



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 2 **E+W**

#### LOCAL DEMOCRACY AND DEVOLUTION

### CHAPTER 1 **E+W**

#### COMBINED COUNTY AUTHORITIES

##### *Mayors for CCA areas*

#### **27 Power to provide for election of mayor **E+W****

- (1) The Secretary of State may by regulations provide for there to be a mayor for the area of a CCA.
- (2) A mayor for the area of a CCA is to be elected by the local government electors for that area in accordance with provision made by or under this Chapter.
- (3) In subsection (2) “local government elector” has the meaning given by section 270(1) of the Local Government Act 1972.
- (4) Schedule 2 makes further provision about the election of mayors for areas of CCAs.
- (5) A mayor for the area of a CCA is entitled to the style of “mayor”.
- (6) A mayor for the area of a CCA is by virtue of that office a member of, and the chair of, the CCA.
- (7) Regulations under subsection (1) providing for there to be a mayor for the area of a CCA may not be revoked by making further regulations under subsection (1); but this does not prevent the making of regulations under section 26(1) abolishing the CCA (together with the office of mayor).

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*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Cross Heading: Mayors for CCA areas. (See end of Document for details)*

- (8) In this Chapter “mayoral CCA” means a CCA for an area for which provision is made in regulations under subsection (1) for there to be a mayor.

#### Commencement Information

- I1** S. 27 in force at Royal Assent, see [s. 255\(2\)\(a\)](#)

VALID FROM 26/12/2023

#### **28** Requirements in connection with regulations under section 27 **E+W**

- (1) The Secretary of State may make regulations under section 27(1) in relation to a CCA’s area if a proposal for there to be a mayor for the CCA’s area has been made to the Secretary of State—
- (a) as part of a proposal under section 45, or
  - (b) in accordance with section 47.
- (2) Regulations under section 27(1) may also be made without any such proposal having been made if—
- (a) the appropriate authorities consent, or
  - (b) in the case of an existing CCA, there are one or more non-consenting constituent councils but the CCA and at least two constituent councils consent.
- (3) Where regulations under section 27(1) are made by virtue of subsection (2)(b) of this section, the Secretary of State must make regulations under section 25(1)(b) to remove the area of each non-consenting constituent council from the existing area of the CCA.
- (4) For the purposes of this section “the appropriate authorities” are—
- (a) the constituent councils, and
  - (b) in the case of regulations in relation to an existing CCA, the CCA.

#### Commencement Information

- I2** S. 28 in force at 26.12.2023, see [s. 255\(2\)\(c\)](#)

VALID FROM 26/12/2023

#### **29** Deputy mayors etc **E+W**

- (1) The mayor for the area of a CCA must appoint one of the members of the authority to be the mayor’s deputy.
- (2) The deputy mayor holds office until the end of the term of office of the mayor, subject to subsection (3).
- (3) A person ceases to be the deputy mayor if at any time—

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- (a) the mayor removes the person from office,
  - (b) the person resigns as deputy mayor, or
  - (c) the person ceases to be a member of the CCA.
- (4) If a vacancy occurs in the office of deputy mayor, the mayor must appoint another member of the CCA to be deputy mayor.
- (5) The deputy mayor must act in place of the mayor if for any reason—
- (a) the mayor is unable to act, or
  - (b) the office of mayor is vacant.
- (6) If for any reason—
- (a) the mayor is unable to act or the office of mayor is vacant, and
  - (b) the deputy mayor is unable to act or the office of deputy mayor is vacant,
- the other members of the CCA must act together in place of the mayor, taking decisions by a simple majority.
- (7) In this Chapter “deputy mayor”, in relation to a mayoral CCA, means the person appointed under this section by the mayor for the authority’s area.
- (8) References in this section to a member of a CCA do not include a non-constituent or associate member.

#### Commencement Information

**I3** S. 29 in force at 26.12.2023, see [s. 255\(2\)\(c\)](#)

VALID FROM 26/12/2023

### **30** Functions of mayors: general **E+W**

- (1) The Secretary of State may by regulations make provision for any function of a mayoral CCA to be a function exercisable only by the mayor.
- (2) In this Chapter references to “general functions”, in relation to a mayor for the area of a CCA, are to any functions exercisable by the mayor other than PCC functions (see section [33\(3\)](#)).
- (3) The mayor may arrange—
- (a) for the deputy mayor to exercise any general function of the mayor,
  - (b) for another member or officer of the CCA to exercise any such function,
  - (c) so far as authorised by regulations made by the Secretary of State—
    - (i) for a person appointed as the deputy mayor for policing and crime by virtue of regulations under paragraph [3\(1\)](#) of Schedule 3, or
    - (ii) for a committee of the CCA, consisting of members appointed by the mayor (whether or not members of the CCA),to exercise any such function.
- (4) The reference in subsection [\(3\)\(b\)](#) to a member of a CCA does not include a non-constituent or associate member.

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- (5) Regulations under subsection (3)(c)(ii) may include provision—
- (a) about the membership of the committee;
  - (b) about the member of the committee who is to be its chair;
  - (c) about the appointment of members;
  - (d) about the voting powers of members (including provision for different weight to be given to the vote of different descriptions of member);
  - (e) about information held by the CCA that must, or must not, be disclosed to the committee for purposes connected to the exercise of the committee's functions;
  - (f) applying (with or without modifications) sections 15 to 17 of, and Schedule 1 to, the Local Government and Housing Act 1989 (political balance on local authority committees etc).
- (6) Regulations under subsection (3)(c) must provide that the committee must not consist solely of non-constituent or associate members.
- (7) Provision in regulations under subsection (1) for a function to be exercisable only by the mayor is subject to subsection (3); but the Secretary of State may by regulations provide that arrangements under subsection (3)—
- (a) may authorise the exercise of general functions only of a description specified in the regulations, or
  - (b) may not authorise the exercise of general functions of a description so specified.
- (8) Any general function exercisable by the mayor for the area of a CCA by virtue of this Act is to be taken to be a function of the CCA exercisable—
- (a) by the mayor individually, or
  - (b) in accordance with arrangements made by virtue of this section or section 32 or 34.
- (9) Regulations under this section may—
- (a) include provision for general functions to be exercisable by the mayor subject to conditions or limitations specified in the regulations (including, for example, a condition for general functions to be exercisable only with the consent of the appropriate authorities (as defined by section 28(4)));
  - (b) provide for members or officers of a mayoral CCA to assist the mayor in the exercise of general functions;
  - (c) confer ancillary powers on the mayor for the purposes of the exercise of general functions;
  - (d) authorise the mayor to appoint one person as the mayor's political adviser;
  - (e) provide for the terms and conditions of any such appointment;
  - (f) provide that functions that the mayoral CCA discharges in accordance with arrangements under section 101(1)(b) of the Local Government Act 1972 (discharge of local authority functions by another authority) are to be treated as general functions exercisable by the mayor (so far as authorised by the arrangements).
- (10) Provision under subsection (9)(c) may include provision conferring power on the mayor that is similar to any power exercisable by the mayoral CCA—
- (a) under section 49 (general power of CCA), or
  - (b) under regulations made under section 52(1) (general power of competence),

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but the power conferred on the mayor may not include a power to borrow money.

- (11) Except as provided for by [section 24\(7\)](#), regulations under this section may be made only with the consent of—
- (a) the appropriate authorities (as defined by [section 28\(4\)](#)), and
  - (b) in the case of regulations made in relation to an existing mayoral CCA, the mayor of the CCA.
- (12) Where regulations under this section are contained in the same instrument as regulations made by virtue of [section 28\(2\)\(b\)](#), a non-consenting constituent council is not to be treated as an appropriate authority for the purposes of subsection (11).
- (13) The requirement in subsection (11) does not apply where the regulations are made under [section 19\(1\)](#) and [subsection \(1\)](#) of this section in relation to an existing mayoral CCA and provide for a function—
- (a) to be a function of the CCA, and
  - (b) to be a function exercisable only by the mayor.

See [section 31](#) in relation to regulations of this kind.

#### Commencement Information

**I4** S. 30 in force at 26.12.2023, see [s. 255\(2\)\(c\)](#)

VALID FROM 26/12/2023

#### **31 Procedure for direct conferral of general functions on mayor** **E+W**

- (1) This section applies in relation to regulations which are made under [sections 19\(1\)](#) and [30\(1\)](#) in relation to an existing mayoral CCA and provide for a function—
- (a) to be a function of the CCA, and
  - (b) to be a function exercisable only by the mayor.
- (2) The Secretary of State may make the regulations only if a request for the making of the regulations has been made to the Secretary of State by the mayor.
- (3) Before submitting a request under this section, the mayor must consult the constituent councils.
- (4) A request under this section must contain—
- (a) a statement by the mayor that all of the constituent councils agree to the making of the regulations, or
  - (b) if the mayor is unable to make that statement, the reasons why the mayor considers the regulations should be made even though not all of the constituent councils agree to them being made.

#### Commencement Information

**I5** S. 31 in force at 26.12.2023, see [s. 255\(2\)\(c\)](#)

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### 32 Joint exercise of general functions **E+W**

- (1) The Secretary of State may by regulations make provision for, or in connection with, permitting arrangements under section 101(5) of the Local Government Act 1972 to be entered into in relation to general functions of a mayor for the area of a CCA.
- (2) Provision under subsection (1) may include provision—
  - (a) for the mayor for the area of a CCA to be a party to the arrangements in place of, or jointly with, the CCA;
  - (b) about the membership of any joint committee;
  - (c) about the member of the joint committee who is to be its chair;
  - (d) about the appointment of members to a joint committee;
  - (e) about the voting powers of members of a joint committee (including provision for different weight to be given to the vote of different descriptions of member).
- (3) Provision under subsection (2)(b) to (d) may include provision for the mayor or other persons—
  - (a) to determine the number of members;
  - (b) to have the power to appoint members (whether or not members of the CCA or a local authority that is a party to the arrangements).
- (4) Provision under subsection (2)(d) may include provision as to the circumstances in which appointments to a joint committee need not be made in accordance with sections 15 to 17 of, and Schedule 1 to, the Local Government and Housing Act 1989 (political balance on local authority committees etc).
- (5) In this section references to a joint committee are to a joint committee falling within section 101(5)(a) of the Local Government Act 1972 that is authorised to discharge, by virtue of regulations under this section, general functions of a mayor for the area of a CCA.

#### Commencement Information

**I6** S. 32 in force at 26.12.2023, see [s. 255\(2\)\(c\)](#)

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