

## COUNCIL

22 MAY 2018

### REPORT OF THE LEADER OF THE COUNCIL

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

##### EXEMPT INFORMATION

None

##### PURPOSE

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 specify and require *inter alia* under Regulation 19 that the executive leader must submit a report on a regular basis to Council containing details of particulars of each urgent executive decision and a summary of the matters in respect of which the decision was made.

##### RECOMMENDATIONS

**That the Council endorse the Annual Executive Arrangements Report.**

##### EXECUTIVE SUMMARY

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 came into force on 10 September 2012 making provision for public access to meetings and to information relating to decisions of local authority executives and their committees and access to documents where executive decisions are made by individual members or officers.

At Tamworth Borough Council the regulations did not significantly change previous practice. The regulations were seen as a method of introducing greater openness and transparency in the decision making process and extended the circumstances in which local authority executive decisions were to be open to the public. The regulations require a document to be published of key decisions (a decision likely to result in the local authority incurring expenditure, which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates) with 28 days notice of an intended key decision whether it contains exempt information or not as the case may be. As the Council already produced and published a forward plan it retains this document adding additional information in terms of the regulations to ensure compliance. There are also regulations to deal with general exceptions and cases of special urgency including publicity requirements in relation thereto.

The regulations also impose a requirement on the executive leader to produce an annual report to the authority to demonstrate that the Executive is using its powers appropriately and complying with the regulations particularly in relation to urgent executive decisions.

Regulation 19 places an obligation on the executive leader to submit one report annually to the authority to include particulars of each urgent executive decision made and a summary of the matters in respect of which each decision was made. Since the regulations came into force on 10 September 2012, for the period 01 May 2017 until 30 April 2018 I can confirm that one decision has been taken by the executive under regulation 11, cases of special urgency. This decision was taken on 16 May 2017 and related to Arkall Farm and details can be found from the Appendix.

## **RESOURCE IMPLICATIONS**

Implementation of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 has no additional resource implications for the authority. Democratic Services have taken steps to ensure compliance with the regulations and produce a document compliant with the statutory provisions thus maintaining high standards of good governance.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

The authority has put measures in place to ensure compliance with the Regulations by utilising existing software and publishing on the website a document, as required in terms of the said regulations, which we have named the Forward Plan.

## **SUSTAINABILITY IMPLICATIONS**

It is essential that the executive operate in a lawful manner and in an open and transparent manner embodying good governance and leading the Authority and setting examples as a consequence.

## **BACKGROUND INFORMATION**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.

## **REPORT AUTHOR**

If members would like further information or clarification prior to the meeting please contact Jane M Hackett, Solicitor to the Council & Monitoring Officer on ext 258.

## **LIST OF BACKGROUND PAPERS**

None.

## **APPENDICES**

[http://www.tamworth.gov.uk/sites/default/files/councillors\\_docs/Arkall-farm-decision-16-05-17.pdf](http://www.tamworth.gov.uk/sites/default/files/councillors_docs/Arkall-farm-decision-16-05-17.pdf)



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