



Department for Communities and Local Government

Carolyn Downs
Chief Executive
Local Government Association

10 February 2014

Via email

DRAFT REGULATIONS: OPENNESS OF LOCAL GOVERNMENT BODY MEETINGS

As you know, the Government is minded to make, as soon as practicable, regulations under section 40 of the Local Audit and Accountability Act 2014 about filming and the use of social media at council meetings and the recording of decisions taken by officers under delegated powers. I am now writing to invite your Association both to comment on the enclosed draft Regulations, for which I also enclose a descriptive summary, and to work with us over the next month or so on developing a Plain English Guide to accompany the Regulations.

You will see that the draft Regulations (The Openness of Local Government Bodies Regulations 2014) would, if approved by Parliament (these Regulations are subject to the affirmative resolution procedure) and made:

- Require local government bodies to allow any persons including professional journalists to attend, film, audio record, take photographs or provide commentary on the proceedings at public meetings;
- allow persons wishing to report or provide commentary on the proceedings at a meeting to use any communication means such as the internet to produce the result of their activities;
- require local government bodies to keep written records of material decisions taken by officers under delegation from the relevant local government body, its committees, subcommittees or joint committees; and
- make it an offence for a person to intentionally obstruct, or refuse to make available for inspection by members of the public, documents relating to these decisions.

We will be in touch very shortly about a meeting on the Plain English Guide, which could also be an opportunity for you to provide comments on the drafting of the Regulations. In any event, we would be grateful for all comments on the draft Regulations by 12 March 2014.

As to the Plain English Guide to accompany the Regulations, we envisage a Guide which will incorporate the existing Guide on openness (*Your council's cabinet – going to its meetings, seeing how it works*) which applies to meetings of a council's executive and will cover such matters as what would constitute 'disruptive behaviour' at a meeting, and what the public should do if they wish to film a meeting.

I am writing similarly to the National Associations of Local Councils, the Society of Local Authority Chief Executives and Lawyers in Local Government.

If you have any queries on the draft Regulations, please refer them to Hannah Brook (0303 444 1858, Hannah.brook@communities.gsi.gov.uk) and Eleanor Smyllie (Eleanor.smyllie@communities.gsi.gov.uk).

Yours sincerely

Paul Rowsell