



Local Government (Wales) Measure 2011

2011 nawm 4

PART 6

OVERVIEW AND SCRUTINY

CHAPTER 1

OVERVIEW AND SCRUTINY COMMITTEES

Powers of committees

59 Scrutinising designated persons

- (1) Section 21 of the Local Government Act 2000 (overview and scrutiny committees) is amended as follows.
- (2) In subsection (2)(e), at the end insert “(insofar as the committee is not, or committees are not, under a duty to do those things by virtue of subsection (2ZA))”.
- (3) After subsection (2) insert—

“(2ZA) Executive arrangements by a local authority in Wales must ensure that their overview and scrutiny committee is required (or their overview and scrutiny committees, and any joint overview and scrutiny committees, are required between them) to make reports or recommendations on matters which relate to designated persons and affect the authority’s area or the inhabitants of that area.”.
- (4) In subsection (2A), after “(2)” insert “or (2ZA)”.
- (5) In subsection (13)—
 - (a) in paragraph (aa), omit the final “and”;
 - (b) after paragraph (b) insert—

Status: This is the original version (as it was originally enacted).

- “(c) if it is a committee or sub-committee of a local authority in Wales may, in connection with making a report or recommendations of the kind referred to subsection (2ZA)—
- (i) require a designated person to provide the committee or sub-committee with information, except information that relates to an excluded matter, and
 - (ii) require an officer, employee or other representative of a designated person to attend meetings of the committee, except in relation to an excluded matter.”.

(6) After subsection (15) insert—

“(15A) It is the duty of a person to comply with the requirement mentioned in subsection (13)(c)(i) or (ii); but that does not require a designated person to provide information which is not reasonably required in connection with the making of the report or recommendations.”.

(7) After subsection (17) insert—

“(18) In this section—

“designated person” means a person—

- (a) who is designated by the Welsh Ministers in accordance with section 21G, or
- (b) who falls within a category of person so designated;

“excluded matter” means any matter with respect to which a crime and disorder committee could make a report or recommendations—

- (a) by virtue of subsection (1)(b) of section 19 of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters), or
- (b) by virtue of subsection (3)(a) of that section.”.