



Local Government Act 2003

2003 CHAPTER 26

PART 8

MISCELLANEOUS AND GENERAL

CHAPTER 1

MISCELLANEOUS

Other

115 Overview and scrutiny committees: voting rights of co-opted members

In Schedule 1 to the [Local Government Act 2000 \(c. 22\)](#) (further provision about executive arrangements), after paragraph 11 there is inserted—

“Overview and scrutiny committees: voting rights of co-opted members

- 12 (1) A local authority in England may permit a co-opted member of an overview and scrutiny committee of the authority 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 local authority.
- (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 paragraph (a).

Status: This is the original version (as it was originally enacted).

- (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 local authority, are to a member of the committee who is not a member of the authority.
- 13 (1) The Secretary of State may by regulations make provision about the exercise of the powers under paragraph 12.
- (2) Regulations under sub-paragraph (1) may, in particular, require schemes for the purposes of paragraph 12 (“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 he should be entitled to vote, and
 - (iii) the proposed duration of his 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 Secretary of State by local authorities of the making, variation or revocation of voting rights schemes.
- (4) The Secretary of State may by direction require a local authority to vary a voting rights scheme.
- 14 (1) A local authority which makes a scheme for the purposes of paragraph 12 shall, 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 local authority makes a scheme for the purposes of paragraph 12, 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) shall—
- (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 local authority, and
 - (d) specify—
 - (i) the address of that office, and

Status: This is the original version (as it was originally enacted).

- (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) shall—
- (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 local authority, 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) shall record the revocation.”