
EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the West Midlands Combined Authority.

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.

The Secretary of State may establish a combined authority for an area where a scheme for such an authority has been published under section 109 of the 2009 Act. This Order has been made following the publication of such a scheme on 26th October 2015 by the constituent councils whose areas together make up the combined area of the new authority. The scheme is available at: <https://westmidlandscombinedauthority.org.uk/media/1047/26-october-2015-appendix-1-west-midlands-combined-authority-scheme.pdf>.

Part 2 of the Order establishes the new authority, to be known as the West Midlands Combined Authority, and makes provision for its constitution and funding.

Article 4 of and Schedule 1 to the Order make provision for the constitution of the West Midlands Combined Authority. This is supplemental to the provision that is made by Part 1A of Schedule 12 to the Local Government Act 1972 (see paragraph (6A) of that Schedule, as amended by the 2009 Act).

Article 5 makes provision for the funding, by the constituent councils, of the costs of the Combined Authority.

Part 3 concerns the transport functions of the Combined Authority. Article 6 provides for the dissolution of the West Midlands Passenger Transport Executive and its merger into the West Midlands Integrated Transport Authority. Article 7 abolishes the West Midlands integrated transport area and its integrated transport authority and transfers all functions, rights and liabilities to the Combined Authority. Article 8 and Schedule 2 make consequential adaptations to enactments. Article 8 also makes general modifications to Acts referring to passenger transport executives and disapplies specified Acts. Article 9 provides for continuity in the exercise of functions as between the abolished Integrated Transport Authority and Passenger Transport Executive and the Combined Authority.

Part 4 confers additional functions on the West Midlands Combined Authority.

Article 10 confers functions of the constituent councils relating to economic development and regeneration. These are set out in Schedule 3 to the Order and are to be exercised concurrently with the constituent councils.

Articles 11 to 15 make some general, incidental provisions relating to the West Midlands Combined Authority 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 or the voluntary sector.