



# Local Government Act 1972

## 1972 CHAPTER 70

### [<sup>F1</sup>PART VA

#### ACCESS TO MEETINGS AND DOCUMENTS OF CERTAIN AUTHORITIES, COMMITTEES AND SUB-COMMITTEES.]

#### [<sup>F2</sup>100B Access to agenda and connected reports. **E**

- (1) Copies of the agenda for a meeting of a principal council and, subject to subsection (2) below, copies of any report for the meeting shall be open to inspection by members of the public at the offices of the council in accordance with subsection (3) below.
- (2) If the proper officer thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) above the whole of any report which, or any part which, relates only to items during which, in his opinion, the meeting is likely not to be open to the public.
- (3) Any document which is required by subsection (1) above to be open to inspection shall be so open at least [<sup>F3</sup>five clear days] before the meeting, except that—
  - (a) where the meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened, and
  - (b) where an item is added to an agenda copies of which are open to inspection by the public, copies of the item (or of the revised agenda), and the copies of any report for the meeting relating to the item, shall be open to inspection from the time the item is added to the agenda;but nothing in this subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the council.
- (4) An item of business may not be considered at a meeting of a principal council unless either—
  - (a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least [<sup>F4</sup>five clear days] before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

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- (b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (5) Where by virtue of subsection (2) above the whole or any part of a report for a meeting is not open to inspection by the public under subsection (1) above—
- (a) every copy of the report or of the part shall be marked “Not for publication”; and
- (b) there shall be stated on every copy of the whole or any part of the report the description, in terms of Schedule 12A to this Act, of the exempt information by virtue of which the council are likely to exclude the public during the item to which the report relates.
- (6) Where a meeting of a principal council is required by section 100A above to be open to the public during the proceedings or any part of them, there shall be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and, subject to subsection (8) below, of the reports for the meeting.
- (7) There shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper—
- (a) a copy of the agenda for a meeting of a principal council and, subject to subsection (8) below, a copy of each of the reports for the meeting;
- (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and
- (c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (8) Subsection (2) above applies in relation to copies of reports provided in pursuance of subsection (6) or (7) above as it applies in relation to copies of reports provided in pursuance of subsection (1) above.]

#### Extent Information

- E1** This version of this provision extends to England only; a separate version has been created for Wales only

#### Textual Amendments

- F2** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F3** Words in s. 100B(3) substituted (E.) (1.10.2002) by [The Local Authorities \(Access to Meetings and Documents\) \(Period of Notice\) \(England\) Order 2002 \(S.I. 2002/715\), arts. 1\(2\), 3\(a\)](#)
- F4** Words in s. 100B(4)(a) substituted (E.) (1.10.2002) by [The Local Authorities \(Access to Meetings and Documents\) \(Period of Notice\) \(England\) Order 2002 \(S.I. 2002/715\), arts. 1\(2\), 3\(b\)](#)

#### Modifications etc. (not altering text)

- C33** Ss. 100A–100D applied (12.11.2009 for specified purposes, 1.10.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\), ss. 151\(7\)\(a\), 324\(1\)\(c\)\(d\) \(with ss. 172\(3\), 185\); S.I. 2010/2195, art. 3\(2\)\(b\)](#)
- C34** Ss. 100A–100D extended (with modifications) by [Health Services Joint Consultative Committees \(Access to Information\) Act 1986 \(c. 24, SIF 113:2\), s. 2\(1\)](#)
- C35** Ss. 100A–100D applied (with modifications) by [Community Health Councils \(Access to Information\) Act 1988 \(c. 24, SIF 113:2\), s. 1\(1\)\(2\)](#)
- S. 100B applied (with modifications) (W.) (28.7.2001) by [S.I. 2001/2283, regs. 26, 27](#)

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- C36** Ss. 100A-100D applied (with modifications) (E.) (1.1.2003) by The Commission for Patient and Public Involvement in Health (Membership and Procedure) Regulations 2002 (S.I. 2002/3038), reg. 11, Sch. 2 para. 1(1)(2)
- C37** Ss. 100A-100D applied (12.11.2009 for certain purposes and otherwise prosp.) by Marine and Coastal Access Act 2009 (c. 23), ss. 151(7)(a), 324(1)(c)(3) (with ss. 172(3), 185)
- C38** S. 100B applied (with modifications) (1.4.2015) by The Local Audit (Auditor Panel) Regulations 2014 (S.I. 2014/3224), regs. 1(1), 9(3) (with reg. 1(3))
- C39** S. 100B(2) restricted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), ss. 24(5)(6), 73; S.I. 2005/558, art. 2(1), Sch. 1

## [<sup>F2</sup>100B Access to agenda and connected reports [<sup>F5</sup>: principal councils in England] . **W**

- (1) Copies of the agenda for a meeting of a principal council [<sup>F6</sup>in England] and, subject to subsection (2) below, copies of any report for the meeting shall be [<sup>F7</sup>open to inspection by members of the public at the offices of the council][<sup>F7</sup>published electronically] in accordance with subsection (3) below.
- (2) If the proper officer thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) above the whole of any report which, or any part which, relates only to [<sup>F8</sup>items during which, in his opinion, the meeting is likely not to be open to the public.][<sup>F8</sup>—
  - (a) if the meeting is to be open to the public, items during which, in the proper officer's opinion, the meeting is likely not to be open to the public by virtue of section 100A(2) or (4), or
  - (b) if the meeting is not to be open to the public other than by virtue of section 100A(2) or (4), items during which, in the proper officer's opinion, it is likely the meeting would not have been open to the public by virtue of section 100A(2) or (4), had section 100A(1) applied.]
- (3) Any document which is required by subsection (1) above to be [<sup>F9</sup>open to inspection][<sup>F9</sup>published electronically] shall be [<sup>F10</sup>so open][<sup>F10</sup>so published] at least three clear days before the meeting, except that—
  - (a) where the meeting is convened at shorter notice, the copies of the agenda and reports shall be [<sup>F11</sup>open to inspection from the time the meeting is convened][<sup>F11</sup>published electronically as soon as reasonably practicable], and
  - (b) [<sup>F12</sup>where an item is added to an agenda which has been published electronically, the item (or the revised agenda), and any report for the meeting relating to the item, must be published electronically when the item is added to the agenda;]

but nothing in this subsection requires copies of any agenda, item or report to be [<sup>F13</sup>open to inspection by the public][<sup>F13</sup>published electronically] until copies are available to members of the council.
- (4) An item of business may not be considered at a meeting of a principal council [<sup>F14</sup>in England] unless either—
  - (a) a copy of the agenda including the item (or a copy of the item) is [<sup>F15</sup>open to inspection by members of the public in pursuance of subsection (1) above for][<sup>F15</sup>published electronically in pursuance of subsection (1) above] at least three clear days before the meeting or, where the meeting is convened at shorter notice, [<sup>F16</sup>from the time the meeting is convened][<sup>F16</sup>as soon as reasonably practicable]; or

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- (b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (5) Where by virtue of subsection (2) above the whole or any part of a report for a meeting is not <sup>[F17]</sup>open to inspection by the public<sup>[F17]</sup> published electronically] under subsection (1) above—
- (a) every copy of the report or of the part shall be marked “Not for publication”; and
- (b) there shall be stated on every copy of the whole or any part of the report the description, in terms of Schedule 12A to this Act, of the exempt information by virtue of which the council are likely<sup>[F18]</sup>, or would be likely, by virtue of section 100A(4)] to exclude the public during the item to which the report relates.
- (6) <sup>[F19]</sup>Where a meeting of a principal council <sup>[F20]</sup>in England] is required by section 100A above to be open to the public during the proceedings or any part of them, there shall be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and, subject to subsection (8) below, of the reports for the meeting.
- (7) There shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper—
- (a) a copy of the agenda for a meeting of a principal council <sup>[F21]</sup>in England] and, subject to subsection (8) below, a copy of each of the reports for the meeting;
- (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and
- (c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (8) Subsection (2) above applies in relation to copies of reports provided in pursuance of subsection (6) or (7) above as it applies in relation to copies of reports provided in pursuance of subsection (1) above.]]

#### Extent Information

- E2** This version of this provision extends to Wales only; a separate version has been created for England only

#### Textual Amendments

- F2** Pt. VA (ss. 100A–100K) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 1\(1\)](#)
- F5** Words in s. 100B heading inserted (1.5.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), s. 175\(7\), Sch. 4 para. 6\(3\)](#) (with [Sch. 4 para. 22](#)); S.I. 2021/354, reg. 2(c) (with [reg. 3](#))
- F6** Words in s. 100B(1) inserted (1.5.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), s. 175\(7\), Sch. 4 para. 6\(2\)](#) (with [Sch. 4 para. 22](#)); S.I. 2021/354, reg. 2(c) (with [reg. 3](#))
- F7** Words in s. 100B(1) substituted (temp.) (W.) (22.4.2020) by virtue of [The Local Authorities \(Coronavirus\) \(Meetings\) \(Wales\) Regulations 2020 \(S.I. 2020/442\), regs. 1\(3\), 21\(3\)\(a\)](#) (with [reg. 19](#))
- F8** Words in s. 100B(2) substituted (temp.) (W.) (22.4.2020) by virtue of [The Local Authorities \(Coronavirus\) \(Meetings\) \(Wales\) Regulations 2020 \(S.I. 2020/442\), regs. 1\(3\), 21\(3\)\(b\)](#) (with [reg. 19](#))
- F9** Words in s. 100B(3) substituted (temp.) (W.) (22.4.2020) by virtue of [The Local Authorities \(Coronavirus\) \(Meetings\) \(Wales\) Regulations 2020 \(S.I. 2020/442\), regs. 1\(3\), 21\(3\)\(c\)\(i\)](#) (with [reg. 19](#))

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- F10** Words in s. 100B(3) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(c)(ii)** (with reg. 19)
- F11** Words in s. 100B(3)(a) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(c)(iii)** (with reg. 19)
- F12** S. 100B(3)(b) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(c)(iv)** (with reg. 19)
- F13** Words in s. 100B(3) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(c)(v)** (with reg. 19)
- F14** Words in s. 100B(4) inserted (1.5.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 4 para. 6(2)** (with Sch. 4 para. 22); S.I. 2021/354, reg. 2(c) (with reg. 3)
- F15** Words in s. 100B(4)(a) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(d)(i)** (with reg. 19)
- F16** Words in s. 100B(4)(a) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(d)(ii)** (with reg. 19)
- F17** Words in s. 100B(5) substituted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(e)(i)** (with reg. 19)
- F18** Words in s. 100B(5)(b) inserted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(e)(ii)** (with reg. 19)
- F19** S. 100B(6)-(8) omitted (temp.) (W.) (22.4.2020) by virtue of The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **21(3)(f)** (with reg. 19)
- F20** Words in s. 100B(6) inserted (1.5.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 4 para. 6(2)** (with Sch. 4 para. 22); S.I. 2021/354, reg. 2(c) (with reg. 3)
- F21** Words in s. 100B(7)(a) inserted (1.5.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 4 para. 6(2)** (with Sch. 4 para. 22); S.I. 2021/354, reg. 2(c) (with reg. 3)

#### Modifications etc. (not altering text)

- C33** Ss. 100A-100D applied (12.11.2009 for specified purposes, 1.10.2010 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), **ss. 151(7)(a)**, 324(1)(c)(d) (with ss. 172(3), 185); S.I. 2010/2195, art. 3(2)(b)
- C34** Ss. 100A-100D extended (with modifications) by Health Services Joint Consultative Committees (Access to Information) Act 1986 (c. 24, SIF 113:2), **s. 2(1)**
- C35** Ss. 100A-100D applied (with modifications) by Community Health Councils (Access to Information) Act 1988 (c. 24, SIF 113:2), **s. 1(1)(2)**  
S. 100B applied (with modifications) (W.) (28.7.2001) by S.I. 2001/2283, **regs. 26, 27**
- C37** Ss. 100A-100D applied (12.11.2009 for certain purposes and otherwise prosp.) by Marine and Coastal Access Act 2009 (c. 23), **ss. 151(7)(a)**, 324(1)(c)(3) (with ss. 172(3), 185)
- C38** S. 100B applied (with modifications) (1.4.2015) by The Local Audit (Auditor Panel) Regulations 2014 (S.I. 2014/3224), **regs. 1(1), 9(3)** (with reg. 1(3))
- C39** S. 100B(2) restricted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), **ss. 24(5)(6)**, 73; S.I. 2005/558, **art. 2(1)**, Sch. 1

**Status:**

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**Skip to:**

- E - England extent
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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)