

Coventry City Council

Presentation to the Scrutiny Co-ordination Committee 10 October 2012

The Implications for Scrutiny of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

1. Key Decisions:

The Council is required to give at least 28 clear days' notice before Cabinet makes a Key Decision (Regulation 9)

The Notice must be available at the Council's offices and published on the Council's website. It must state what the decision is about and when it is proposed to make the decision.

General Exception for Key Decisions (Regulation 10)

Where it is not practical to give 28 clear days' notice of the intention to make a key decision then the decision may still be taken if:

- (a) The Director of Customer and Workforce Services has informed the Chair of the relevant Scrutiny Board by notice in writing of the matter at least 5 clear working days before the decision is made or, if the Chair is not available, each member of the relevant Scrutiny Board.
- (b) The Director of Customer and Workforce Services must make a copy of the notice available to the public at the offices of the Council and published it on the Council's website.
- (c) As soon as possible after that, she must make available at the offices of the Council and publish on the Council's website a notice setting out the reasons why we did not give 28 clear days' notice.

Special Urgency for Key Decisions (Regulation 11)

If we intend to make a Key Decision with less than 5 clear days' notice then we must obtain the agreement of the Chair of the relevant Scrutiny Board that the decision is urgent and cannot reasonably be deferred.

(Where the Chair of the relevant Scrutiny Board is not available, agreement must be obtained from the Lord Mayor, or the Deputy Lord Mayor if he/she is not available.)

As soon as possible after getting agreement, we must publish a notice at the Council's offices and on the Council's website stating why this is urgent and cannot reasonably be deferred.

2. Private Reports: (Regulation 5)

Where Cabinet intends to consider any report in private we must give 28 clear days' notice.

A published notice will set out the reasons why the report should be considered in private and the public may make representations if they feel the matter should be considered in public. The notice will be published at the Council's offices and on the Council's website.

At least 5 clear days before a private meeting, the Cabinet will publish a further notice of the intention to hold the meeting in private. This notice will include details of any representations received as to why the meeting should be open to the public and the Council's response to any such representations.

If it is not possible to give 28 clear days' notice, the meeting will only be held in private if the Chair of the relevant Scrutiny Board agrees that the meeting is urgent and cannot reasonably be deferred. (Where the Chair of the relevant Scrutiny Board is not available the agreement of the Lord Mayor will be sought (or Deputy Lord Mayor if the Lord Mayor is not available).

As soon as possible after this the Council will publish a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred.

Additional Rights of Access to Documents for Members of Overview and Scrutiny Boards and Scrutiny Co-ordination Committee (Regulation 17)

The Regulations retain the previous rights of Scrutiny Board Members to access reports with a requirement to provide any documents requested. These regulations introduce a deadline, as soon as is practicable and in any case no later than 10 clear days after receipt of the request. (The Council generally provides these documents as soon as they are requested.)

Publication of Notices

The Council is no longer required to publish a statutory forward plan. Instead, we now publish a Notice of Key Decisions and Private Reports, which can be viewed at: <http://moderngov.coventry.gov.uk/documents/s5796/Notice%20of%20Key%20Decisions%20and%20Private%20Reports.pdf>

Other statutory notices published in accordance with the Regulations are also available at <http://www.coventry.gov.uk/meetingsanddecisions>. Examples of copies of the notices published by the Council in respect of urgent Key Decisions for Cabinet on 9 October 2012 can also be viewed at this location and will be discussed further at this presentation.

For further information or assistance regarding the Meetings and Access to Information Regulations 2012 please contact:

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