
EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority.

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise functions relating to transport and to economic development and regeneration in their area.

The Secretary of State may only establish a combined authority for an area where a scheme for such an authority has been published under section 109 of the 2009 Act. This Order has been made following the publication of such a scheme on 31st July 2013 by the constituent councils whose areas together make up the combined area of the new authority. The scheme is available at: www.gateshead.gov.uk/la7-governance.

Part 2 of the Order establishes the new authority, to be known as the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority on the day after the day on which the Order is made, and makes provision for its constitution and funding.

Article 4 of and *Schedule 1* to the Order make provision for the constitution of the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority. This is supplemental to the provision that is made by Part 1A of Schedule 12 to the Local Government Act 1972 (see paragraph (6A) of that Schedule, as amended by the 2009 Act).

Article 5 makes provision for the funding, by the constituent councils, of those costs of the Combined Authority that relate to the exercise of its economic development and regeneration functions. The transport expenses are to be met from separate levies on the metropolitan district councils in the county of Tyne and Wear, on the Durham county council and on the Northumberland county council. In determining the levies on Durham and Northumberland no account is to be taken of costs and liabilities flowing from the transfer of the functions, rights and liabilities of the abolished integrated transport authority. Transitional provision is made for determining the contributions for the first financial year of the Combined Authority.

Part 3 concerns the transport functions of the combined authority. *Article 6* abolishes the Tyne and Wear integrated transport area and its integrated transport authority and transfers the authority’s functions, property, rights and liabilities to the combined authority. *Article 7* makes adaptations to enactments consequential upon *article 6*. *Article 8* transfers specified transport functions of the Durham and Northumberland county councils to the Combined Authority. *Article 9* makes adaptations to enactments consequential upon *article 8*. *Article 10* makes the Tyne and Wear Passenger Transport Executive an executive body of the Combined Authority and *article 11* contains general continuity provisions.

Part 4 confers additional functions on the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority. *Article 12* confers functions of the constituent councils relating to economic development and regeneration. These are set out in Schedule 2 to the Order and are to be exercised concurrently with the constituent councils. *Articles 13 to 18* make some general, incidental provisions relating to the Durham, Gateshead,

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Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority to enable it to carry out its functions more effectively.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.