
DRAFT STATUTORY INSTRUMENTS

2018 No.

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

PART 7

Mayoral functions and funding

Functions exercisable only by the Mayor

26.—(1) The functions set out in paragraph (2) are general functions exercisable only by the Mayor.

(2) The functions referred to in paragraph (1) are—

(a) the functions of the Combined Authority in the following enactments—

(i) section 9(2) of the 2008 Act (acquisition of land); and

(ii) section 17 of the 1985 Act (acquisition of land for housing purposes) insofar as they are exercisable for the purpose of acquiring land compulsorily in accordance with section 17(3); and

(b) the functions of the Combined Authority corresponding to the functions specified in the following provisions of the 2011 Act—

(i) section 197 (designation of mayoral development areas);

(ii) section 199 (exclusion of land from Mayoral development areas);

(iii) section 200 (transfer of property etc. to a Mayoral development corporation);

(iv) section 202 (functions in relation to Town and Country Planning);

(v) section 204 (removal or restriction of planning functions);

(vi) sections 214 to 217;

(vii) sections 219 to 221; and

(viii) paragraphs 1 to 4, 6 and 8 of Schedule 21 (Mayoral Development Corporations).

(3) The exercise by the Mayor of the functions mentioned in paragraph (2)(a) requires the consent of—

(a) all members of the Combined Authority appointed by the constituent councils whose area contains any part of the land subject to the proposed compulsory acquisition; or

(b) substitute members acting in place of those members.

(4) The exercise by the Mayor of the functions corresponding to the functions contained in section 197(1) (designation of Mayoral development areas) of the 2011 Act requires the consent of—

(a) all members of the Combined Authority appointed by a constituent council whose local government area contains any part of the area to be designated as a Mayoral development area; or

(b) substitute members acting in place of those members.

(5) The exercise by the Mayor of the functions corresponding to the functions contained in section 199(1) (exclusion of land from Mayoral development areas) of the 2011 Act in respect of any Mayoral development area requires the consent of—

- (a) all members of the Combined Authority appointed by a constituent council whose local government area contains any part of the area to be excluded from a Mayoral development area; or
- (b) substitute members acting in place of those members.

(6) The exercise by the Mayor of the functions corresponding to the functions contained in section 202(2) to (4) of the 2011 Act (functions in relation to town and country planning) in respect of any Mayoral development area requires the consent of—

- (a) the Northumberland National Park Authority if the Combined Authority proposes to exercise the functions in respect of the whole or any part of the area of the Northumberland National Park; and
- (b) each member of the Combined Authority appointed by a constituent council, or a substitute member acting in place of that member, whose local government area contains the whole or any part of the area in respect of which the Combined Authority proposes to exercise the functions.

(7) For the purpose of paragraphs (3), (4) and (5) and (6)(b), the consent must be given at a meeting of the Combined Authority.

(8) Members and officers of the Combined Authority may assist the Mayor in the exercise of the functions mentioned in paragraph (1).

(9) For the purposes of the exercise of the general functions mentioned in paragraph (1) the Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act (general power of EPB or combined authority).