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STATUTORY INSTRUMENTS

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**2018 No. 1133**

**LOCAL GOVERNMENT, ENGLAND  
TRANSPORT, ENGLAND**

**The Newcastle Upon Tyne, North Tyneside and Northumberland  
Combined Authority (Establishment and Functions) Order 2018**

*Made - - - - 1st November 2018*

*Coming into force in accordance with article 1*

This Order is made in exercise of the powers conferred by sections 103(1), 104(1)(a), 105(1) and (3), 105A(1)(a) and (b)(1), (2) and (3)(b), 106(1)(b), 107A(1)(2), 107D(1), (7)(a), (b), (c), (d) and (e), 114(1), 115(1) and 117(5) of and paragraphs 3 and 4 of Schedule 5A and paragraph 3 of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009(3).

The Secretary of State, having had regard to a scheme prepared and published under sections 109 and 112 of the 2009 Act, considers that—

- (a) in accordance with the requirements of sections 110(1) and 113(1)(a) the making of this Order is likely to improve the exercise of the statutory functions in the area to which this Order relates, and
- (b) a consultation has been carried out in accordance with section 110(2)(b) and 113(2)(b) and the Secretary of State considers that no further consultation is necessary.

The Secretary of State is satisfied that the areas to which this Order relates meet the conditions set out in section 103(2) and (5) and 106(2)(a) of the 2009 Act.

In making this Order, the Secretary of State has had regard to the need to reflect the identities and interests of local communities, and the need to secure effective and convenient local government.

The councils for the local government areas of Newcastle Upon Tyne, North Tyneside and Northumberland have consented to the making of this Order in so far as their consent is required in accordance with sections 104(10), 105(3A)(a), 107D(9) and 110(1)(b) of the 2009 Act.

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- (1) The conditions for making an order under section 105A are met as a proposal for the making of the order in relation to the combined authority was made to the Secretary of State by the appropriate authorities in accordance with section 105B(1)(a).
  - (2) The conditions for making an order under section 107A are met as a proposal for the making of the order in relation to the combined authority was made to the Secretary of State by the appropriate authorities in accordance with section 107B(1).
  - (3) 2009 c. 20. Section 103 was amended by sections 12 and 14 of the Cities and Local Government Devolution Act 2016 (c. 1) (“the 2016 Act”). Section 104 was amended by sections 8 and 14 of, and Schedule 5 to, the 2016 Act. Section 105 was amended by sections 6, 9 and 14 of the 2016 Act. Section 105A was inserted by section 7 of the 2016 Act. Section 106 was amended by section 12, 14 and Schedule 5 to the 2016 Act. Section 107A was inserted by section 2 of the 2016 Act. Section 107D was inserted by section 4 of the 2016 Act and amended by section 8 of the Policing and Crime Act 2017. Section 114 was amended by Schedule 5 to the 2016 Act. Section 115 was amended by Schedule 5 to the 2016 Act. Subsections (2), (2A) and (3) of section 117 were substituted by section 13 of the Localism Act 2011 (c. 20) and section 117(5) was inserted by paragraph 29 of Schedule 5 to the 2016 Act. Schedules 5A and 5B were inserted by Schedules 3 and 1 respectively to the 2016 Act.

The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority and the councils for the local government areas of Newcastle Upon Tyne, North Tyneside and Northumberland have consented to the making of this Order in so far as their consent is required in accordance with section 106(3A).

The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority and its constituent councils have consented to the making of Part 3 (Transport) of and Part 2 of Schedule 5 (amendments to 2014 Order as a consequence of establishment of joint transport committee) to this Order in so far as their consent is required in accordance with section 104(10).

In accordance with section 105B(9) of the 2009 Act, the Secretary of State has laid before Parliament a report explaining the effect of this Order and why the Secretary of State considers it appropriate to make this Order.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 117(2) of the 2009 Act.