
STATUTORY INSTRUMENTS

2013 No. 218

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

PART 4

HEALTH SCRUTINY BY LOCAL AUTHORITIES

Joint committees

30.—(1) Subject to paragraph (5), two or more local authorities may appoint a joint committee (“a joint overview and scrutiny committee”) of those authorities and arrange for relevant functions in relation to any (or all) of those authorities to be exercisable by the joint committee subject to such terms and conditions as the authorities may consider appropriate.

(2) The provisions of section 9FA(1) to (12) of the 2000 Act⁽¹⁾ (overview and scrutiny committees: supplementary) apply to a joint overview and scrutiny committee as they apply to an overview and scrutiny committee within the meaning of section 9F of that Act⁽²⁾ (overview and scrutiny committees: functions), but subject to the modification that subsection (5) applies as though the words “Subject to any provision made by or under paragraphs 6 to 8 of Schedule A1 and to section 20(6) of the Police and Justice Act 2006,” were omitted.

(3) Section 246 of, and Schedule 17 to, the 2006 Act⁽³⁾ (overview and scrutiny committees: exempt information) and Schedule 11 to the National Health Service (Wales) Act 2006⁽⁴⁾ (exempt information relating to health services) shall apply to a joint overview and scrutiny committee as if it were a committee of each of the local authorities which appointed it.

(4) Where a function under regulation 23(9) in relation to a local authority is exercisable by a joint overview and scrutiny committee by virtue of arrangements under this regulation, the local authority may not discharge that function.

(5) Where a responsible person consults more than one local authority pursuant to regulation 23, those local authorities must appoint a joint overview and scrutiny committee for the purposes of the consultation and only that joint overview and scrutiny committee may—

- (a) make comments on the proposal consulted on pursuant to regulation 23(4);
- (b) require the provision of information about the proposal under regulation 26; or
- (c) require a member or employee of a responsible person to attend before it under regulation 27 to answer questions in connection with the consultation.

(6) A joint overview and scrutiny committee may not discharge any functions other than relevant functions in accordance with this regulation.

(1) Section 9FA was inserted by paragraph 1 of Schedule 2 to the 2011 Act.

(2) Section 9F was inserted by paragraph 1 of Schedule 2 to the 2011 Act.

(3) Section 246 is amended by paragraphs 6 and 9 of Schedule 1 to the Health Act 2009, paragraphs 73 and 76 of Schedule 3 to the 2011 Act and section 191(6), to (9) of the 2012 Act. Schedule 17 is amended by section 208(6) of the 2012 Act.

(4) 2006 c.42.

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