

## SCHEDULES

### SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO LOCAL AUTHORITY GOVERNANCE IN ENGLAND

#### *National Health Service Act 2006 (c. 41)*

78 After section 247 (application to the City of London) insert—

#### **“247A Application to certain other local authorities without overview and scrutiny committees**

- (1) This section applies to a local authority (“Authority A”) that—
  - (a) is—
    - (i) a county council in England,
    - (ii) a London borough council, or
    - (iii) a district council for an area for which there is no county council,
  - (b) does not operate executive arrangements, and
  - (c) has not appointed an overview and scrutiny committee under section 9JA of the Local Government Act 2000 (“the 2000 Act”).
- (2) Authority A must establish a committee which has, in relation to Authority A’s area, the functions which under section 9F(2)(f) of the 2000 Act the overview and scrutiny committee of a local authority operating executive arrangements (“Authority B”) has in relation to Authority B’s area.
- (3) In relation to the committee established by Authority A under subsection (2)  
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  - (a) sections 244(2) to (4), 245 and 246 (and Schedule 17 to this Act and Schedule 11 to the National Health Service (Wales) Act 2006) apply as if the committee were an overview and scrutiny committee,
  - (b) section 9F of the 2000 Act applies as if—
    - (i) the committee were an overview and scrutiny committee,
    - (ii) subsections (1) to (4) were omitted, and
    - (iii) in subsection (5) for paragraphs (a) and (b) there were substituted “its functions under section 247A(2) of the National Health Service Act 2006”,
  - (c) section 9FA of the 2000 Act applies as if—
    - (i) the committee were an overview and scrutiny committee,
    - (ii) subsection (3) were omitted, and
    - (iii) in subsection (8)(a) the reference to members of the executive were a reference to members of the authority, and

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*Status: This is the original version (as it was originally enacted).*

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- (d) paragraphs 11 to 13 of Schedule A1 to the 2000 Act apply as if the committee were an overview and scrutiny committee.
- (4) In the provisions as applied by subsection (3) references to functions under any provision of section 9F(2) of the 2000 Act are, in the case of a committee established by Authority A under subsection (2), references to the committee's functions under subsection (2).
- (5) In this section "executive arrangements" means executive arrangements under Part 1A of the 2000 Act."