
STATUTORY INSTRUMENTS

2010 No. 998

The Exeter and Devon (Structural Changes) Order 2010

PART 3

TRANSITIONAL FUNCTIONS AND THEIR DISCHARGE

Discharge of functions by Implementation Executive

6.—(1) The discharge of the main transitional function and the article 5 functions shall be a responsibility, throughout the transitional period, of the Implementation Executive.

(2) Section 14(5) of the 2000 Act (which enables a committee of a local authority executive to arrange for the discharge of its functions by an officer of the authority) shall have effect in the transitional period in relation to the Implementation Executive as if the reference to an officer of the authority included a reference to—

- (a) a sub-committee of the Implementation Executive, and
- (b) an officer of Devon County Council.

(3) Section 14(6) of the 2000 Act (which enables the discharge of a function by a person despite that person having made arrangements for the discharge of that function by a different person) shall have effect in the transitional period in relation to arrangements made under subsection (5) of that section (as modified by paragraph (2) above) as if the reference to an officer of the authority included a reference to—

- (a) a sub-committee of the Implementation Executive, and
- (b) an officer of Devon County Council.

(4) Section 21 of the 2000 Act (overview and scrutiny) shall not apply during the transitional period in relation to any matter that is a responsibility of the Implementation Executive by virtue of paragraph (1).

(5) During the transitional period, section 13 of the 2000 Act (functions which are the responsibility of an executive) shall have effect as if, at the end of subsection (10)(c), there were added “or as mentioned in article 6(6) of the Exeter and Devon (Structural Changes) Order 2010”.

(6) During the transitional period, Exeter City Council and Devon County Council shall discharge jointly under arrangements under section 101(5) of the 1972 Act the functions of—

- (a) reviewing or scrutinising decisions made, or other action taken, by the Implementation Executive in connection with any matter that is a responsibility of that Executive by virtue of paragraph (1); and
- (b) preparing reports for, or making recommendations to, the Implementation Executive in connection with any such responsibility.

(7) The joint committee established pursuant to paragraph (6) shall at least once in each period of three months during the transitional period inform Exeter City Council and Devon County Council of—

- (a) the matters that it has considered, and

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(b) the conclusions (if any) that it has reached concerning those matters.