



Cities and Local Government Devolution Act 2016

2016 CHAPTER 1

Combined authorities: accountability etc

9 Funding of combined authorities

- (1) In section 74 of the Local Government Finance Act 1988 (levies), in subsection (10)—
- (a) for “attributable to” substitute “attributable—
 - (a) to”;
 - (b) after “transport” insert “, or
 - (b) subject to subsection (11), to the exercise of any other functions.”
- (2) After that subsection insert—
- “(11) Regulations under this section by virtue of subsection (8) that include provision within subsection (10)(b) may be made only with the consent of—
- (a) the constituent councils, and
 - (b) in the case of regulations in relation to an existing combined authority, the combined authority.
- (12) Subsection (11) is subject to section 106A of the Local Democracy, Economic Development and Construction Act 2009 (which enables regulations to be made without the consent of all the constituent councils in certain circumstances).
- (13) Regulations under this section by virtue of subsection (8) may not make provision in relation to expenses of a combined authority that are attributable to the exercise of mayoral functions.
- (14) In subsections (8) to (13)—
- “constituent council” means—

Status: This is the original version (as it was originally enacted).

- (a) a county council the whole or any part of whose area is within the area of the combined authority, or
 - (b) a district council whose area is within the area of the combined authority;

“mayoral functions” has the meaning given by section 107G(7) of the Local Democracy, Economic Development and Construction Act 2009.”
- (3) In section 23 of the Local Government Act 2003 (meaning of “local authority” for purposes of Part 1 of that Act), in subsection (5) after “only” insert “or in relation to any other functions of the authority that are specified for the purposes of this subsection in regulations made by the Secretary of State.”
- (4) After that subsection insert—
 - “(6) A function of a combined authority may be specified in regulations under subsection (5) only with the consent of—
 - (a) each county council the whole or any part of whose area is within the area of the authority,
 - (b) each district council whose area is within the area of the authority, and
 - (c) in the case of regulations in relation to an existing combined authority, the combined authority.
 - (7) Subsection (6) is subject to section 106A of the Local Democracy, Economic Development and Construction Act 2009 (which enables regulations to be made without the consent of every authority within paragraphs (a) and (b) of that subsection in certain circumstances).
 - (8) The reference in subsection (5) to functions of the authority includes, in the case of a mayoral combined authority, mayoral functions.
 - (9) In subsection (8)—
 - “mayoral combined authority” has the meaning given by section 107A(8) of the Local Democracy, Economic Development and Construction Act 2009;
 - “mayoral functions” has the meaning given by section 107G(7) of that Act.
 - (10) No regulations under subsection (5) may be made unless a draft of the statutory instrument containing the regulations (whether containing them alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.”
- (5) In section 105 of the Local Democracy, Economic Development and Construction Act 2009 (constitution and functions of combined authorities: economic development and regeneration), omit subsection (4).