Order made by the Secretary of State for Communities and Local Government, laid before Parliament under section 3(10) of the Local Government, Planning and Land Act 1980, for approval by resolution of each House of Parliament.

STATUTORY INSTRUMENTS

2015 No.

LOCAL GOVERNMENT, ENGLAND

The Local Government (Transparency) (Descriptions of Information) (England) Order 2015

Made - - - - *7th January 2015*

Laid before Parliament *12th January 2015*

Coming into force in accordance with article 1

The Secretary of State for Communities and Local Government, after consultation with such associations of authorities to whom section 2 of the Local Government, Planning and Land Act 1980(**a**) applies as appear to the Secretary of State to be concerned and any such authority with whom consultation appears to the Secretary of State to be desirable, in exercise of the powers conferred by section 3(6) of the Local Government, Planning and Land Act 1980, makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Transparency) (Descriptions of Information) (England) Order 2015 and comes into force on the day after the day on which it is approved by resolution of the second House of Parliament to approve it.

Information to which section 3(4) of the Local Government, Planning and Land Act 1980 applies

2.—(1) Section 3(4) of the Local Government, Planning and Land Act 1980 shall apply to information relating to the meetings of a relevant authority including the agendas, minutes and any other information concerning matters discussed at meetings.

(**a**) 1980 c.65. Section 2 was amended by the Local Government Act 1985 (c.51), sections 84 and 102 and Schedule 14, paragraph 59, Schedule 16, paragraph 57(1) and Schedule 17; Education Reform Act 1988 (c.40), section 237 and Schedule 13, Part 1; Local Government (Wales) Act 1994 (c.19), section 66(6) and Schedule 16, paragraph 57(1); Local Government etc (Scotland) Act 1994 (c.39), section 180(1) and Schedule 13, paragraph 120(2); Education Act 1996 (c.56), section 582(2) and Schedule 38, Part 1; Greater London Authority Act 1999 (c.29), section 328 and Schedule 29, Part 1, paragraph 28; Local Government Act 1999 (c.29), section 20; Fire and Rescue Services Act 2004 (c.21), section 53(1) and Schedule 1, paragraph 49(1), (2); Local Government and Public Involvement in Health Act 2007 (c.28), sections 136(3) and 209(2), Schedule 7, paragraph 1 and Schedule 13, Part 2, paragraph 36(1), (2); Local Democracy, Economic Development and Construction Act 2009 (c.20), section 119 and Schedule 6, paragraphs 48, 49; Local Government (Wales) Measure 2009 (nawm 2), section 51(1) and Schedule 1, paragraphs 1, 2; Police and Fire Reform (Scotland) Act 2012 (asp 8), section 128(2) and Schedule 8, Part 2; Local Audit and Accountability Act 2014 (c.2), section 38; SSI 2013/119, article 4 and Schedule 1, Part 1, paragraph 7. There are other amendments but none is relevant.

(2) In this article, "relevant authority"(**a**) means—

(a) charter trustees;

(b) an internal drainage board for an internal drainage district that is wholly in England;

(c) a parish council;

(d) a port health authority for a port health district that is wholly in England.

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

Penny Mordaunt
Parliamentary Under Secretary of State
7th January 2015 Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 2 of the Local Government, Planning and Land Act 1980 ("the 1980 Act"), the Secretary of State may issue a code of recommended practice on the publication of information by local authorities. Under section 3 of the 1980 Act, the Secretary of State may by regulations require authorities to publish the information specified in such a code, in the manner and form and on the occasions specified in that code. However, the Secretary of State may only require authorities to publish information on occasions recurring more than once a year if the information falls within a description of information to which section 3(4) of the 1980 Act applies. Section 3(4) applies to the descriptions of information listed in section 3(5) of the 1980 Act and also to any further categories to which the Secretary of State has directed by order it should apply.

This Order adds to the descriptions of information about which the Secretary of State may require authorities in England to publish information on occasions recurring more than once a year.

No impact assessment has been produced for this instrument as the Order has no impact on the private, voluntary or public sector.

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(**a**) See section 2(1A)(c) of the Local Government, Planning and Land Act 1980 and sections 2 and 5 of, and Schedule 2 to, the Local Audit and Accountability Act 2014 for the application of sections 2 and 3 of the Local Government, Planning and Land Act 1980 to a smaller authority, including charter trustees, internal drainage boards and port health authorities.

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