

FOI 2015/051 Appendix A

“What was the advice provided by the solicitors?”

The legal advice provided to the Park Authority regarding the timescales for making papers and agendas available for public inspection, was given in the form of comments that were added to a copy of our then current Board Standing Orders. The relevant paragraphs of this document with the legal comments are below.

28. All papers and agendas for Board meetings will be available for public inspection ⁷ ~~working days~~ before the meeting. However, in exceptional circumstances late papers will be permitted up to 3 working days in advance of the meeting as required under part IIIA of the Local Government (Scotland) Act 1973.

52. A 'first draft' minute will be circulated to Members ~~within four weeks of the Board or Committee meeting~~ and should form part of the agenda for the following meeting.

Comment [LB1]: Solicitor's comment -
This seems to be quite a generous time limit for public inspection. The rule in section 50B of the 1973 Act is that reports should be open for inspection at least 3 clear days before a meeting, unless the meeting is convened at shorter notice, in which case copies shall be open for inspection from the time the meeting is convened. However we appreciate that the Authority may wish to provide for a more generous arrangement.

Comment [LB2]: Solicitor's comment -
An alternative would be to circulate them at the same time the agenda and reports for the next meeting are circulated, i.e. within the statutory time limit of 3 clear working days in advance of the meeting. This may be less onerous.