



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 2

LOCAL DEMOCRACY AND DEVOLUTION

CHAPTER 1

COMBINED COUNTY AUTHORITIES

Constitution of CCAs

10 Constitutional arrangements

- (1) The Secretary of State may by regulations make provision about the constitutional arrangements of a CCA.
- (2) “Constitutional arrangements” in relation to a CCA means—
 - (a) the membership of the CCA (including the number and appointment of members of the CCA and the remuneration of, and pensions or allowances payable to or in respect of, any member of the CCA);
 - (b) the voting powers of members of the CCA (including provision for different weight to be given to the vote of different descriptions of member);
 - (c) the executive arrangements of the CCA;
 - (d) the functions of any executive body of the CCA.
- (3) In subsection (2)(c) “executive arrangements” means—
 - (a) the appointment of an executive;
 - (b) the functions of the CCA which are the responsibility of an executive;
 - (c) the functions of the CCA which are the responsibility of an executive and which may be discharged by a committee of the CCA or by a body other than the CCA;
 - (d) arrangements relating to the review and scrutiny of the discharge of functions;

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- (e) access to information on the proceedings of an executive of the CCA;
 - (f) the disapplication of section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) in relation to an executive of the CCA or a committee of such an executive;
 - (g) the keeping of a record of any arrangements relating to the CCA and falling within paragraphs (a) to (f).
- (4) Regulations under subsection (1) which, by virtue of subsection (2)(a), include provision about the number and appointment of members of the CCA must provide—
- (a) for the members of the CCA other than—
 - (i) the mayor (in the case of a mayoral CCA),
 - (ii) the CCA’s non-constituent members (see section 11), and
 - (iii) the CCA’s associate members (see section 12),
 to be appointed by the CCA’s constituent councils, and
 - (b) for each of the constituent councils to appoint at least one of its elected members as a member of the CCA.
- (5) The provision which may be made by regulations under subsection (1) by virtue of subsection (2)(d) includes—
- (a) provision setting up or dissolving an executive body of a CCA, or merging two or more executive bodies of a CCA;
 - (b) provision conferring functions on, or removing functions from, an executive body of a CCA;
 - (c) provision transferring functions of a CCA to an executive body of the CCA, and transferring functions of an executive body of a CCA to the CCA.
- (6) Regulations under subsection (1) may not provide for the budget of a CCA to be agreed otherwise than by the CCA.
- (7) The power to make regulations under subsection (1) is subject to—
- (a) sections 11 and 12 and regulations under section 13(1) (non-constituent and associate members), and
 - (b) sections 14(4) and 25(9) and (12) (procedure for CCA consents).
- (8) Regulations under subsection (1) may be made in relation to a CCA only with the consent of—
- (a) the constituent councils, and
 - (b) in the case of regulations in relation to an existing CCA, the CCA.
- (9) If the only provision made under subsection (1) in regulations under this Chapter is provision as a result of regulations under section 25(1) (changes to boundaries of a CCA’s area)—
- (a) subsection (8) does not apply to the regulations under this Chapter, and
 - (b) subsections (6) to (13) of section 25 apply in relation to the regulations as if they contained the provision made by the regulations under subsection (1) of that section.
- (10) If the only provision made under subsection (1) in regulations under this Chapter is provision as a result of regulations to which section 31 applies (procedure for direct conferral of general functions on mayor)—
- (a) subsection (8) does not apply to the regulations under this Chapter, and
 - (b) the regulations may be made only with the consent of the mayor for the CCA.

- (11) In this Chapter “constituent council”, in relation to a CCA or proposed CCA, means—
- (a) a county council for an area within the CCA’s area or proposed area, or
 - (b) a unitary district council for an area within the CCA’s area or proposed area.

11 Non-constituent members of a CCA

- (1) A CCA may designate a body other than a constituent council as a nominating body for the purposes of this Chapter.
- (2) A nominating body may be designated under subsection (1) only if the body consents to the designation.
- (3) A nominating body of a CCA may nominate a representative of the body for appointment by the CCA as a member (a “non-constituent member”).
- (4) The non-constituent members of a CCA are to be non-voting members of that authority unless the voting members resolve otherwise.
- (5) A resolution under subsection (4) does not permit non-constituent members to vote on a decision whether the CCA should consent to the making of regulations under this Chapter.

12 Associate members of a CCA

- (1) A CCA may appoint an individual to be a member (“an associate member”) of the CCA.
- (2) The associate members of a CCA are to be non-voting members of the CCA.

13 Regulations about members

- (1) The Secretary of State may by regulations make provision about—
 - (a) constituent members of a CCA;
 - (b) the mayor for the area of a CCA in the mayor’s capacity as a member of the CCA;
 - (c) nominating bodies of a CCA;
 - (d) non-constituent members of a CCA;
 - (e) associate members of a CCA.
- (2) The provision that may be made by regulations under subsection (1) includes, in particular, provision about—
 - (a) the cases in which a decision of a CCA requires a majority, or a particular kind of majority, of the votes of members of a particular kind;
 - (b) the process for the designation of a nominating body or the removal of such a designation;
 - (c) the number of nominating bodies that may be designated by a CCA;
 - (d) the number of non-constituent members that may be appointed by a nominating body of a CCA;
 - (e) the appointment, disqualification, resignation or removal of a non-constituent member;

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- (f) the appointment of a substitute member to act in place of a non-constituent member;
 - (g) the maximum number of non-constituent members of a CCA;
 - (h) the making by a nominating body of a CCA of payments towards the costs of the CCA;
 - (i) the things which may or may not be done by, or in relation to, a non-constituent member;
 - (j) the appointment, disqualification, resignation or removal of an associate member;
 - (k) the appointment of a substitute member to act in place of an associate member;
 - (l) the maximum number of associate members of a CCA;
 - (m) the things which may or may not be done by, or in relation to, an associate member.
- (3) Regulations under subsection (1) may confer a discretion on a CCA to determine any matter.
- (4) In this section “constituent member”, in relation to a CCA, means a member of the CCA (other than any mayor for the area of the CCA) appointed by a constituent council.

14 Review of CCA’s constitutional arrangements

- (1) This section applies if regulations under section 10(1) (constitution of CCA) enable a CCA to make provision about its constitution (“constitutional provision”).
- (2) An appropriate person may carry out a review of the CCA’s constitutional provision if—
- (a) an appropriate person proposes a review, and
 - (b) the CCA consents to the review.
- (3) If an appropriate person carries out a review under subsection (2), they may propose changes to the CCA’s constitutional provision as a result of the review for agreement by the CCA.
- (4) The question of whether to consent under subsection (2)(b) or to agree to changes proposed under subsection (3) is to be decided at a meeting of the CCA by a simple majority of the voting members of the CCA who are present at the meeting.
- (5) In the case of a mayoral CCA—
- (a) a majority in favour of consenting under subsection (2)(b) does not need to include the mayor, but
 - (b) a majority in favour of changes proposed under subsection (3) must include the mayor.
- (6) The reference in subsection (4) to a voting member—
- (a) includes a substitute member who may act in place of a voting member;
 - (b) does not include a non-constituent member.
- (7) In this section “appropriate person”, in relation to a CCA, means—
- (a) a member of the CCA appointed by a constituent council, or
 - (b) the mayor for the area of the CCA, if it is a mayoral CCA (see section 27(8)).

15 Overview and scrutiny committees

- (1) Schedule 1 makes provision for CCAs to have overview and scrutiny committees and audit committees.
- (2) Provision made by regulations under section 10(1) is subject to that Schedule.

16 Funding

- (1) The Secretary of State may by regulations make provision—
 - (a) for the costs of a CCA to be met by its constituent councils, and
 - (b) about the basis on which the amount payable by each constituent council is to be determined.
- (2) Regulations under subsection (1) may be made in relation to a CCA only with the consent of—
 - (a) the constituent councils, and
 - (b) in the case of regulations in relation to an existing CCA, the CCA.
- (3) Subsection (1) is subject to regulations under section 13(1) (CCA membership).

17 Change of name

- (1) A CCA may, by a resolution in relation to which the requirements mentioned in subsection (2) are met, change the name by which it is known.
- (2) The requirements are—
 - (a) that the resolution is considered at a meeting of the CCA which is specially convened for the purpose,
 - (b) that particulars of the resolution were included in the notice of the meeting, and
 - (c) that the resolution is passed at the meeting by not less than two-thirds of the members of the CCA who vote on it.
- (3) A CCA which changes its name under this section must—
 - (a) send notice of the change to the Secretary of State, and
 - (b) publish the notice in such manner as the Secretary of State may direct.
- (4) A change of name under this section does not affect the rights or obligations of the CCA concerned or any other person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.