

## CABINET MINUTE 65 OF 11 SEPTEMBER 2012

### THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 (TO FOLLOW)

The Director for Corporate Services submitted a report advising of the introduction of new regulations aimed at clarifying and extending the circumstances in which local authority executive decisions were open to the public. The main implications for the city council were highlighted as follows –

- publication of the intention to consider exempt or confidential matters by Cabinet 28 days in advance;
- there was now an opportunity for anyone to challenge the need to take decisions in private and any representation received within the 28 day notice period would have to be responded to in a further notice of intent to be published five clear days before the meeting;
- there should be no 'to follow' reports;
- with regard to the Forward Plan, a 28 day notice period was now required as opposed to 14 and there was now no requirement to include a description of who and how others might be consulted;
- executive decisions taken by officers were now subject to the same requirements as executive members.

Cabinet Members were advised that officers would be seeking further clarification on the new regulations and looking at what measures other authorities were taking to bring these changes into effect.

#### Alternative options considered and reasons for decision:

As set out in the report.

#### Agreed -

- (1) that the Monitoring Officer is designated as the 'proper officer' under these Regulations;
- (2) publication of notices under Regulations 5, including the authority to respond to representations received in response to those notices, is delegated to the Monitoring Officer (where Cabinet gives advance notice of an intention to consider matters in the absence of the press or public), and regulation 6 in

relation to the calling of meetings;

- (3) **TO RECOMMEND TO COUNCIL** that it receives an annual report on the use of the 'special urgency' provision under Regulation 11 (where key decisions are taken without prior public notice).
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*Note:*

*The full report in connection with this minute is available on the website*

*[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)*

*or by contacting Democratic Support on 01752 304867*