
STATUTORY INSTRUMENTS

2012 No. 2089

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

PART 2

Admission of public to meetings of local authority executives and their committees

Admission of the public to meetings of local authority executives and their committees

4.—(1) A meeting of a decision-making body must be open to the public except to the extent that the public are excluded under paragraph (2).

(2) The public must be excluded from a meeting during an item of business whenever—

- (a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence;
- (b) the decision-making body concerned passes a resolution to exclude the public during that item where it is likely, in view of the nature of the item of business, that if members of the public were present during that item, exempt information would be disclosed to them; or
- (c) a lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

(3) A resolution under paragraph (2)(b) must—

- (a) identify the proceedings, or the part of the proceedings to which it applies, and
- (b) state, by reference to the descriptions in Schedule 12A to the 1972 Act (access to information: exempt information), the description of exempt information giving rise to the exclusion of the public.

(4) The public may only be excluded under sub-paragraph (a) or (b) of paragraph (2) for the part or parts of the meeting during which it is likely that confidential information or exempt information would be disclosed.

(5) Without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting, the decision-making body is not to have the power to exclude members of the public from a meeting while it is open to the public.

[^{F1}(5A) Where the public are excluded from a meeting under paragraph (2), a decision making body may also prevent any person from reporting proceedings using methods—

- (a) which can be used without that person's presence at the meeting, and
- (b) which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later.

(5B) While the meeting is open to the public, any person attending is to be permitted to report the proceedings.

(5C) Paragraph (5B) does not require a decision making body to permit oral reporting or oral commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.]

(6) While the meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report.

[^{F2}(7) Any person who attends the meeting to report the proceedings may use any communication methods, including the internet, to publish, post or otherwise share the results of their reporting activities.

(8) Publication and dissemination may take place at the time of the meeting or occur after the meeting.

(9) For the purposes of this regulation, reporting on proceedings at a meeting means—

- (a) filming, photographing or making an audio recording of the proceedings at the meeting,
- (b) using any other means for enabling persons not present to see or hear proceedings at the meeting as it takes place or later, or
- (c) reporting or providing commentary on proceedings at the meeting, orally or in writing, so that the report or commentary is available to persons not present, as the meeting takes place or later.]

Textual Amendments

- F1** Reg. 4(5A)-(5C) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **5(2)**
- F2** Reg. 4(7)-(9) inserted (6.8.2014) by [The Openness of Local Government Bodies Regulations 2014 \(S.I. 2014/2095\)](#), regs. 1, **5(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Section 4.