

SCHEDULES

[^{F1}SCHEDULE 5A

COMBINED AUTHORITIES: OVERVIEW AND SCRUTINY COMMITTEES AND AUDIT COMMITTEES

Textual Amendments

- F1** Sch. 5A inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\), s. 25\(2\)](#), **Sch. 3**

Modifications etc. (not altering text)

- C1** Sch. 5A applied (with modifications) (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), art. 1, **Sch. 2 para. 4(5)** (with art. 28)

Functions of overview and scrutiny committee

- 1 (1) A combined authority must arrange for the appointment by the authority of one or more committees of the authority (referred to in this Schedule as overview and scrutiny committees).
- (2) The arrangements must ensure that the combined authority's overview and scrutiny committee has power (or its overview and scrutiny committees have power between them)—
- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the authority;
 - (b) to make reports or recommendations to the authority with respect to the discharge of any functions that are the responsibility of the authority;
 - (c) to make reports or recommendations to the authority on matters that affect the authority's area or the inhabitants of the area.
- (3) If the combined authority is a mayoral combined authority, the arrangements must also ensure that the combined authority's overview and scrutiny committee has power (or its overview and scrutiny committees have power between them)—
- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the mayor of any general functions;
 - (b) to make reports or recommendations to the mayor with respect to the discharge of any general functions;
 - (c) to make reports or recommendations to the mayor on matters that affect the authority's area or the inhabitants of the area.
- (4) The power of an overview and scrutiny committee under sub-paragraph (2)(a) and (3)(a) to review or scrutinise a decision made but not implemented includes—

Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Cross Heading: Functions of overview and scrutiny committee. (See end of Document for details)

- (a) power to direct that a decision is not to be implemented while it is under review or scrutiny by the overview and scrutiny committee, and
 - (b) power to recommend that the decision be reconsidered.
- (5) An overview and scrutiny committee of a combined authority must publish details of how it proposes to exercise its powers in relation to the review and scrutiny of decisions made but not yet implemented and its arrangements in connection with the exercise of those powers.
- (6) Before complying with sub-paragraph (5) an overview and scrutiny committee must obtain the consent of the combined authority to the proposals and arrangements.
- (7) An overview and scrutiny committee of a combined authority may not discharge any functions other than the functions conferred by or under this Schedule.
- (8) Any reference in this Schedule to the discharge of any functions includes a reference to the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of those functions.]

Modifications etc. (not altering text)

- C1** Sch. 5A para. 1(3) applied (with modifications) by S.I. 2017/469, Sch. 1 para. 4 (as inserted (26.6.2020) by The Greater Manchester Combined Authority (Fire and Rescue Functions) (Amendment) Order 2020 (S.I. 2020/641), arts. 1, 9)
- C2** Sch. 5A para. 1(3) applied (with modifications) (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), 46(2), **Sch. 7 para. 7**

Changes to legislation:

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Cross Heading: Functions of overview and scrutiny committee.