
STATUTORY INSTRUMENTS

2015 No. 5

LOCAL GOVERNMENT, ENGLAND

The Local Government (Electronic Communications) (England) Order 2015

<i>Made</i>	- - - -	<i>6th January 2015</i>
<i>Laid before Parliament</i>		<i>7th January 2015</i>
<i>Coming into force</i>	- -	<i>30th January 2015</i>

The Secretary of State for Communities and Local Government, considering that the authorisation of the use of electronic communications by this Order for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications than in other cases, makes the following Order in exercise of the powers conferred by sections 8 and 9 of the Electronic Communications Act 2000⁽¹⁾:

Citation, commencement and application

1. (1) This Order may be cited as the Local Government (Electronic Communications) (England) Order 2015 and shall come into force on 30th January 2015.

(2) This Order applies to England only.

Amendments to the Local Government Act 1972

2. (1) Schedule 12 to the Local Government Act 1972⁽²⁾ (meetings and proceedings of local authorities) is amended as follows.

(2) In paragraph 4 (principal councils), after sub-paragraph (1) insert —

“(1A) Five clear days at least before a meeting of a principal council in England—

- (a) notice of the time and place of the intended meeting shall be published at the council’s offices and, where the meeting is called by members of the council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and
- (b) a summons to attend the meeting, specifying the business proposed to be transacted at the meeting, and authenticated by the proper officer of the council, shall be sent to every member of the council by an appropriate method.

(1) 2000 c. 7.
(2) 1972 c. 70.

(1B) In sub-paragraph (1A)—

- (a) “authenticated” means signed or otherwise authenticated in such manner as the proper officer thinks fit; and
- (b) the reference to sending the summons to a member by an appropriate method is to—
 - (i) leaving it at, or sending it by post to the member’s usual place of residence, or
 - (ii) where the member has specified an address other than the member’s usual place of residence, leaving it at, or sending it by post to that different address, or
 - (iii) where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.”

(3) In paragraph 4(2) and (3), after “principal council” insert “in Wales”.

(4) In paragraph 10 (parish councils) —

(a) in sub-paragraph (2), for paragraph (b) substitute—

“(b) “(b) a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and certified by the proper officer of the council, shall be sent to every member of the council by an appropriate method.”;

(b) after sub-paragraph (2) insert—

“(2A) In sub-paragraph (2)—

- (a) “authenticated” means signed or otherwise authenticated in such manner as the proper officer thinks fit; and
- (b) the reference to sending the summons to a member by an appropriate method is to—
 - (i) leaving it at, or sending it by post to the member’s usual place of residence, or
 - (ii) where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.”.

6th January 2015

Kris Hopkins
Parliamentary Under Secretary of State
Department for Communities and Local
Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies provisions in Schedule 12 to the Local Government Act 1972 (c. 70) for the purpose of enabling and facilitating the use of electronic communications in the sending of summonses to members of both principal councils and parish councils in England to meetings of those authorities.

Members only receive summonses electronically where they consent to it being transmitted by this method and they may at any time withdraw their consent.

An impact assessment has not been produced for this instrument as no impact on the costs of business or the voluntary sector is foreseen.