
STATUTORY INSTRUMENTS

2018 No. 648

The Bournemouth, Dorset and Poole
(Structural Changes) Order 2018

PART 4

BOURNEMOUTH, CHRISTCHURCH AND POOLE: SHADOW
AUTHORITY, ITS TRANSITIONAL FUNCTIONS AND THEIR DISCHARGE

Duties of shadow authority: executive arrangements, code of conduct and members' allowances

- 12.—(1) At its first meeting, the shadow authority must—
- (a) elect the chairman of the shadow authority;
 - (b) in accordance with paragraphs (2) and (3), create a leader and cabinet executive within the meaning of Part 1A of the Local Government Act 2000⁽¹⁾ (arrangements with respect to local authority governance) (“the shadow executive committee”).
- (2) Section 9C of the 2000 Act has effect, for the purposes of paragraph (1), as if subsection (5) were omitted; and the shadow executive committee is to consist of—
- (a) eight persons nominated by Bournemouth Borough Council, each of whom is for the time being a member of that Council;
 - (b) six persons nominated by Poole Borough Council, each of whom is for the time being a member of that Council; and
 - (c) two persons nominated by Christchurch Borough Council, each of whom is for the time being a member of that Council.
- (3) At its first meeting, the shadow executive committee must elect the chairman of the shadow executive committee, being the leader of the shadow authority’s executive within the meaning of Part 1A of the 2000 Act.
- (4) Subsection (3)(a) of section 9C of the 2000 Act has effect, for the purposes of paragraph (3), as if, for the words “by the authority”, there were substituted “by the shadow executive committee”.
- (5) The persons who, immediately before 1st April 2019, are the members of the shadow executive committee shall—
- (a) continue as members of that executive committee; and
 - (b) on and after 1st April 2019, shall be the members of Bournemouth, Christchurch and Poole Council’s executive for the purposes of Part 1A of the Local Government Act 2000,
- until the end of the shadow period, notwithstanding the dissolution on that date of the Borough Councils and the County Council by which they were nominated.

⁽¹⁾ Part 1A was inserted by the Localism Act 2011 (c. 20), section 21 and Schedule 2.

(6) If a member of the executive constituted as mentioned in paragraph (5)(b) ceases to be a member of that executive before the end of the shadow period, Bournemouth, Christchurch and Poole Council may in accordance with the terms of the constitution of the Council nominate another member of the Council to be a member of its executive.

(7) The Borough Councils and the County Council must co-operate in the establishment of the shadow executive committee.

(8) With the exception of Chapter 4 (changing governance arrangements) the provisions of Part 1A of the 2000 Act, to the extent that they relate to a leader and cabinet executive, have effect in relation to the shadow authority as if—

- (a) its executive were a leader and cabinet executive of a district council;
- (b) the executive arrangements that it makes were executive arrangements of a district council;
- (c) section 9E authorised its executive to delegate functions not only to officers of the shadow authority but also to officers of the Borough Councils.

(9) Chapter 7 of the Localism Act 2011⁽²⁾ (standards) applies in relation to the shadow authority as if—

- (a) it were a district council (but not a principal authority in relation to a parish council); and
- (b) references to co-opted members were omitted.

(10) The shadow authority must prepare and adopt a scheme for the payment of allowances to its members; and the Local Authorities (Members' Allowances) (England) Regulations 2003⁽³⁾, other than regulations 6 and 17 and Part 5, apply in relation to the shadow authority and its members as they apply in relation to district councils and their members.

(2) 2011 c. 20
(3) S.I. 2003/1021.