



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

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

#### LOCAL DEMOCRACY AND DEVOLUTION

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

#### COMBINED COUNTY AUTHORITIES

##### *Requirements in connection with regulations about CCAs*

#### 45 **Proposal for new CCA** **E+W**

- (1) One or more authorities to which this section applies may—
  - (a) prepare a proposal for the establishment of a CCA for an area, and
  - (b) submit the proposal to the Secretary of State.
- (2) This section applies to the following authorities—
  - (a) a county council whose area is within the proposed area;
  - (b) a unitary district council whose area is within the proposed area;
  - (c) an economic prosperity board the whole or any part of whose area is within the proposed area;
  - (d) an Integrated Transport Authority the whole or any part of whose area is within the proposed area;
  - (e) a combined authority the whole or any part of whose area is within the proposed area.
- (3) In this section “the proposed area” means the area for which the CCA is proposed to be established.
- (4) Before submitting a proposal under this section to the Secretary of State, the authority or authorities preparing the proposal must—

*Status: Point in time view as at 26/12/2023.*

*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023. Cross Heading: Requirements in connection with regulations about CCAs. (See end of Document for details)*

- (a) carry out a public consultation across the proposed area on the proposal, and
  - (b) have regard to the results of the consultation in preparing the proposal for submission to the Secretary of State.
- (5) The requirements in subsection (4) may be satisfied by things done before the coming into force of this section.
- (6) If a proposal under this section is not submitted by all of the authorities to which this section applies, each authority which does not submit the proposal must consent to its submission to the Secretary of State.
- (7) A proposal under this section must specify the purposes to be achieved by the establishment of the CCA.
- (8) The Secretary of State may by regulations—
- (a) make further provision about the matters which must be addressed by a proposal under this section;
  - (b) make provision about material which must be included in or submitted with a proposal under this section.

#### Commencement Information

**II** S. 45 in force at Royal Assent, see [s. 255\(2\)\(a\)](#)

## 46 Requirements in connection with establishment of CCA **E+W**

- (1) The Secretary of State may make regulations establishing a CCA for an area only if—
- (a) the Secretary of State considers that to do so is likely to improve the economic, social and environmental well-being of some or all of the people who live or work in the area,
  - (b) the Secretary of State considers that to do so is appropriate having regard to the need—
    - (i) to secure effective and convenient local government, and
    - (ii) to reflect the identities and interests of local communities,
  - (c) where a proposal for the establishment of the CCA has been submitted under section 45, the Secretary of State considers that its establishment will achieve the purposes specified under subsection (7) of that section,
  - (d) the constituent councils consent, and
  - (e) any consultation required by subsection (3) has been carried out.
- (2) If a proposal for the establishment of the CCA has been submitted under section 45, the Secretary of State must have regard to the proposal in making the regulations.
- (3) The Secretary of State must carry out a public consultation unless—
- (a) a proposal has been prepared under section 45,
  - (b) a public consultation has been carried out in connection with the proposal and the Secretary of State has been provided with a summary of the consultation responses, and
  - (c) the Secretary of State considers that no further consultation is necessary.
- (4) Subsection (5) applies where the Secretary of State is considering whether to make regulations establishing a CCA for an area and—

*Status: Point in time view as at 26/12/2023.*

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- (a) part of the area is separated from the rest of it by one or more local government areas that are not within the area, or
  - (b) a local government area that is not within the area is surrounded by local government areas that are within the area.
- (5) In deciding whether to make the regulations, the Secretary of State must have regard to the likely effect of the creation of the proposed CCA on the exercise of functions equivalent to those of the proposed CCA's functions in each local government area that is next to any part of the proposed CCA area.
- (6) In this Chapter “local government area” means the area of a county council or a district council.

#### Commencement Information

**I2** S. 46 in force at 26.12.2023, see s. 255(2)(c)

### 47 **Proposal for changes to existing arrangements relating to CCA** **E+W**

- (1) One or more authorities to which this section applies may—
- (a) prepare a proposal for the making of regulations under section 10, 16, 18, 19, 21, 22, 25, 26, 27, 30 or 33 in relation to an existing CCA, and
  - (b) submit the proposal to the Secretary of State.
- (2) This section applies to the following authorities—
- (a) the CCA;
  - (b) a county council whose area is within the area of the CCA;
  - (c) a unitary district council whose area is within the area of the CCA;
  - (d) in the case of a proposal for the making of regulations under section 25 to add the area of a county council to the area of the CCA, that county council;
  - (e) in the case of a proposal for the making of regulations under section 25 to add the area of a unitary district council to the area of the CCA, that unitary district council.
- (3) Before submitting a proposal under this section to the Secretary of State, the authority or authorities preparing the proposal must—
- (a) carry out a public consultation across—
    - (i) the area of the CCA, and
    - (ii) in the case of a proposal for the making of regulations under section 25 to add a relevant local government area to the area of the CCA, that relevant local government area, and
  - (b) have regard to the results of the consultation in preparing the proposal for submission to the Secretary of State.
- (4) The requirements in subsection (3) may be satisfied by things done before the coming into force of this section.
- (5) Before a proposal under this section for the making of regulations is submitted to the Secretary of State, each person who would have to consent to the making of the regulations must consent to the submission of the proposal.

*Status: Point in time view as at 26/12/2023.*

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- (6) If a proposal under this section is submitted to the Secretary of State by an authority, the authority is to be treated as having consented to its submission for the purposes of subsection (5).
- (7) In determining for the purposes of subsection (6) who would have to consent to the making of regulations under section 27, section 28(2)(b) (limited consent requirements) is to be disregarded.
- (8) A proposal under this section must specify the purposes to be achieved by the regulations which it proposes should be made.
- (9) The Secretary of State may by regulations—
  - (a) make further provision about the matters which must be addressed by a proposal under this section;
  - (b) make provision about material which must be included in or submitted with a proposal under this section.

#### Commencement Information

**I3** S. 47 in force at 26.12.2023, see s. 255(2)(c)

## 48 Requirements for changes to existing arrangements relating to CCA **E+W**

- (1) The Secretary of State may make regulations under section 10, 16, 18, 19, 21, 22, 25, 26, 27, 30 or 33 in relation to an existing CCA only if—
  - (a) the Secretary of State considers that to do so is likely to improve the economic, social and environmental well-being of some or all of the people who live or work in the area,
  - (b) the Secretary of State considers that to do so is appropriate having regard to the need—
    - (i) to secure effective and convenient local government, and
    - (ii) to reflect the identities and interests of local communities,
  - (c) where a proposal for the making of the regulations has been submitted under section 47, the Secretary of State considers that making the regulations will achieve the purposes specified under subsection (8) of that section, and
  - (d) any consultation required by subsection (3) has been carried out.
- (2) If a proposal for the making of the regulations has been submitted under section 47, the Secretary of State must have regard to the proposal in making the regulations.
- (3) The Secretary of State must carry out a public consultation unless—
  - (a) a proposal has been prepared under section 47,
  - (b) a public consultation has been carried out in connection with the proposal and the Secretary of State has been provided with a summary of the consultation responses, and
  - (c) the Secretary of State considers that no further consultation is necessary.
- (4) Subsection (5) applies where the Secretary of State is considering whether to make regulations under section 25 and—

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- (a) part of the area to be created is separated from the rest of it by one or more local government areas that are not within the area, or
  - (b) a local government area that is not within the area to be created is surrounded by local government areas that are within the area.
- (5) In deciding whether to make the regulations under section 25, the Secretary of State must have regard to the likely effect of the change to the CCA's area on the exercise of functions equivalent to those of the CCA's functions in each local government area that is next to any part of the area to be created by the regulations.
- (6) This section does not apply to regulations under section 25(1)(b) that are made as a result of the duty in section 28(3).

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**Commencement Information**

**I4** S. 48 in force at 26.12.2023, see s. 255(2)(c)

**Status:**

Point in time view as at 26/12/2023.

**Changes to legislation:**

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