
STATUTORY INSTRUMENTS

2009 No. 1919

The Local Authorities (Overview and Scrutiny Committees) (England) Regulations 2009

PART 2

**OVERVIEW AND SCRUTINY COMMITTEES
OF CERTAIN DISTRICT COUNCILS**

Interpretation of Part 2

3. An expression used both in this Part and in section 21E of the 2000 Act (overview and scrutiny committees of certain district councils: functions with respect to partner authorities) has the same meaning in this Part as it has in section 21E of the 2000 Act.

Provisions of executive arrangements of certain district councils relating to overview and scrutiny committees

4.—(1) Executive arrangements⁽¹⁾ by a district council to which section 21E of the 2000 Act applies may enable any of their overview and scrutiny committees to make reports and recommendations to the related county council, or that council's executive, which relate to any local improvement target which—

- (a) relates to a relevant partner authority, and
- (b) is specified in a local area agreement of the county council.

(2) Where a report or any recommendation is made pursuant to such executive arrangements, regulations 5 to 7 shall have effect.

Publication of reports and recommendations of overview and scrutiny committees

5. The overview and scrutiny committee may publish the report or recommendations.

Duties of overview and scrutiny committees, etc in relation to reports and recommendations

6.—(1) Where the report or any recommendation relates to a local improvement target that relates to the district council by which the overview and scrutiny committee is established, the overview and scrutiny committee must by notice in writing require the related county council or, as the case may be, that council's executive—

- (a) to consider the report or recommendation,
- (b) to respond to the overview and scrutiny committee indicating what (if any) action the county council propose, or the executive proposes, to take, and

(1) See section 10 of the 2000 Act for the definition of "executive arrangements" for the purposes of Part 2 of that Act.

- (c) if the overview and scrutiny committee has published the report or recommendations under regulation 5, to publish the response,

and to do so within a period of two months beginning with the date on which the county council or its executive receives the report or recommendations or (if later) the notice.

(2) It is the duty of the related county council or, as the case may be, that council's executive, to which a notice is given under paragraph (1), to comply with the requirements specified in the notice.

Reports and recommendations relating to local improvement targets of relevant partner authorities

7. — Where a notice has been given under regulation 6(1) the overview and scrutiny committee may, by notice in writing, require any partner authority other than—

- (a) the county council,
- (b) a National Health Service Trust,
- (c) an NHS foundation trust, or
- (d) a Primary Care Trust,

to which the local improvement target that is the subject of the report or any recommendation relates, to have regard to the report or recommendation in the exercise of its functions.

(2) A notice under paragraph (1) must be accompanied by a copy of the report or recommendation.

(3) It is the duty of the relevant partner authority to which a notice is given under paragraph (1) to comply with the requirement specified in the notice.

Publication etc of reports, recommendations and responses: confidential and exempt information

8. Section 21D(2) of the 2000 Act (publication etc of reports, recommendations and responses: confidential and exempt information) shall apply to the publication or provision under this Part of a document or a copy of a document as it applies to the publication of a document under section 21B(3) of that Act (duty of authority or executive to respond to overview and scrutiny committee) or the provision of a copy of a document under section 21C(4) of that Act (reports and recommendations of overview and scrutiny committees: duties of certain partner authorities).

(2) Section 21D was inserted by section 122(1) of the 2007 Act.
(3) Section 21B was inserted by section 122(1) of the 2007 Act.
(4) Section 21C was inserted by section 122(1) of the 2007 Act