STATUTORY INSTRUMENTS

2009 No. 352

LOCAL GOVERNMENT, ENGLAND

The Exercise of Functions by Local Councillors (Written Records) Regulations 2009

Made - - - -	*23rd February 2009*
Laid before Parliament	*3rd March 2009*
Coming into force - -	*1st April 2009*

The Secretary of State, in exercise of the powers conferred by section 100EA(1) of the Local Government Act 1972(**a**), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Exercise of Functions by Local Councillors (Written Records) Regulations 2009 and shall come into force on 1st April 2009.

Written records

2. Where a member of a local authority discharges any function of the authority by virtue of arrangements made under section 236 of the Local Government and Public Involvement in Health Act 2007 (exercise of functions by local councillors in England)(**b**), that member must—

(a) ensure that a record is made in writing of any decision made or action taken in connection with the discharge of that function; and

(b) within one month of the date on which the decision is made, or action taken, provide the record to the authority.

Signed by authority of the Secretary of State for Communities and Local Government

John Healey
Minister of State
Department for Communities and Local Government

23rd February 2009

(**a**) 1972 c. 70. Section 100EA was inserted by section 237 of the Local Government and Public Involvement in Health Act 2007 (c. 28).
(**b**) 2007 c. 28.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 236 of the Local Government and Public Involvement in Health Act 2007 (c. 28) enables local authorities in England to make arrangements for individual members of the authority to exercise any function of the authority in the electoral division or ward for which the member is elected.

Regulation 2 of these Regulations requires any member exercising such functions to ensure that a written record is kept of any decision made or action taken in the discharge of any function delegated, and is supplied to the authority. These records will be open to inspection by members of the public at the offices of the authority for a period of six years.

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