
EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the conferral of functions of local authorities and other public authorities on the Greater Manchester Combined Authority (“the GMCA”). This Order has been made following the publication on 18 March 2016 of a scheme for the conferral of functions on the GMCA. The scheme is available at: https://www.greatermanchester-ca.gov.uk/new_devo_powers .

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise specified functions of a local authority under sections 104, 105 and 105A of the 2009 Act, and power to exercise specified functions of any other public authority under section 16 of the Cities and Local Government Devolution Act 2016 (“the 2016 Act”).

The Secretary of State may provide for there to be a mayor for the area of a combined authority where the constituent councils of the combined authority (each district council or county council whose area is within the area of the combined authority) and any existing combined authority consent under section 107B(3) of the 2009 Act.

Part 2 of and Schedule 1 to the Order confers on the GMCA functions corresponding to the spatial development strategy function that the Mayor of London has in relation to Greater London under section 334(1) of the Greater London Authority Act 1999.

Part 3 of and Schedule 2 to the Order confer on the GMCA functions in relation to housing and regeneration which are exercised concurrently with the Homes and Communities Agency. Part 4 of the Order confers further transport functions on the GMCA in relation to its area, to be exercised concurrently with its constituent councils. *Article 9* confers functions to enter into agreements in respect of highways functions, *article 10* confers functions in respect of road safety, and *article 11* confers on the GMCA functions to give grants to bus service operators.

Part 5 of the Order confers additional functions on the GMCA which are to be exercised concurrently with the constituent councils. *Article 12* confers functions regarding education and skills, and *article 13* provides the GMCA with a functional power of culture.

Part 6 makes provision for the funding of the functions conferred on the GMCA. *Article 14* provides that most of the functions are to be funded by contributions from the GMCA’s constituent councils.

Part 7 of the Order makes additional provision for the Mayor for the area of the GMCA. *Article 15* sets out the functions of the GMCA which are to be only exercisable by the Mayor, and *article 16* provides for the appointment of a political adviser to the Mayor.

Part 8 of the Order provides for amendments to the order establishing the GMCA. *Article 17* makes some general, incidental provisions relating to the GMCA to enable it to carry out its functions effectively.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.