 - Participation at meetings of community councils

255. **Section 48** amends Part 4 of Schedule 12 to the 1972 Act, which sets out requirements with regard to meetings and proceedings of community councils.
256. An additional paragraph (27A) is added which provides that members of the public attending a community council meeting must be given reasonable opportunity to make representations about any item of business due to be discussed at the meeting.
257. As a matter of good practice a number of community and town councils already give the public an opportunity to make representations, without a statutory obligation to do so. However this practice is at the discretion of the council and is not currently applied universally.
258. The duty to give members of the public the opportunity to make a representation is qualified in 27A(2) to the extent that the person chairing the meeting has the ability to curtail that opportunity if they consider someone's use of it is likely to prejudice the effective conduct of the meeting.
259. The person chairing would have wide discretion to decide what amounts to a "reasonable opportunity" but would have to have regard to any guidance on this matter issued by the Welsh Ministers under 27A(3).