
STATUTORY INSTRUMENTS

2017 No. 68

**The Combined Authorities (Overview and Scrutiny Committees,
Access to Information and Audit Committees) Order 2017**

PART 2

Overview and scrutiny: general provisions

Reference of matters to overview and scrutiny committees

- 6.—(1) The combined authority must ensure that it enables—
- (a) any member of an overview and scrutiny committee to refer to the committee any matter which is relevant to the functions of the committee;
 - (b) any member of a sub-committee of an overview and scrutiny committee to refer to the sub-committee any matter which is relevant to the functions of the sub-committee;
 - (c) any member of the combined authority to refer to an overview and scrutiny committee any matter which is relevant to the functions of the committee and is not an excluded matter; and
 - (d) any member of a constituent council or a non-constituent council⁽¹⁾ of a combined authority to refer to an overview and scrutiny committee any matter which is relevant to the functions of the committee and is not an excluded matter.

(2) For the purposes of paragraph (1), a combined authority enables a member mentioned in paragraph (1)(a) to (d) to refer a matter to a committee or sub-committee if it enables that member to ensure that the matter is included in the agenda for, and discussed at, a meeting of the committee or sub-committee.

(3) Paragraphs (4) to (7) apply where a matter is referred to an overview and scrutiny committee by a member of a combined authority or a member of a constituent council or a non-constituent council in accordance with arrangements made by the combined authority pursuant to paragraph (1) (c) or (d).

(4) In considering whether or not to exercise any of the powers under arrangements made in accordance with paragraph 1(2)(a) or (3)(a) of Schedule 5A to the 2009 Act in relation to a matter referred to the committee, the committee must have regard to any representations made by the member as to why it would be appropriate for the committee to exercise any of these powers in relation to the matter.

(5) If the committee decides not to exercise any of its powers under arrangements made in accordance with paragraph 1(2)(a) or (3)(a) of Schedule 5A to the 2009 Act in relation to the matter, it must notify the member of—

- (a) its decision; and
- (b) the reasons for it.

(1) Orders establishing a combined authority may provide for there to be non constituent councils of a combined authority (see article 2 of [S.I. 2014/864](#)).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) The committee must provide the member with a copy of any report or recommendations which it makes under paragraph 1(2)(b) or (3)(b) of Schedule 5A to the 2009 Act in connection with the matter referred to it by the member.

(7) Paragraph (6) is subject to article 8 (confidential and exempt information).