

**2001 No. 1299**

**LOCAL GOVERNMENT, ENGLAND**

**The Local Authorities (Alternative Arrangements) (England)  
Regulations 2001**

*Made* - - - - - *1st April 2001*  
*Coming into force* *2nd April 2001*

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The Secretary of State, in exercise of the powers conferred upon him by sections 32 and 105 of the Local Government Act 2000<sup>(a)</sup> hereby makes the following Regulations, a draft of which has been laid before, and approved by resolution of, each House of Parliament:—

## **Part I**

### **General**

#### **Citation, commencement and application**

1.—(1) These Regulations may be cited as the Local Authorities (Alternative Arrangements) (England) Regulations 2001 and shall come into force on the day after they are made.

(2) These Regulations apply in relation to local authorities in England<sup>(b)</sup>.

#### **Interpretation**

2. In these Regulations—

“the 2000 Act” means the Local Government Act 2000;

“the 1972 Act” means the Local Government Act 1972<sup>(c)</sup>;

“local authority”, unless otherwise stated, means a local authority which is operating alternative arrangements; and

“overview and scrutiny committee” has the meaning given by regulation 6(1).

#### **Alternative arrangements**

3. The arrangements set out in these Regulations are specified as alternative arrangements for the purposes of Part II of the 2000 Act<sup>(d)</sup>.

#### **Functions which are to be the responsibility of the authority itself**

4.—(1) Section 101 (arrangements for the discharge of functions by local authorities) of the 1972 Act shall not apply with respect to the discharge, by a local authority, of any function mentioned in paragraph (2), (3) or (4).

(2) The functions mentioned in this paragraph are;

(a) the approval or adoption of a plan or strategy of a description specified in column (1) of the Schedule to these Regulations by reference to the enactments, in relation to those functions in column (2);

(b) the approval or adoption of a plan or strategy for the control of the local authority’s borrowing or capital expenditure;

(c) the approval for the purpose of its submission to the Secretary of State or any Minister of the Crown for his approval, of any plan or strategy mentioned in sub-paragraphs (a) or (b), (whether or not in the form of a draft) of which any part is required to be so submitted; and

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<sup>(a)</sup> 2000 c. 22.

<sup>(b)</sup> For the application of section 32 of the Local Government Act 2000 to Wales, *see* section 106 of that Act.

<sup>(c)</sup> 1972 c. 70.

<sup>(d)</sup> *See*, in particular section 31 (Alternative arrangements in case of certain authorities) and section 27(2) Referendum in case of proposals involving elected mayor).

(d) the authorisation of the making of an application—

- (i) for the inclusion of a disposal in a disposals programme under subsection (5) of section 135 (programmes for disposals) of the Leasehold Reform, Housing and Urban Development Act 1993(a), or
- (ii) for consent to that disposal under section 32 (power to dispose of land held for the purposes of part II) or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985(b).

(3) The function mentioned in this paragraph is the making of any scheme authorised or required by Regulations under section 18 (schemes for basic, attendance and special responsibility allowances for local authority members) of the Local Government and Housing Act 1989(c) or of amending, revoking or replacing any such scheme.

(4) The functions mentioned in this paragraph are the functions of the determination of—

- (a) the amount of any allowance payable under;
  - (i) subsection (5) of section 3 (chairman's expenses) of the 1972 Act;
  - (ii) subsection (4) of section 5 (vice-chairman's expenses) of that Act; or
  - (iii) subsection (4) of section 173 (financial loss allowance) of that Act(d);
  - (iv) section 175 (allowances for attending conferences and meetings) of that Act;
- (b) the rates at which payments are to be made under section 174 (travelling and subsistence allowances) of that Act; and
- (c) the amount of any allowance payable pursuant to a scheme under section 18 of the Local Government and Housing Act 1989, or the rates at which payments, by way of any such allowance are to be made.

(5) Subject to paragraph (6), section 101 of the 1972 Act shall not apply with respect to the discharge of the function of amending, modifying, varying or revoking any plan or strategy mentioned in paragraph (2)(a) or (b) (whether approved or adopted before or after the coming into force of these Regulations).

(6) Paragraph (5) does not apply to any amendment, modification, variation or revocation which—

- (a) is required for giving effect to requirements of the Secretary of State or a Minister of the Crown in relation to a plan or strategy submitted for his approval, or to any part so submitted; or
- (b) is authorised by a determination made by the local authority—
  - (i) in pursuance of arrangements made for the discharge of functions under section 101 of the 1972 Act; and
  - (ii) at the time when the local authority approves or adopts the plan or strategy, as the case may be.

### **Local authority committees and sub-committees**

**5.—**(1) Subject to paragraph (3), where a local authority appoints a committee under section 102(1)(a) of the 1972 Act for the purpose of discharging any function in pursuance of arrangements made under section 101 of the 1972 Act, the number of members of that committee, who are members of the local authority, shall not exceed fifteen.

(2) Subject to paragraph (3), where a committee, appointed under section 102(1)(a) of the 1972 Act, appoints a sub-committee for the purpose of discharging any function in pursuance of

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(a) 1993 c. 28, to which there are amendments not relevant to these Regulations.

(b) Relevant amendments, in subsection (3) of section 32 and subsection (1)(a) of section 43, were made by paragraph 3(a), (d) and (c) of the Schedule to S.I. 1997/74.

(c) 1989 c. 42. Section 18 is amended by section 99(3) to (9) of the Local Government Act 2000.

(d) Section 173(4) was inserted by the Local Government and Housing Act 1989 (c. 42), Schedule 11 paragraph 26. A relevant saving was made by article 3(2) of the Local Government and Housing Act 1989 (Commencement No. 11 and Savings) Order 1991 (S.I. 1991/344).

arrangements made under section 101 of the 1972 Act, the number of members of that sub-committee, who are members of the local authority, shall not exceed ten.

(3) Paragraphs (1) and (2) shall not apply—

- (a) to a committee or sub-committee of a local authority to which regulation 16A of the Local Government (Committees and Political Groups) Regulations 1990 (area committees and sub-committees)(a) as amended from time to time applies; or
- (b) to a committee or sub-committee of a local authority, which only discharges one or more of those functions mentioned under headings **A, B, C, H** or **I** in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000(b) as amended from time to time.

(4) Any reference in paragraph (3)(b) 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(c).

### Overview and Scrutiny committees

6.—(1) Alternative arrangements by a local authority must include provision for the appointment by the authority of one or more committees of the authority, with the functions mentioned in paragraph (2), (referred to in these Regulations as overview and scrutiny committees).

(2) Alternative arrangements by a local authority must ensure their overview and scrutiny committee has power (or that their 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 of the local authority;
- (b) to make reports or recommendations to—
  - (i) the local authority,
  - (ii) any committee or sub-committee of the local authority, or
  - (iii) any joint committee on which the local authority is represented or any sub-committee of such a committee,

with respect to the discharge of any functions of the local authority; and

- (c) to make reports or recommendations to—
  - (i) the local authority,
  - (ii) any committee or sub-committee of the local authority, or
  - (iii) any joint committee on which the local authority is represented or any sub-committee of such a committee,

on matters which affect the authority's area or the inhabitants of that area.

(3) The power of an overview and scrutiny committee under paragraph (2)(a) to review or scrutinise a decision made but not yet implemented includes power—

- (a) to recommend that the decision be reconsidered by the person who made it; or
- (b) to arrange for its function under paragraph (2)(a), so far as it relates to the decision, to be exercised by the authority.

(4) Subject to paragraph (5) an overview and scrutiny committee of a local authority may not discharge any functions other than its functions under this regulation.

(5) A local authority may arrange for the function of the conducting of a best value review under section 5 of the Local Government Act 1999 (best value reviews)(d) to be discharged by an overview and scrutiny committee.

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(a) S.I. 1990/1553. This regulation was inserted by the Local Government (Committees and Political Groups) (Amendment) Regulations 1991 (S.I. 1998 No. 1398). Sub-paragraphs 16A(1)(b) and (2) were substituted and added by the Local Government (Committees and Political Groups) (Amendment) Regulations 1998 (S.I. 1998 No. 1918), regulation 4.

(b) S.I. 2000/2853.

(c) See section 111 of the Local Government Act 1972 (Subsidiary powers of local authorities).

(d) 1999 c. 27.

- (6) An overview and scrutiny committee of a local authority—
- (a) may appoint one or more sub-committees; and
  - (b) may arrange for the discharge of any of its functions by any such sub-committee.
- (7) A sub-committee of an overview and scrutiny committee may not discharge any functions other than those conferred on it in accordance with paragraph (6)(b).
- (8) Alternative arrangements by a local authority must include provision which enables—
- (a) any member of an overview and scrutiny committee of the authority to ensure that any matter which is relevant to the functions of the committee is included in the agenda for, and is discussed at, a meeting of the committee; and
  - (b) any member of a sub-committee of an overview and scrutiny committee of the authority to ensure that any matter which is relevant to the functions of the sub-committee is included in the agenda for, and is discussed at, a meeting of the sub-committee.
- (9) An overview and scrutiny committee of a local authority, or any sub-committee of such a committee may include persons who are not members of the authority, but, subject to regulations 8 and 16, any such persons are not entitled to vote at any meeting of such a committee or sub-committee on any question which falls to be decided at that meeting.
- (10) An overview and scrutiny committee of a local authority, or a sub-committee of such a committee, is to be treated;
- (a) as a committee or sub-committee of a principal council for the purposes of Part VA of the 1972 Act (access to meetings and documents of certain authorities, committees and sub-committees), and
  - (b) as a body to which section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) applies<sup>(a)</sup>.
- (11) Subsections (2) and (5) of section 102 of the 1972 Act are to apply to an overview and scrutiny committee of a local authority, or a sub-committee of such a committee, as they apply to a committee appointed under that section.
- (12) An overview and scrutiny committee of a local authority or a sub-committee of such a committee—
- (a) may require members of the local authority, and officers of the authority, to attend before it to answer questions; and
  - (b) may invite other persons to attend meetings of the committee.
- (13) It is the duty of any member or officer mentioned in paragraph (12)(a) to comply with any requirement so mentioned.
- (14) A person is not obliged by paragraph (13) to answer any question which he would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales.

## **Part II**

### **Education**

#### **Interpretation of Part II**

7. In this Part—

“the 1998 Act” means the School Standards and Framework Act 1998<sup>(b)</sup>;

“The date of election” means, in relation to an election in which votes can be cast on more than one date, the last date on which votes can be cast or postal votes can be received;

“education overview and scrutiny committee” means an overview and scrutiny committee of a relevant local authority appointed under regulation 6, the functions of which relate wholly or partly to any education functions which are the responsibility of the authority;

“maintained school” has the meaning given in section 20(7) of the 1998 Act;

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<sup>(a)</sup> 1989 c. 42.

<sup>(b)</sup> 1998 c. 31.

“school maintained by a relevant local authority” has the meaning given in section 142(1) of the 1998 Act;

“parent governor” means—

- (a) a person who is elected as a member of a maintained school’s governing body by parents of registered pupils at the school and is himself a parent at the time at which he is elected;
- (b) a person who is appointed as a parent governor by the governing body in accordance with regulations under the 1998 Act(a);
- (c) a person who continues as a parent governor for the purposes of the reconstitution of the governing body on transition to the new schools framework by virtue of regulations under part II of the 1998 Act(b);

“parent governor representative” means a person elected in accordance with regulations 9 to 11; and

“relevant local authority” means a local authority in England which is also an education authority and which is operating alternative arrangements.

### **Church representatives**

**8.—(1)** In the case of a relevant local authority which maintain one or more Church of England schools, an education overview and scrutiny committee or sub-committee of an education overview and scrutiny committee must include at least one qualifying person.

(2) A person is a qualifying person for the purposes of paragraph (1) if he is nominated by the Diocesan Board of Education for any Church of England diocese which falls wholly or partly in the authority concerned’s area.

(3) In the case of a relevant local authority which maintain one or more Roman Catholic Church schools, an education overview and scrutiny committee or sub-committee of an education overview and scrutiny committee must include at least one qualifying person.

(4) A person is a qualifying person for the purposes of paragraph (3) if he is nominated by the bishop of any Roman Catholic diocese which falls wholly or partly in the authority concerned’s area.

(5) A member of an education overview and scrutiny committee or a sub-committee appointed by virtue of paragraph (1) or (3) is to be entitled to vote at a meeting of the committee or sub-committee on any question—

- (a) which relates to any education functions which are the responsibility of the authority concerned; and
- (b) which falls to be decided at the meeting.

(6) The Secretary of State may by directions to a relevant local authority require any of the authority’s education overview and scrutiny committees or sub-committees to which this regulation applies to include persons who are appointed, in accordance with the directions, as representatives of the persons who appoint foundation governors for the foundation or voluntary schools maintained by the authority which are not Church of England schools or Roman Catholic Church schools but which are specified in the directions.

(7) Directions under paragraph (6) may make provision with respect to the voting rights of persons appointed in accordance with such directions.

### **Parent governor representatives**

**9.** A relevant local authority shall appoint at least two but not more than five parent governor representatives, elected in accordance with regulations 10 to 13, to each of their education overview and scrutiny committees and sub-committees.

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(a) See regulations 9 and 12 of, and Schedules 2, 4 and 5 to, the Education (School Government) (England) Regulations 1999 (S.I. 1999/2163).

(b) See regulations 13 and 20 of the Education (School Government) (Transition to New Framework) Regulations 1998 (S.I. 1998/2763).

## **Election procedures for parent governor representatives**

**10.**—(1) A relevant local authority shall make all the necessary arrangements for, and determine all other matters relating to, the holding of an election of a parent governor representative but nothing in this regulation shall prevent the authority from appointing another body to conduct or oversee that election.

(2) A relevant local authority may make arrangements—

(a) dividing parent governor representatives into different categories representing—

(i) particular types of school; or

(ii) maintained schools in a particular area; and

(b) where they have done so, restricting the electorate for each such category to parent governors of the same type of school or parent governors of schools in that area (but they need not do so).

(3) Where a vacancy for a parent governor representative is required to be filled by election the relevant local authority shall announce that vacancy and at the time of that announcement shall—

(a) appoint a returning officer who shall ensure that so far as possible the election is conducted fairly;

(b) take such steps as are reasonably practicable to secure that every person who is known to them to be eligible to vote in the election of a parent governor representative is—

(i) informed of the vacancy and that it is required to be filled by election;

(ii) informed that he is entitled to vote in the election;

(iii) informed of any arrangements made in respect of the election under regulation 10(2);

(iv) informed of details of the electoral timetable and procedures;

(v) informed of the qualifications which a person requires in order to be elected as a parent governor representative, and of the term of office of the parent governor representative; and

(vi) provided with a description of the role of a parent governor representative.

(4) Any election of a parent governor representative which is contested shall be held by secret ballot.

(5) No ballot paper in such an election shall contain any indication of an affiliation with a political party.

(6) Where a vacancy for a parent governor representative arises, the relevant local authority shall—

(a) determine, for the purposes of the election, any question as to a person's entitlement to vote or eligibility to stand for election;

(b) provide for every person who is eligible to vote in the election to have an opportunity to do so by post;

(c) secure that the results of the election are announced not more than one week after the date of the election, and not more than three months after the announcement of the vacancy.

(7) Where a vacancy remains unfilled because no, or not enough, candidates seek election, the relevant local authority shall comply with the requirements of this regulation again, within one year after the date of the original vacancy having arisen and at six monthly intervals thereafter, calculated from the first anniversary of the original vacancy having arisen, until the vacancy is filled.

(8) Nothing in these Regulations shall require a ballot to be held if the number of vacancies to be filled is equal to or exceeds the number of candidates for election.

### **Eligibility to vote in elections**

**11.** A person shall be eligible to vote in the election of a parent governor representative if at the date of the election he is a parent governor at a maintained school maintained by the relevant local authority, and either—

- (a) where voting for a particular category of parent governor representative is restricted to parent governors of a particular type of school, he is a parent governor of that type of school; or
- (b) where voting for a particular category of parent governor representative is restricted to parent governors of schools in a particular geographic area, he is a parent governor of a maintained school in that area.

### **Qualifications for election as a parent governor representative**

**12.—(1)** Subject to paragraphs (2) and (4), a person shall, unless disqualified under any enactment, be qualified to be elected as a parent governor representative in an election held by a relevant local authority if on the date of the election—

- (a) he is a parent governor at a maintained school which is maintained by the relevant local authority;
- (b) he is the parent of a registered pupil who is educated at a maintained school which is maintained by the relevant local authority, or who is educated by the relevant local authority otherwise than at school;
- (c) where the vacancy is for a parent governor representative to represent a particular type of school, he is a parent governor at that type of school, and
- (d) where the vacancy is for a parent governor representative to represent schools in a particular area, he is a parent governor of a school in that area.

(2) A person who is a member of a local authority shall be disqualified from being elected as a parent governor representative.

(3) A person who is a teacher at, or is otherwise employed in, a school maintained by the relevant local authority shall be disqualified from being elected as a parent governor representative.

(4) A person who is employed by the relevant local authority shall be disqualified from being elected as a parent governor representative.

(5) For the purposes of paragraph (2) “local authority” has the meaning given in section 48 of the 2000 Act.

### **Disqualification from holding office as a parent governor representative**

**13.—(1)** A parent governor representative who is qualified for election under these Regulations shall cease to be qualified to hold that office if—

- (a) he resigns or is disqualified from office as a parent governor; or
- (b) he ceases to be a parent governor for any reason other than that—
  - (i) he has completed his term of office; or
  - (ii) he no longer holds office as a result of the discontinuance of the school at which he was a parent governor; or
  - (iii) he no longer holds office as a result of a change in the constitution of the governing body of the school at which he was a parent governor.

(2) A parent governor representative shall cease to be qualified to hold that office if he is elected as a member of a local authority.

(3) A parent governor representative shall cease to be qualified to hold that office if he takes up employment—

- (a) whether as a teacher or otherwise, in a school maintained by the relevant local authority, or

(b) with the relevant local authority.

(4) A parent governor representative shall not hold the office of parent governor representative on an education overview and scrutiny committee of more than one local authority at any one time.

(5) A parent governor representative who has failed to attend the meetings of an education overview and scrutiny committee of which he is a member for a continuous period of six months beginning with the date of a meeting, shall, on the expiry of that period, cease to be qualified to hold that office.

(6) For the purposes of paragraph (5), a parent governor representative shall not be taken to have failed to attend a meeting of an education overview and scrutiny committee if he has tendered an apology for his absence and his apology has been accepted by the committee.

(7) For the purposes of paragraphs (2) and (4) “local authority” has the meaning given in section 48 of the 2000 Act.

### **Term of office of parent governor representatives**

**14.** The term of office of a parent governor representative on an education overview and scrutiny committee—

- (a) shall begin on such a date as the relevant local authority shall determine, being a date not more than one month after the date of the announcement of the result of the election in which he has been elected; and
- (b) shall be of such duration as the authority shall determine, being a period not less than two years nor greater than four years.

### **Vacation of office**

**15.—(1)** Where a parent governor representative completes his term of office or that office becomes vacant for any other reason, the relevant local authority shall ensure that an election is held to fill the vacancy and that the date of the election falls in time for the vacancy to be filled not later than six months after the date on which the vacancy occurred.

(2) Where a parent governor representative does not complete his term of office, the authority concerned may decide whether his successor should be appointed for a full term of office determined in accordance with regulation 14(b), for the unexpired portion of the previous term of office or for the aggregate of the unexpired portion of that term and a further full term, provided that such aggregate period does not exceed four years.

### **Voting rights of parent governor representatives**

**16.** A parent governor representative shall be entitled to vote at a meeting of an education overview and scrutiny committee of which he is a member on any question—

- (a) which relates to any education functions which are the responsibility of the authority concerned; and
- (b) which falls to be considered at the meeting.

### **Transitional Provision**

**17.** In this regulation “a 1999 Representative” means a representative of parent governors—

- (a) elected and appointed to a committee of the local authority pursuant to the Education (Parent Governor Representatives) Regulations 1999(a);
- (b) whose term of office, calculated in accordance with the 1999 Regulations, has not expired on the date on which that authority establishes an education overview and scrutiny committee.

(2) Subject to paragraph (3), on the establishment of an education overview and scrutiny committee by a relevant local authority, a 1999 representative shall be treated as having been appointed to that education overview and scrutiny committee.

(3) A 1999 Representative who is treated as having been appointed to an education overview and scrutiny committee in accordance with paragraph (2) shall continue in office until the expiry of his original term of office.

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(a) S.I. 1991/1494 was revoked by the Parent Governor Representatives (England) Regulations 2001 (S.I. 2001/478).

(4) Nothing in paragraph (3) shall prevent a 1999 Representative from being disqualified, by virtue of a provision of these Regulations, from continuing to hold office.

Signed by authority of the Secretary of State  
for the Environment Transport and the Regions

1st April 2001

*Hilary Armstrong*  
Minister of State,  
Department of the Environment,  
Transport and the Regions

SCHEDULE

Regulation 4(2)(a)

<i>Plans and strategies</i> (1)	<i>Reference</i> (2)
Annual Library Plan	Section 1(2) of the Public Libraries and Museums Act 1964 (c.75).
Best Value Performance Plan	Section 6(1) of the Local Government Act 1999 (c. 27)(a).
Children’s Services Plan	Paragraph 1A of Schedule 2 to the Children Act 1989 (c. 41)(b).
Community Care Plan	Section 46 of the National Health Service and Community Care Act 1990 (c. 19).
Community Strategy	Section 4 of the Local Government Act 2000 (c. 22).
Crime and Disorder Reduction Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c. 37).
Education Development Plan	Section 6 of the School Standards and Framework Act 1998.
Early Years Development Plan	Section 120 of the School Standards and Framework Act 1998.
Local Transport Plan	Section 108(3) of the Transport Act 2000 (c. 38).
Plans and alterations which together comprise the Development Plan	(a) for Greater London and the metropolitan counties, section 27 of the Town and Country Planning Act 1990 (c. 8)(c) (b) for districts outside Greater London and the Metropolitan counties, section 54 of that Act.
Youth Justice Plan	Section 40 of the Crime and Disorder Act 1998 (c. 37).

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Section 32 of the Local Government Act 2000 provides for the Secretary of State to make Regulations setting out a regime which is an alternative to the three forms of executive detailed in the Act. Section 31 of the 2000 Act sets out the first type of authority which is able to adopt alternative arrangements; where the resident population of the authority’s area is less than 85,000 people and where it is a district council within an area for which there is a county council. Section 27(2) of the 2000 Act sets out the second type of authority able to adopt alternative arrangements; a local authority which has a referendum on the option of a directly elected Mayor may include alternative arrangements as a fall back option.

(a) See, the Local Government (Best Value) Performance Plans and Reviews Order 1999 (S.I. 1999/3251). Relevant guidance issued under section 6(4) of the Local Government Act 1999 may be found in Department of the Environment Transport and the Regions Circular 10/99.

(b) Paragraph 1A was inserted by the Children Act (Amendment) (Children’s Services Planning) Order 1996 (S.I. 1996/785).

(c) Relevant amendments are made by the Planning and Compensation Act 1991 (c. 34), Schedule 4, paragraph 29.

Part I of the Regulations sets out the main features of alternative arrangements. Part II deals with church and parent governor representation on education overview and scrutiny committees within alternative arrangements.

Regulation 4 sets out which functions must be carried out by the authority. The functions referred to in this regulation are not capable of being delegated to any officer, committee or sub-committee of the authority, except to the extent specifically mentioned in the regulation.

Regulation 5 makes provision for the appointment of committees by an authority which are operating alternative arrangements for the purpose of discharging the authority's functions. Such a committee must contain no more than fifteen members and any sub-committee of such a committee no more than ten members. The limitation on the number of members of a committee or a sub-committee does not apply to an area committee or to any committee which is responsible for carrying out certain regulatory functions of the Authority.

Regulation 6 provides for overview and scrutiny within alternative arrangements. This regulation largely reflects the position under section 21 of the Local Government Act 2000 which applies to executive arrangements.

Regulation 7 defines the terms used in part II of the Regulations.

Regulation 8 provides for the representation of church nominees on education overview and scrutiny committees. The regulation deals specifically with representation of the Church of England and Roman Catholic dioceses and allows the Secretary of State to direct for example that other faiths should be represented. This regulation replicates for alternative arrangements paragraph 7 of Schedule 1 to the Local Government Act 2000 (which applies to executive arrangements).

Regulation 9 provides for the representation of parent governors on education overview and scrutiny committees.

Regulation 10 sets out the election procedures for election as a parent governor representative. Broadly any person who is a parent governor and is the parent of a child being educated by the authority can be elected. If the vacancy is to represent a particular type of school, only parent governors at the relevant type of school can be elected.

Regulation 11 deals with the eligibility for voting in elections. In the majority of cases, any parent governor can vote, unless the vacancy is either for a parent governor representative to represent a particular type of school, and eligibility to vote is restricted to parent governor of the same type of school, or to represent a particular type of school only parent governors of the relevant type of school can be elected.

Regulations 12 and 13 set out circumstances which may disqualify a person from being elected as, or continuing to act as a parent governor.

Regulation 14 provides the term of office of a parent governor representative to be between two and four years, unless the office is vacated mid-term.

Regulation 15 sets out what happens when the office is vacated, and, in particular, provides for the term of office of a representatives successor.

Regulation 16 deals with the voting rights of a parent governor representative. Broadly he or she can vote on any matter relating to the authority's education functions.

Regulation 17 is a transitional provision. It provides that an existing parent governor representative is automatically appointed to an education overview and scrutiny committee where his or her term of office has not ended.

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