

SCHEDULE 1

Article 6

Constitution

Membership

1.—(1) Each constituent council must appoint to the Combined Authority—

- (a) one of its elected members to be a member of the Combined Authority (a “Constituent Council Member”);
- (b) two other elected members, either of whom may act as a member of the Combined Authority in the absence of the Constituent Council Member (a “Substitute Constituent Council Member”).

(2) The Combined Authority must appoint as a member of the Combined Authority a person whom it considers to be a representative of business interests within the Combined Area and that person is to be the chair of the Business Board (the “Business Board Member”).

(3) The Combined Authority must also appoint a person (the “Substitute Business Board Member”) whom it considers to be a representative of business interests within the Combined Area who is to act as a member of the Combined Authority in the absence of the Business Board Member.

(4) The Combined Authority must appoint as a member of the Combined Authority a person (the “CVS Member”) whom it considers to be a representative of the community and voluntary sector within the Combined Area.

(5) The Combined Authority must also appoint a person (the “Substitute CVS Member”) whom it considers to be a representative of the community and voluntary sector within the Combined Area who is to act as a member of the Combined Authority in the absence of the CVS Member.

(6) A person ceases to be a Constituent Council Member or a Substitute Constituent Council Member if—

- (a) they resign from the Combined Authority;
- (b) they cease to be a member of the constituent council that appointed them;
- (c) the constituent council that appointed them terminates their appointment,

and where the appointment is terminated under paragraph (b) or (c) the constituent council must give written notice to the Combined Authority and such termination takes effect at the end of the period of one week beginning with the date on which the notice is given or such longer period (not exceeding one month) as is specified in the notice.

(7) Where a person ceases to be a Constituent Council Member or Substitute Constituent Council Member, the constituent council that appointed them must, as soon as reasonably practicable, appoint another of its elected members to be a Constituent Council Member or, as the case may be, Substitute Constituent Council Member and such appointment takes effect at the end of the period of one week beginning with the date on which the notice is given or such longer period (not exceeding one month) as may be specified in the notice.

(8) A person ceases to be a Business Board Member or Substitute Business Board Member if—

- (a) they resign from the Combined Authority; or
- (b) the Combined Authority terminates their appointment.

(9) Where a person ceases to be a Business Board Member or Substitute Business Board Member, the Combined Authority must, as soon as reasonably practicable, appoint another person from the Business Board to fill the vacancy.

(10) A person ceases to be a CVS Member or Substitute CVS Member if—

- (a) they resign from the Combined Authority; or

(b) the Combined Authority terminates their appointment.

(11) Where a person ceases to be a CVS Member or Substitute CVS Member, the Combined Authority must, as soon as reasonably practicable, appoint another person to be a CVS Member or, as the case may be, Substitute CVS Member.

(12) The Mayor must appoint one of the Constituent Council Members to be the Deputy Mayor.

(13) Where a Constituent Council Member acts as the Deputy Mayor then one of the Substitute Constituent Council Members appointed by the relevant constituent council may act as its Constituent Council Member in any proceedings of the Combined Authority.

(14) For the purposes of this Order, an elected Mayor of a constituent council is to be treated as an elected member of the constituent council.

(15) Other than in this paragraph, any reference in this Order to—

- (a) a Constituent Council Member includes a Substitute Constituent Council Member acting in the absence of the Constituent Council Member;
- (b) a Business Board Member includes a Substitute Business Board Member acting in the absence of the Business Board Member;
- (c) a CVS Member includes a Substitute CVS Member acting in the absence of the CVS Member; and
- (d) the Mayor includes the Deputy Mayor acting in the absence of the Mayor.

(16) For the purposes of this Schedule, “Business Board” means an informal group of representatives to be appointed by the Combined Authority, the purpose of which is to share with the Combined Authority the view of business interests in the Combined Area.

Proceedings

2.—(1) No business may be transacted at a meeting of the Combined Authority unless the following members are present—

- (a) the Mayor; and
- (b) five or more Constituent Council Members.

(2) Each of the following persons (a “Voting Member”) has one vote—

- (a) the Mayor;
- (b) each Constituent Council Member.

(3) None of the Voting Members has a casting vote.

(4) If a vote is tied on any matter it is deemed not to have been carried.

(5) Subject to sub-paragraphs (6) to (11), all decisions put to the vote are to be determined by a simple majority of the Voting Members present and voting on that matter.

(6) A decision on a question relating to any allowance payable to the Mayor under paragraph 5(3) is to be decided by a majority of the Voting Members present excluding the Mayor.

(7) Where one of the matters described in paragraphs (a) to (e) is put to the vote, that vote will only be carried upon the unanimous support of the Mayor and each of the seven Constituent Council Members—

- (a) approval of, and any amendment to, the Combined Authority’s annual budget excluding those elements of the annual budget which relate to Mayoral functions;
- (b) approval of, and any amendment to, the setting of any levy which the Combined Authority shall apply to any constituent council;
- (c) agreement to confer upon the Mayor a duty to produce a Spatial Development Strategy;

- (d) approval or amendment of the Combined Authority’s constitution or standing orders;
- (e) approval or amendment of such other plans and strategies as may be determined by the Combined Authority and set out in its constitution or standing orders.

(8) Where under sub-paragraph (7)(c) there has been the necessary unanimous agreement, the adoption of the Spatial Development Strategy requires the support of at least four Constituent Council Members.

(9) Reference to a two thirds majority in article 8(4) (combined authority’s decisions on budget) of the Combined Authorities (Finance) Order 2017(1) as it applies in relation to the Combined Authority is to be read as a reference to a five-sevenths majority of the Constituent Council Members.

(10) Any decision of the Combined Authority to amend the Local Transport Plan is passed if voted for by a simple majority of the Constituent Council Members present at a meeting of the Combined Authority.

(11) Any decision that might lead to a financial liability falling directly upon a constituent council may only be passed if the majority in favour includes the Constituent Council Member, or their respective Substitute Constituent Council Member, of the constituent council affected.

(12) Save for those matters identified in paragraph 3, where the Mayor votes against a decision carried by virtue of the support of the other members of the Combined Authority present, the Mayor may seek a review of that decision by making an application to the Combined Authority’s monitoring officer within 24 hours of the decision being taken.

(13) Where an application for review is made in accordance with sub-paragraph (12), the Combined Authority must reconsider the decision and a further vote must be held on the question in issue.

(14) The Combined Authority must publish the reasons for any decision taken following a further vote on a question under sub-paragraph (13).

(15) The proceedings of the Combined Authority are not invalidated by any vacancy among its members or substitute members or by any defect in the appointment or qualifications of any member or substitute member.

(16) The provisions in this Schedule relating to the Mayor only have effect where the Mayor is in office.

(17) In this paragraph, “monitoring officer” means the officer designated by the Combined Authority under section 5(1) of the 1989 Act.

Majority including the Mayor

3.—(1) Any questions that are to be decided by the Combined Authority on the exercise of the functions described in sub-paragraph (2) and which are not functions solely exercisable by the Mayor pursuant to article 42 are to be decided by a majority of the Voting Members present and voting on that question at a meeting of the Combined Authority, and such majority is to include the Mayor.

(2) The functions described in this sub-paragraph are those functions conferred onto the Combined Authority by this Order that had not been previously conferred by an enactment on the Durham, Gateshead, South Tyneside and Sunderland Combined Authority or the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority.

Remuneration

4.—(1) Subject to sub-paragraphs (3) and (4), no remuneration is to be payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the Combined Authority.

(2) A constituent council may, in accordance with its own scheme of allowances, pay a special responsibility allowance to any Constituent Council Member appointed by it to the Combined Authority in respect of duties and responsibilities undertaken as a member of the Combined Authority.

(3) The Combined Authority may pay an allowance to the Mayor if—

(a) the Combined Authority has considered a report published by an independent remuneration panel established by the Combined Authority or by one or more of the constituent councils under regulation 20 of the Local Authorities (Members' Allowances) (England) Regulations 2003⁽²⁾ which contains recommendations for such an allowance; and

(b) the allowance paid by the Combined Authority does not exceed the amount specified in the recommendation made by the independent remuneration panel.

(4) The Combined Authority may also make payments to a member of a constituent council in accordance with an order made under paragraph 3(2)(aa) (power by order to make further provision about overview and scrutiny committees) or 4(3)(c) (power by order to make further provision about audit committees) of Schedule 5A (combined authorities: overview and scrutiny committees and audit committees) to the 2009 Act⁽³⁾.

The combined authority's overview and scrutiny committee

5.—(1) The Combined Authority must appoint an overview and scrutiny committee that includes an equal number of members from each constituent council.

(2) An overview and scrutiny committee appointed by the Combined Authority must not include any Constituent Council Member, or Substitute Constituent Council Member, of the Combined Authority.

(3) The Combined Authority must appoint an appropriate person to be the chair of the committee.

The Combined Authority's Audit Committee

6. The Combined Authority must appoint an Audit Committee⁽⁴⁾ that includes—

(a) an equal number of members from each constituent council; and

(b) one independent person appointed by the Combined Authority who is to chair the Audit Committee.

Records

7.—(1) The Combined Authority must make arrangements for the names of members and substitute members present at any meeting to be recorded.

(2) Minutes of the proceedings of a meeting of the Combined Authority, or any committee or sub-committee of the Combined Authority, are to be kept in such form as the Combined Authority may determine.

(2) [S.I. 2003/1021](#).

(3) Schedule 5A was inserted by Schedule 3 to the Cities and Local Government Devolution Act 2016 (c. 1). Paragraph 3(2)(aa) and paragraph 4(3)(c) were inserted by section 70 of the Levelling-up and Regeneration Act 2023 (c. 55).

(4) See further article 14 of [S.I. 2017/68](#) which makes provision in respect of the appointment of members to an audit committee.

(3) Any such minutes are to be signed at the same or next suitable meeting of the Combined Authority, committee or sub-committee as the case may be, by the person presiding at the meeting.

(4) Any minute purporting to be signed as mentioned in sub-paragraph (3) is to be received in evidence without further proof.

(5) Until the contrary is proved, a meeting of the Combined Authority, committee or sub-committee, a minute of whose proceedings has been signed in accordance with this paragraph, is deemed to have been duly convened and held, and all the members and substitute members present at the meeting are deemed to have been duly qualified.

(6) For the purposes of sub-paragraph (3) the next suitable meeting is the next following meeting or, where standing orders made by the Combined Authority provide for another meeting of the authority, committee or sub-committee, to be regarded as suitable, either the next following meeting or that other meeting.

Standing orders

8. The Combined Authority may make standing orders for the regulation of its proceedings and business and may vary or revoke any such orders.

SCHEDULE 2

Article 20(6) and 22(4)

Adaptation of certain transport-related legislation

PART 1

Amendment of miscellaneous transport-related legislation

Amendments to the Transport Act 1968

1. In section 9 of the Transport Act 1968(5) (areas, authorities, and executives)—
 - (a) in subsection (1)(b)(ia), omit “(except as mentioned in sub-paragraph (ib))”;
 - (b) omit subsection (1)(b)(ib);
 - (c) for subsection (1)(c)(ie) substitute—

“(ie) in relation to the area of the North East Mayoral Combined Authority, the Tyne and Wear Passenger Transport Executive;”;
 - (d) omit subsections (6C) and (6D).

Amendments to the Transport Levying Bodies Regulations 1992

- 2.—(1) The Transport Levying Bodies Regulations 1992(6) are amended as follows.
- (2) In regulation 2 (interpretation)—
 - (a) omit the definitions of “the 2014 Order” and “the 2018 Order”;

(5) Section 9 was amended by paragraph 1 of Schedule 18 to the Local Government (Scotland) Act 1973 (c. 65); by sections 57 and 58 of, paragraph 3 of Schedule 3 to and Schedule 8 to the Transport Act 1985 (c. 67); by paragraph 80 of Schedule 13 to the Local Government (Scotland) Act 1994 (c. 39); by section 49 and Schedule 8 to the Deregulation Act 2015 (c. 20) and in relation to England and Wales only by section 98 of, paragraph 2 of Schedule 4 to and Part 4 of Schedule 7 to the Local Transport Act 2008 (c. 26) and by S.I. 2011/908, 2014/864, 866, 2016/653 and 2018/1133.

(6) S.I. 1992/2789; relevant amendments are S.I. 2012/213, 2914, 2015/27, 2017/603, 2018/641 and 2018/1133.

- (b) in the definition of “combined authority”—
 - (i) omit “(ae),”; and
 - (ii) for “(ai)” substitute “(aj)”.
- (3) In regulation 3 (application)—
 - (a) omit paragraphs (ae) and (ai);
 - (b) after paragraph (ai) insert—
 - “(aj) the North East Mayoral Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”.
- (4) In regulation 7 (apportionment of levies), in paragraph (4)—
 - (a) omit sub-paragraphs (ab) and (ae);
 - (b) after sub-paragraph (ae) insert—
 - “(af) in the case of the levies to be issued pursuant to article 26 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024, in accordance with regulation 7B;”.
- (5) For regulation 7B (calculation and apportionment of levies issued by the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority) substitute—

“Calculation and apportionment of levies issued by the North East Mayoral Combined Authority

7B.—(1) The amounts of the levies to be issued by the North East Mayoral Combined Authority (“the Authority”) under article 26(2) of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024 (“the 2024 Order”) to their constituent councils for the financial year 2025 to 2026, or any subsequent financial year, are to be determined by the Authority in accordance with the following provisions of this regulation.

(2) The Authority must apportion the estimated relevant expenditure of the Authority for the financial year in question between—

- (a) expenditure which the Authority estimates will be attributable to the exercise of the Authority’s functions in relation to the county of Tyne and Wear (“the Tyne and Wear component”);
- (b) expenditure which the Authority estimates will be attributable to the exercise of the Authority’s functions in relation to the county of Durham (“the Durham component”); and
- (c) expenditure which the Authority estimates will be attributable to the exercise of the Authority’s functions in relation to the county of Northumberland (“the Northumberland component”).

(3) The Tyne and Wear component must be met by means of the levy issued to the councils for the local government areas of Gateshead, Newcastle Upon Tyne, North Tyneside, South Tyneside and Sunderland under article 26(2)(a) of the 2024 Order.

(4) The Durham component must be met by means of the levy issued to Durham County Council under article 26(2)(b) of the 2024 Order.

(5) The Northumberland component must be met by means of the levy issued to Northumberland County Council under article 26(2)(c) of the 2024 Order.

(6) Where, in respect of any financial year, the Authority estimates that the apportionment of its actual expenditure between the Tyne and Wear component, Durham component and Northumberland component will differ from that estimated under paragraph (2), the Authority

must make appropriate adjustments to its estimates under paragraph (2) for the following financial year.

(7) Those adjustments must be made with a view to ensuring that, so far as practicable and taking one year with another, the proportions in which relevant expenditure is met by the levies referred to in paragraph (3) to (5) reflect the actual expenditure of the Authority on the Tyne and Wear component, Durham component and Northumberland component.

(8) The proportions in which the levy issued to the councils under paragraph (3) is to be shared among those councils are to be determined in the same way as proportions determined under regulation 7(3) in the case of a levy issued by an integrated transport authority.”

Amendment of the Sub-national Transport Body (Transport for the North) Regulations 2018

3. In regulation 2 of the Sub-national Transport Body (Transport for the North) Regulations 2018(7), in the definition of “constituent authorities”—

- (a) omit “The Durham, Gateshead, South Tyneside and Sunderland Combined Authority”;
- (b) omit “Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority”;
- (c) insert in the appropriate place—
“North East Mayoral Combined Authority”.

PART 2

Permit schemes: modification of Part 3 of the TMA

4.—(1) Part 3 of the TMA is modified as follows.

(2) Section 33A (implementation of permit schemes of strategic highways companies and local highway authorities in England) has effect as if—

- (a) subsection (1) were omitted;
- (b) for subsection (2) there were substituted—
“(2) A permit scheme prepared in accordance with section 33(1) or (2) by the Combined Authority shall not have effect in the Combined Area unless the Combined Authority gives effect to it by order.”; and
- (c) subsection (3) were omitted.

(3) Section 36 (variation and revocation of permit schemes) has effect as if, for subsections (1) to (3) there were substituted—

“(1) The Combined Authority may by order vary or revoke a permit scheme to the extent that it has effect in the Combined Area by virtue of an order made by the Combined Authority under section 33A(2).

(2) The Secretary of State may direct the Combined Authority to vary or revoke a permit scheme by an order under subsection (1).

(3) An order made by the Combined Authority under subsection (1) may vary or revoke an order made by the Combined Authority under section 33A(2), or an order previously made by the Combined Authority under subsection (1).”

(7) [S.I. 2018/103](#), amended by [S.I. 2018/1133](#); there are other amendments but none is relevant to these Regulations.

SCHEDULE 3

Article 32

Modification of provisions in ASCLA in their application in relation to the Combined Authority

1. All references to provisions in this Schedule are to provisions in ASCLA.
2. Section 86 has effect as if—
 - (a) in subsection (1), for each reference to “Secretary of State” there were substituted “Combined Authority”;
 - (b) subsection (1)(b) were omitted but not “and” at the end;
 - (c) in subsection (1)(c), for “paragraphs (a) and (b)”, there were substituted “paragraph (a)”;
 - (d) in subsection (5), the words “(except so far as relating to facilities for persons subject to adult detention)” were omitted;
 - (e) in subsection (6), paragraph (c) in the definition of “training” were omitted; and
 - (f) in subsection (7), “or (b),” were omitted.
3. Section 87 has effect as if for each reference to “Secretary of State”, there were substituted a reference to “Combined Authority”.
4. Section 88 has effect as if in subsections (1), (2)(b), (2A), (3), (4)(b) and (6)(a) for each reference to “Secretary of State”, there were substituted a reference to “Combined Authority”.
5. Section 90 has effect as if—
 - (a) in subsection (1), for the first reference to “Secretary of State”, there were substituted a reference to “Combined Authority”;
 - (b) in subsection (1)(a), for “section 86(1)(a) and (b)”, there were substituted “section 86(1)(a)”;
 - (c) in subsection (1)(a), (b) and (c) for each reference to “Secretary of State’s remit” there were substituted a reference to “Combined Authority’s remit”.
6. Section 100 has effect as if—
 - (a) in subsection (1), for the reference to “Secretary of State” there were substituted “Combined Authority”;
 - (b) in subsection (1)(a), for the reference to “Secretary of State’s remit” there were substituted “Combined Authority’s remit”;
 - (c) in subsection (3), for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”; and
 - (d) in subsection (4), for the reference to “Secretary of State” there were substituted a reference to “Combined Authority”.
7. Section 101(8) has effect as if for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”.
8. Section 103(9) has effect as if—
 - (a) for the reference to “Secretary of State” there were substituted a reference to “Combined Authority”; and
 - (b) the words “or (1A)” were omitted.
9. Section 115 has effect as if—

(8) Section 101 was amended by paragraph 3 of Part 1 of Schedule 1 to the Deregulation Act 2015 (c. 20).

(9) Section 103 was amended by paragraph 4 of Part 1 of Schedule 1 to the Deregulation Act 2015.

- (a) for the reference to “Secretary of State”, there were substituted “Combined Authority”;
 - (b) in subsection (2)(a), “, and” were omitted; and
 - (c) in subsection (2), paragraph (b) were omitted.
- 10.** Section 121 has effect as if—
- (a) in subsection (1), there were inserted at the appropriate place—
 - ““the Combined Authority” means the North East Mayoral Combined Authority, a body corporate established under the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”;
 - (b) in subsection (2)—
 - (i) for the reference to “Secretary of State’s remit”, there were substituted “Combined Authority’s remit”; and
 - (ii) in paragraph (a), the words “or (b)” were omitted; and
 - (c) in subsection (3)—
 - (i) for the reference to “Secretary of State’s remit”, there were substituted “Combined Authority’s remit”; and
 - (ii) paragraphs (a) and (aa) were omitted.

SCHEDULE 4

Article 36

Modification of the 2008 Act

PART 1

Modification of the application of Chapter 1 and Chapter 2 of Part 1 of the 2008 Act

1.—(1) Chapter 1 and Chapter 2 of Part 1 of the 2008 Act apply in relation to the Combined Authority as modified in accordance with the following provisions.

(2) Sections 5 (powers to provide housing or other land), 6 (powers for regeneration, development or effective use of land), 7 (powers in relation to infrastructure), 8 (powers to deal with land etc), 9 (acquisition of land), 10 (restrictions on disposal of land) and 11 (main powers in relation to acquired land) of, and Schedules 2 to 4 to, the 2008 Act, have effect as if for each reference to—

- (a) “the HCA” there were substituted a reference to “the Combined Authority”;
- (b) “Part 1” of that Act (however expressed) there were substituted a reference to “Part 6 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024”; and
- (c) land acquired or held by the HCA there were substituted a reference to land acquired or held by the Combined Authority.

(3) Sections 5, 6, 8, 9 and 10 of the 2008 Act have effect as if for every reference to “land” there were substituted a reference to “land in the area of the Combined Authority”.

(4) Section 57(1) of the 2008 Act is to have effect as if before the definition of “notice” there were inserted—

““Combined Authority” means the Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”.

PART 2

Modification of the application of Schedules 2 to 4 to the 2008 Act

2.—(1) Schedules 2 to 4 to the 2008 Act apply in relation to the Combined Authority as modified in accordance with the following provisions.

(2) Part 1 of Schedule 2 to the 2008 Act (compulsory acquisition of land) has effect as if for each reference to “section 9” of that Act there were substituted a reference to “article 34 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024”.

(3) Schedule 3 to the 2008 Act (main powers in relation to land acquired by the HCA) has effect as if for each reference to land which has been vested in or acquired by the HCA there were substituted a reference to land which has been vested in or acquired by the Combined Authority.

(4) Schedule 4 to the 2008 Act (powers in relation to, and for, statutory undertakers) has effect as if for each reference to “the HCA” there were substituted a reference to “the Combined Authority”.

SCHEDULE 5

Article 38

Spatial development strategy

PART 1

Modification of the application of Part 8 of the 1999 Act

1.—(1) Part 8 of the 1999 Act (planning) is modified in accordance with the following provisions.

(2) Part 8 of the 1999 Act has effect as if—

(a) sections 344 (amendments of the Town and Country Planning Act 1990), 345 (Town and Country Planning Act 1990: costs of appeals) and 349 (abolition of joint planning committee for Greater London) were omitted;

(b) for each reference to—

(i) “Greater London” there were substituted a reference to “the Combined Area”;

(ii) “the Mayor” there were substituted a reference to “the Combined Authority”;

(iii) “he” there were substituted a reference to “the Combined Authority”, save for the reference in section 337(6) (publication);

(iv) “under section 343” there were substituted “relating to the Combined Authority under section 343”.

(3) Section 334 of the 1999 Act (the spatial development strategy) has effect as if—

(a) in subsection (3) for “his” there were substituted “its”;

(b) for subsection (4) there were substituted—

“(4) The spatial development strategy must include statements dealing with the general spatial development aspects of such of the Combined Authority’s other policies or proposals as involve considerations of spatial development.”.

(4) Section 335 of the 1999 Act (public participation) has effect as if—

(a) in subsection (2)(a) for “his” there were substituted “its”;

(b) subsection (3)(aa) were omitted;

- (c) in subsection (3)(b), for “London borough council” there were substituted “constituent council”;
- (d) in subsection (4), for the words from “bodies of each” to the end there were substituted—
 - “—
 - (a) voluntary bodies some or all of whose activities benefit the whole or part of the Combined Area;
 - (b) bodies which represent the interests of different racial, ethnic or national groups in the Combined Area;
 - (c) bodies which represent the interests of different religious groups in the Combined Area; and
 - (d) bodies which represent the interests of different persons carrying on business in the Combined Area.”;
- (e) for subsection (8) there were substituted—
 - “(8) In this section “the prescribed period” means such period as may be prescribed by, or determined in accordance with, regulations relating to the Combined Authority made under section 343 below.”.
- (5) Section 336 of the 1999 Act (withdrawal) has effect as if in subsection (3)—
 - (a) paragraph (a) were omitted; and
 - (b) paragraph (b) were omitted.
- (6) Section 338 of the 1999 Act (examination in public) has effect as if in subsection (9) for “The Authority” there were substituted “The North East Mayor”.
- (7) Section 339 (review of matters affecting the strategy) has effect as if in subsection (2) for “his” there were substituted “its”.
- (8) Section 342 of the 1999 Act (matters to which the Mayor is to have regard) has effect as if—
 - (a) for subsection (1) there were substituted—
 - “(1) In exercising its functions under the preceding provisions of this Part, the Combined Authority must have regard to—
 - (a) the National Planning Policy Framework;
 - (b) the effect that the proposed spatial development strategy or revision would have on—
 - (i) the health of persons in the Combined Area;
 - (ii) health inequalities between persons living in the Combined Area;
 - (iii) the achievement of sustainable development in the United Kingdom;
 - (iv) climate change and the consequences of climate change;
 - (v) the need to ensure that the strategy is consistent with national policies; and
 - (c) such other matters as the Secretary of State may prescribe.”; and
 - (b) subsection (2) were omitted.
- (9) Section 347 of the 1999 Act (functional bodies to have regard to the strategy) has effect as if for that section there were substituted—

“347. Constituent councils to have regard to the strategy

347. In exercising any function, each of the constituent councils and the Combined Authority must have regard to the spatial development strategy, but this is without prejudice

to section 24 of the Planning and Compulsory Purchase Act 2004 as modified by Part 2 of Schedule 5 to the North East Mayoral Combined Authority (Establishment and Functions) Order 2024 (which requires certain documents of a constituent council to be in general conformity with the strategy).”.

(10) Section 348 of the 1999 Act (Mayor’s functions as to planning around Greater London) has effect as if—

- (a) in subsections (1), (2) and (3) for “his” there were substituted “its”;
- (b) in subsection (3), for “London borough councils” there were substituted “constituent councils”; and
- (c) in subsection (4), for “the Authority” there were substituted “the Combined Authority”.

(11) Section 350 of the 1999 Act (interpretation of Part 8) has effect as if—

- (a) the following definitions were inserted, in the appropriate places—
 - ““the Combined Area” means the area of the Combined Authority as specified in article 2 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”;
 - ““the Combined Authority” means the Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”;
 - ““constituent councils” has the meaning given in article 2 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”;
 - ““the North East Mayor” is the person elected to the position established by article 14 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”;
- (b) subsection (2) were omitted.

PART 2

Modification of the application of the 2004 Act

2.—(1) Sections 19 (preparation of local development documents), 24 (conformity with regional strategy), 37 (interpretation), 38 (development plan) and 113 (validity of strategies, plans and documents) of the 2004 Act are modified in accordance with the following provisions.

(2) Section 19 of the 2004 Act has effect as if for subsection (2)(c) there were substituted—

- “(c) the spatial development strategy if the authority is a constituent council of the Combined Authority or if any of the authority’s area adjoins the Combined Area;”.

(3) Section 24 of the 2004 Act has effect as if—

- (a) for subsection (1)(b) there were substituted—
 - “(b) the spatial development strategy if the authority is a constituent council of the Combined Authority.”;
- (b) after subsection (4) there were inserted—
 - “(4A) A local planning authority which is a constituent council of the Combined Authority—
 - (a) must request the opinion in writing of the Combined Authority as to the general conformity of a development plan document with the spatial development strategy;

- (b) may request the opinion in writing of the Combined Authority as to the general conformity of any other local development document with the spatial development strategy.”;
- (c) after subsection (5) there were inserted—
- “(5A) The Combined Authority may give an opinion as to the general conformity of a local development document with the spatial development strategy irrespective of whether a request is made under subsection (4A).”; and
- (d) in subsection (7) for each reference to “the Mayor” there were substituted “the North East Mayor”.
- (4) Section 37 of the 2004 Act has effect as if after subsection (6A)(10) there were inserted—
- “(6B) In relation to the Combined Authority, in this section—
- “Combined Area” has the meaning given in article 2 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;
- “the Combined Authority” means the Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;
- “constituent council” has the meaning given in article 2 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;
- “the North East Mayor” is the person elected to the position of Mayor by virtue of article 14 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;
- “spatial development strategy”, in relation to the Combined Authority, means a strategy established by the Combined Authority in exercise of powers under article 37 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024.”.
- (5) Section 38 of the 2004 Act has effect as if—
- (a) after subsection (2) there were inserted—
- “(2A) For the purposes of any area in the Combined Area the development plan is—
- (a) the spatial development strategy;
- (b) the development plan documents (taken as a whole) which have been adopted or approved in relation to that area; and
- (c) the neighbourhood development plans which have been made in relation to that area.”;
- (b) after subsection (10) there were inserted—
- “(11) In this section—
- “Combined Area” has the meaning given in article 2 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;
- “the Combined Authority” means the Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;
- “spatial development strategy”, in relation to the combined authority, means a strategy established by the Combined Authority in exercise of powers under article 37 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024.”.
- (6) Section 113 of the 2004 Act has effect as if—

(10) Section 37(6A) was inserted by section 85 of, and paragraph 17 of Schedule 5 to, the 2009 Act.

- (a) in subsection (1)(f), after “the Mayor of London’s”, there were inserted “, or the Combined Authority’s,”;
- (b) in subsection (11)(e), after “the Mayor of London”, there were inserted “, or the Combined Authority,”;
- (c) after subsection (12), there were inserted—
 - “(12A) In this section “the Combined Authority” means the combined authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024.”.

SCHEDULE 6

Article 40

Modification of the application of Part 8 of the 2011 Act

Modification of the application of Part 8 of the 2011 Act

1.—(1) Chapter 2 of Part 8 of the 2011 Act (Mayoral development corporations) applies in relation to the Combined Authority as modified in accordance with the following provisions.

- (2) Section 196 of the 2011 Act (interpretation of Chapter) has effect as if—
 - (a) the definitions of “the Mayor” and “MDC” were omitted;
 - (b) in the appropriate places there were inserted—
 - ““the Combined Authority” means the Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”;
 - ““the Combined Area” means the area of the Combined Authority”;
 - ““Corporation” means a corporation established by the Secretary of State in accordance with the provisions in section 198 following the designation of an area of land by the Combined Authority;”;
 - ““Northumberland National Park authority” means the National Park authority for the Northumberland National Park;”.
- (3) Sections 197 to 222 of the 2011 Act have effect as if for each reference to—
 - (a) “the Greater London Authority” there were substituted “the Combined Authority”;
 - (b) “the Mayor” there were substituted “the Combined Authority” except for the references in sections 197(3)(d) and (e), 199(2), 202(7)(a) and 214(4)(a); and
 - (c) “MDC” there were substituted “Corporation”.
- (4) Section 197 of the 2011 Act (designation of Mayoral development areas) has effect as if—
 - (a) in subsection (1) for “Greater London” there were substituted “the Combined Area”;
 - (b) in subsection (3)(a) for “any one or more of the Greater London Authority’s principal purposes” there were substituted “economic development and regeneration in the Combined Area”;
 - (c) in subsection (3)(d)—
 - (i) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;
 - (ii) for “the Mayor” there were substituted “the Mayor for the Combined Authority”; and

- (iii) for “subsection (4)(d), (e), (f) or (g)” there were substituted “subsection (4)(d) or (e)”;
 - (d) in subsection (3)(e)—
 - (i) for “the Mayor”, in both places, there were substituted “the Mayor for the Combined Authority”; and
 - (ii) for “the London Assembly” there were substituted “the Combined Authority”;
 - (e) in subsection (3)(f) for “the London Assembly” there were substituted “the Combined Authority”;
 - (f) in subsection (4)—
 - (i) in paragraph (a) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;
 - (ii) paragraph (b) were omitted;
 - (iii) in paragraph (d) for “London borough council whose borough contains any part of the area” there were substituted “district council whose local government area contains any part of the Combined Area”;
 - (iv) in paragraph (e) for “the Common Council of the City of London if any part of the area is within the City” there were substituted “the Northumberland National Park Authority if any part of the Combined Area is within the Northumberland National Park”;
 - (v) paragraphs (f) and (g) were omitted;
 - (g) in subsection (5)—
 - (i) in paragraph (a) for “the London Assembly” there were substituted “the Combined Authority”;
 - (ii) in paragraph (b) for “the London Assembly” there were substituted “the Combined Authority”;
 - (iii) in paragraph (b)(i) for “the Assembly” there were substituted “the Combined Authority”;
 - (iv) in paragraph (b)(ii) for “the Assembly members voting” there were substituted “all members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members) present and voting on that motion”;
 - (h) in subsection (6)(c) for “Mayoral development corporation” there were substituted “Corporation”; and
 - (i) subsection (7) were omitted.
- (5) Section 198 of the 2011 Act (Mayoral development corporations: establishment) has effect as if—
- (a) in the heading for “Mayoral development corporations” there were substituted “Corporations”; and
 - (b) for each reference to “Mayoral development corporation” there were substituted “Corporation”.
- (6) Section 199 of the 2011 Act (exclusion of land from Mayoral development areas) has effect as if—

- (a) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”; and
 - (b) in subsection (2) for “the Mayor”, in both places, there were substituted “the North East Mayor”.
- (7) Section 200 of the 2011 Act (transfers of property etc to a Mayoral development corporation) has effect as if—
- (a) in subsection (3)—
 - (i) in paragraph (a), for “a London borough council” there were substituted “a district council whose local government area is wholly or partly in the Combined Area”;
 - (ii) paragraph (b) were omitted;
 - (iii) in paragraphs (d) and (e), for “in Greater London” there were substituted “in the Combined Area”;
 - (iv) paragraph (k) were omitted;
 - (b) in subsection (4), paragraph (b) were omitted; and
 - (c) in subsection (10), the definitions of “functional body” and “public authority” were omitted.
- (8) Section 201 of the 2011 Act (object and powers) has effect as if subsection (8)(b) were omitted.
- (9) Section 202 of the 2011 Act (functions in relation to town and country planning) has effect as if—
- (a) in subsection (7)(a) for “the Mayor” there were substituted “the North East Mayor”;
 - (b) in subsection (7)(c) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”; and
 - (c) in the definition of “affected local authority” for “(d), (e), (f) or (g)” there were substituted “(d) or (e)”
- (10) Section 203 of the 2011 Act (arrangements for discharge of, or assistance with, planning functions) has effect as if—
- (a) for each reference to “a London borough council or the Common Council of the City of London” there were substituted “a district council, county council or the Northumberland National Park Authority”;
 - (b) in subsections (1) and (5), for each reference to “that council” there were substituted “that council or the Northumberland National Park Authority;” and
 - (c) in subsection (2) for the reference to “a council” there were substituted “a council or the Northumberland National Park Authority”.
- (11) Section 207 of the 2011 Act (acquisition of land) has effect as if—
- (a) in subsection (2) for “in Greater London” there were substituted “in the Combined Area”; and
 - (b) in subsection (3) for “the Mayor of London” there were substituted “the Combined Authority”.
- (12) Section 214 of the 2011 Act (powers in relation to discretionary relief from non-domestic rates) has effect as if—
- (a) in subsection (4)(a) for “the Mayor” there were substituted “the North East Mayor”;
 - (b) in subsection (4)(c) for “the London Assembly or an affected local authority” there were substituted “the members of the Combined Authority who are appointed by the constituent

- councils (including substitute members, acting in place of those members) or a district council whose local government area is wholly or partly in the Combined Area”; and
- (c) in subsection (4) the definition of “affected local authority” were omitted.
- (13) Section 216 of the 2011 Act (transfers of property, rights and liabilities) has effect as if—
- (a) in subsection (2) “, (e)” were omitted; and
- (b) in subsection (4)—
- (i) the definition of “functional body” were omitted;
- (ii) in the definition of “permitted recipient”—
- (aa) paragraph (b) were omitted;
- (bb) in paragraph (d) for “a London borough council” there were substituted “a district council whose local government area is wholly or partly within the Combined Area”; and
- (cc) paragraph (e) were omitted.
- (14) Schedule 21 to the 2011 Act (Mayoral development corporations) applies as if—
- (a) for each reference to—
- (i) “the Mayor” there were substituted “the Combined Authority”, except for the reference in paragraph 1(1);
- (ii) “the Mayor’s” there were substituted “the Combined Authority’s”;
- (iii) “an MDC” there were substituted “the Corporation”, except for the references in paragraphs 1(5) and 3;
- (b) in paragraph 1(1) for—
- (i) “A Mayoral development corporation (“MDC”)” there were substituted “A Corporation”; and
- (ii) the reference to “the Mayor of London (“the Mayor”)” there were substituted “the Combined Authority”;
- (c) in paragraph 1(2) for “each relevant London council” there were substituted “each relevant district council”;
- (d) in paragraph 1(3)—
- (i) sub-paragraph (a) were omitted; and
- (ii) in sub-paragraph (b) for “a London council” there were substituted “a district council”;
- (e) in paragraph 1(5) for—
- (i) “an MDC” in the opening words there were substituted “a Corporation”; and
- (ii) “MDC’s” in sub-paragraph (a) there were substituted “Corporation’s”;
- (f) in paragraph 2(5)(d) for “a relevant London council” there were substituted “a relevant district council”;
- (g) in paragraph 3 for—
- (i) “an MDC” there were substituted “a Corporation”;
- (ii) “An MDC’s” in both places there were substituted “A Corporation’s”; and
- (iii) “the MDC’s” there were substituted “the Corporation’s”;
- (h) in paragraph 4(4) for “the London Assembly” there were substituted “the Combined Authority”;

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- (i) in paragraph 9(c) for “each relevant London council” there were substituted “each relevant district council”; and
- (j) in paragraph 10(1)(c) the reference to “and to the London Assembly” were omitted.