

## SCHEDULES

### SCHEDULE 4

Section 28(5).

#### OVERVIEW AND SCRUTINY COMMITTEES: VOTING RIGHTS OF CO-OPTED MEMBERS

##### *Voting rights schemes*

1.—(1) A council may permit a co-opted member of an overview and scrutiny committee of the council to vote at meetings of the committee.

(2) Permission under sub-paragraph (1) may only be given in accordance with a scheme made by the council.

(3) A scheme for the purposes of this paragraph may include—

- (a) provision for a maximum or minimum in relation to the number of co-opted members of an overview and scrutiny committee entitled to vote at meetings of the committee, and
- (b) provision for giving effect to any maximum or minimum established under head (a).

(4) The power to make a scheme for the purposes of this paragraph includes power to vary or revoke such a scheme.

(5) In this paragraph, references to a co-opted member, in relation to an overview and scrutiny committee of a council, are to a member of the committee who is not a member of the council.

##### *Regulations*

2.—(1) The Department may by regulations make provision about the exercise of the powers under paragraph 1.

(2) Regulations under sub-paragraph (1) may, in particular, require schemes for the purposes of paragraph 1 (“voting rights schemes”)—

- (a) to provide for permission to be given only by means of approving a proposal by the committee concerned;
- (b) to provide for a proposal for the purposes of the scheme (“a scheme proposal”) to specify—
  - (i) the person to whom the proposal relates,

- (ii) the questions on which it is proposed the person should be entitled to vote, and
    - (iii) the proposed duration of the person's entitlement to vote, and to include such other provision about the form and content of such a proposal as the regulations may provide;
  - (c) to provide for a scheme proposal to be made only in accordance with a published statement of the policy of the committee concerned about the making of such proposals;
  - (d) to include such provision about the procedure to be followed in relation to the approval of scheme proposals as the regulations may provide.
- (3) Regulations under sub-paragraph (1) may include provision for the notification to the Department by councils of the making, variation or revocation of voting rights schemes.
- (4) The Department may by direction require a council to vary a voting rights scheme.
- 3.—**(1) A council which makes a scheme for the purposes of paragraph 1 must, while the scheme is in force, make copies of it available at its principal office at all reasonable hours for inspection by members of the public.
- (2) If a council makes a scheme for the purposes of paragraph 1, or varies or revokes such a scheme, it must as soon as reasonably practicable after doing so publish in one or more newspapers circulating in its area a notice which complies with this paragraph.
- (3) In the case of the making of a scheme, the notice under sub-paragraph (2) must—
- (a) record the making of the scheme,
  - (b) describe what it does,
  - (c) state that copies of it are available for inspection at the principal office of the council, and
  - (d) specify—
    - (i) the address of that office, and
    - (ii) the times when the scheme is available for inspection there.
- (4) In the case of the variation of a scheme, the notice under sub-paragraph (2) must—
- (a) record the variation,
  - (b) describe what it does,
  - (c) state that copies of the scheme as varied are available for inspection at the principal office of the council, and

- (d) specify—
  - (i) the address of that office, and
  - (ii) the times when the scheme is available for inspection there.
- (5) In the case of the revocation of a scheme, the notice under sub-paragraph (2) must record the revocation.