

SCHEDULE 1

Regulation 4

Constitution

Membership

1.—(1) Subject to sub-paragraph (4), the Combined County Authority is to have eight members in addition to the Mayor as provided for in the following sub-paragraphs.

(2) Each of the constituent councils must appoint two of its elected members to act as members of the Combined County Authority.

(3) Each constituent council must designate one of the members appointed under sub-paragraph (2) to act as lead member.

(4) Each constituent council must appoint another two of its elected members to act as a member of the Combined County Authority in the absence of either of the members appointed under sub-paragraph (2) (“the substitute member”).

(5) A person ceases to be a member or substitute member of the Combined County Authority if they cease to be a member of the constituent council that appointed them.

(6) A person may resign as a member or substitute member of the Combined County Authority by written notice served on the proper officer of the constituent council that appointed them, and the resignation takes effect on receipt of the notice by the proper officer of the council.

(7) Where a member or substitute member of the Combined County Authority’s appointment ceases by virtue of sub-paragraph (5) or (6) the constituent council that made the appointment must, as soon as practicable, give written notice of that fact to the Combined County Authority and appoint another of its elected members in that person’s place.

(8) A constituent council may at any time terminate the appointment of a member or substitute member appointed by it to the Combined County Authority and appoint another one of its elected members in that person’s place.

(9) Where a constituent council exercises its power under sub-paragraph (8), it must give written notice of the new appointment and the termination of the previous appointment to the Combined County Authority and the new appointment takes effect and the previous appointment terminates at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

(10) For the purposes of this paragraph, an elected mayor of a constituent council is to be treated as a member of the constituent council.

Non-constituent and associate members

2.—(1) The Combined County Authority must have no more than eight non-constituent members and associate members.

(2) Each nominating body of the Combined County Authority must nominate another person to act as the member of the Combined County Authority in the absence of the member appointed under section 11(3) of the 2023 Act (non-constituent members of a CCA).

(3) An associate member appointed under section 12(1) of the 2023 Act (associate members of a CCA) must nominate another person to act as a member of the Combined County Authority in their absence.

Proceedings

3.—(1) Subject to the following sub-paragraphs, any question that is to be decided by the Combined County Authority is to be decided by—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) a vote of the members of the Combined County Authority, and any substitute members acting in place of members of the Combined County Authority, and the Mayor or the deputy mayor acting in place of the Mayor present and voting on that question at a meeting of the Combined County Authority, and
 - (b) a majority of those voting that includes the Mayor, or the deputy mayor acting in place of the Mayor.
- (2) No business may be transacted at a meeting of the Combined County Authority unless the following persons are present—
- (a) the Mayor or the deputy mayor acting in place of the Mayor, and
 - (b) at least three members of the Combined County Authority appointed by constituent councils under paragraph 1(2), or substitute members acting in their place.
- (3) Where the deputy mayor is acting in the place of the Mayor they cannot also act in their capacity as a member of the Combined County Authority.
- (4) The Mayor, and each member of the Combined County Authority appointed by a constituent council, or substitute member acting in that member's place, is to have one vote.
- (5) Neither the Mayor nor any member or substitute member is to have a casting vote.
- (6) If a vote is tied on any matter it is deemed not to have been carried.
- (7) For questions relating to the following matters, the majority under sub-paragraph (1)(b) must include all lead members designated by the constituent councils under paragraph 1(3) or, where any substitute members are acting in place of lead members, all lead members and all such substitute members—
- (a) approval or amendment of a budget;
 - (b) the setting of any transport levy under section 74 of the Local Government Finance Act 1988 and in accordance with regulations made thereunder; and
 - (c) such other plans and strategies as may be determined by the Combined County Authority and set out in its standing orders.
- (8) The proceedings of the Combined County Authority are not invalidated by any vacancy among its members or substitute members or by any defect in the appointment or qualifications of any member or substitute member.

Records

- 4.—(1) The Combined County Authority must make arrangements for the names of members and substitute members present at any meeting to be recorded.
- (2) Minutes of the proceedings of a meeting of the Combined County Authority, or any committee or sub-committee of the Combined County Authority, are to be kept in such form as the Combined County Authority may determine.
- (3) Any such minutes are to be signed at the same or next suitable meeting of the Combined County Authority, committee or sub-committee as the case may be, by the person presiding at that meeting.
- (4) Any minute purporting to be signed as mentioned in sub-paragraph (3) is to be received in evidence without further proof.
- (5) Until the contrary is proved, a meeting of the Combined County Authority, committee or sub-committee, a minute of whose proceedings has been signed in accordance with this paragraph, is deemed to have been duly convened and held, and all the members and substitute members present at the meeting are deemed to have been duly qualified.

(6) For the purposes of sub-paragraph (3) the next suitable meeting is the next following meeting or, where standing orders made by the Combined County Authority provide for another meeting of the authority, committee or sub-committee to be regarded as suitable, either the next following meeting or that other meeting.

Standing orders

5. The Combined County Authority may make standing orders for the regulation of its proceedings and business and may vary or revoke any such orders.

Remuneration

6. Subject to paragraphs 7, 8 and 9 no remuneration is to be payable by the Combined County Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the Combined County Authority.

7.—(1) The Combined County Authority may establish an independent remuneration panel to recommend a scheme to the Combined County Authority regarding the allowances payable to—

- (a) the Mayor;
- (b) the deputy mayor provided that the deputy mayor is not a leader or elected mayor of a constituent council;
- (c) independent persons appointed under article 5 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017(1); and
- (d) members of the overview and scrutiny committee and members of the audit committee.

(2) An independent remuneration panel must consist of at least three members none of whom—

- (a) is also a member of the Combined County Authority or is a member of a committee or sub-committee of the Combined County Authority or a member of a constituent council of the Combined County Authority or a member of a district council; or
- (b) is disqualified from being or becoming a member of the Combined County Authority.

(3) The Combined County Authority may pay the expenses incurred by the independent remuneration panel established under paragraph (1) in carrying out its functions and may pay the members of the panel such allowances or expenses as the Combined County Authority may determine.

8. The Combined County Authority may only pay an allowance to the people listed in paragraph 7(1)(a) to (d) if the Combined County Authority has —

- (a) considered a report published by the independent remuneration panel established under paragraph 7(1) which contains recommendations for such an allowance; and
- (b) approved a scheme for the payment of the allowance providing that scheme does not provide for the payment of allowances of an amount in excess of the amount recommended by the independent remuneration panel.

9. The Combined County Authority must consider a report from the independent remuneration panel before approving a scheme under paragraph 7.

(1) [S.I. 2017/68](#), as amended by [S.I. 2024/XXXX](#).

SCHEDULE 2

Regulation 10(5)

PART 1

Modification of the application of Chapter 2 of Part 1 of the 2008 Act

1.—(1) Chapters 1 and 2 of Part 1 of the 2008 Act apply in relation to the Combined County Authority as modified in accordance with the following provisions.

(2) Sections 5 (powers to provide housing or other land), 6 (powers for regeneration, development or effective use of land), 7 (powers in relation to infrastructure), 8 (powers to deal with land etc), 9 (acquisition of land), 10 (restrictions on disposal of land) and 11 (main powers in relation to acquired land) of, and Schedules 2 to 4 to, the 2008 Act, have effect as if for each reference to—

- (a) “the HCA” there were substituted a reference to “the Combined County Authority”;
- (b) “Part 1” of that Act there were substituted a reference to “Part 4 of the East Midlands Combined County Authority Regulations 2024”; and
- (c) land acquired or held by the HCA there were substituted a reference to land acquired or held by the Combined County Authority.

(3) Sections 5, 6, 8, 9 and 10 of the 2008 Act have effect as if for every reference to “land” there were substituted a reference to “land in the area of the Combined County Authority”.

(4) Section 57(1) of the 2008 Act is to have effect as if before the definition of “develop” there were inserted—

““Combined County Authority” means the East Midlands Combined County Authority, a body corporate established under the East Midlands Combined County Authority Regulations 2024;”.

PART 2

Modification of the application of Schedules 2 to 4 to the 2008 Act

2.—(1) Schedules 2 to 4 to the 2008 Act apply in relation to the Combined County Authority as modified in accordance with the following provisions.

(2) Part 1 of Schedule 2 to the 2008 Act (compulsory acquisition of land) has effect as if for each reference to “section 9” of that Act there were substituted a reference to “regulation 7 of the East Midlands Combined County Authority Regulations 2024”.

(3) Schedule 3 to the 2008 Act (main powers in relation to land acquired by the HCA) is to have effect as if for references to land which has been vested in or acquired by the HCA there were substituted references to land which has been vested in or acquired by the Combined County Authority.

(4) Schedule 4 to the 2008 Act (powers in relation to, and for, statutory undertakers) has effect as if for each reference to the HCA there were substituted a reference to the Combined County Authority.

SCHEDULE 3

Regulation 12(1)

Modification of the application of Part 8 of the 2011 Act

1.—(1) Chapter 2 of Part 8 of the 2011 Act (Mayoral development corporations) applies in relation to the Combined County Authority as modified in accordance with the following provisions.

(2) Section 196 of the 2011 Act (interpretation of Chapter) has effect as if for the definitions of “the Mayor” and “MDC” there were substituted—

““the Area” means the area of the Combined County Authority;

“the Combined County Authority” means the Combined County Authority, established by the East Midlands Combined County Authority Regulations 2024;

“Corporation” means a corporation established by the Secretary of State in accordance with the provisions in section 198 following the designation of an area of land by the Combined County Authority;

“National Park” means the Peak District National Park⁽²⁾; and

“National Park authority” means the National Park authority for the National Park⁽³⁾.”

(3) Sections 197 to 222 of the 2011 Act have effect as if for each reference to—

(a) “the Greater London Authority” there were substituted “the Combined County Authority”;

(b) “the Mayor” there were substituted “the Combined County Authority” except for the occurrences in sections 197(3)(d) and (e), 199, 202(7)(a) and 214(4)(a); and

(c) “MDC” there were substituted “Corporation”.

(4) Section 197 of the 2011 Act (designation of Mayoral development areas) has effect as if—

(a) in subsection (1) for “Greater London” there were substituted “the Area”;

(b) in subsection (3)(a) for, “any one or more of the Greater London Authority’s principal purposes”, there were substituted “economic development and regeneration in the Area”;

(c) in subsection (3)(d)—

(i) for “the London Assembly” there were substituted “the members of the Combined County Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;

(ii) for “the Mayor” in each place it occurs there were substituted “the Mayor for the Area”; and

(iii) for “subsection (4)(d), (e), (f) or (g)” there were substituted “subsection (4)(d) or (e)”;

(d) in subsection (3)(e)—

(i) for “the Mayor” in each place it occurs there were substituted “the Mayor for the Area”; and

(ii) for “the London Assembly” there were substituted “the Combined County Authority”;

(e) in subsection (3)(f) for “the London Assembly” there were substituted “the Combined County Authority”;

(f) in subsection (4)—

(2) Column 1 of Part 1 of Schedule 1 to the National Park Authorities (England) Order 2015 (S.I. 2015/770) lists the National Parks.

(3) Article 2 of the National Park Authorities (England) Order 2015 defines “National Park authority” as meaning a National Park authority for a National Park.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) in paragraph (a) for “the London Assembly” there were substituted “the members of the Combined County Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;
 - (ii) paragraph (b) were omitted;
 - (iii) in paragraph (d) for “each London borough council whose borough” there were substituted “each district council whose local government area”;
 - (iv) in paragraph (e) for “the Common Council of the City of London if any part of the area is within the City” there were substituted “the National Park authority if any part of the area is within the National Park.”;
 - (v) paragraphs (f) and (g) were omitted;
- (g) in subsection (5)—
- (i) in paragraph (a) for “the London Assembly” there were substituted “the Combined County Authority”;
 - (ii) in paragraph (b) for “the London Assembly” there were substituted “the Combined County Authority”;
 - (iii) in paragraph (b)(i) for “the Assembly” there were substituted “the Combined County Authority”;
 - (iv) in paragraph (b)(ii) for “the Assembly members voting” there were substituted “all members of the Combined County Authority who are appointed by the constituent councils (including substitute members, acting in place of those members) present and voting on that motion”;
- (h) in subsection (6)(c) for “Mayoral development corporation” there were substituted “Corporation”; and
- (i) subsection (7) were omitted.
- (5) Section 198 of the 2011 Act (Mayoral development corporations: establishment) has effect as if—
- (a) in the heading for “Mayoral development corporations” there were substituted “Corporations”; and
 - (b) for every reference to “Mayoral development corporation” there were substituted “Corporation”.
- (6) Section 199 of the 2011 Act (exclusion of land from Mayoral development areas) has effect as if—
- (a) for “the London Assembly” there were substituted “the members of the Combined County Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;
 - (b) in each place it occurs for “the Mayor” there were substituted “the Mayor for the Area”.
- (7) Section 200 of the 2011 Act (transfers of property etc to a Mayoral development corporation) has effect as if—
- (a) in subsection (3)—
- (i) in paragraph (a), for “a London borough council” there were substituted “a district council wholly or partly in the Area”;
 - (ii) paragraph (b) were omitted;
 - (iii) in paragraphs (d) and (e), for “in Greater London” there were substituted “in the Area”;
 - (iv) paragraph (k) were omitted;

- (b) in subsection (4) paragraph (b) were omitted; and
 - (c) in subsection (10), the definitions of “functional body” and “public authority” were omitted.
- (8) Section 201 of the 2011 Act (object and powers) has effect as if subsection (8)(b) were omitted.
- (9) Section 202 of the 2011 Act (functions in relation to town and country planning) has effect as if—
- (a) in subsection (7)(a) for “the Mayor” there were substituted “the Mayor for the Area”;
 - (b) in subsection (7)(c) for “the London Assembly” there were substituted “the members of the Combined County Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”, and
 - (c) in the definition of “affected local authority” in subsection (7) for “(d), (e), (f) or (g)” there were substituted “(d) or (e)”.
- (10) Section 203 of the 2011 Act (arrangements for discharge of, or assistance with, planning functions) has effect as if—
- (a) for each reference to “a London borough council or the Common Council of the City of London” there were substituted “a district council, a county council or the National Park authority”; and
 - (b) in subsections (1) and (5), for each reference to “council” there were substituted “council or National Park authority”.
- (11) Section 207 of the 2011 Act (acquisition of land) has effect as if—
- (a) in subsection (2) for “in Greater London” there were substituted “in the Area”; and
 - (b) in subsection (3) for “the Mayor of London” there were substituted “the Combined County Authority”.
- (12) Section 214 of the 2011 Act (powers in relation to discretionary relief from non-domestic rates) has effect as if—
- (a) in subsection (4)(a) for “the Mayor” there were substituted “the Mayor for the Area”;
 - (b) in subsection (4)(c) for “the London Assembly or an affected local authority” there were substituted “the members of the Combined County Authority who are appointed by the constituent councils (including substitute members, acting in place of those members) or a district council wholly or partly in the Area”; and
 - (c) in subsection (4) the definition of “affected local authority” were omitted.
- (13) Section 216 of the 2011 Act (transfers of property, rights and liabilities) has effect as if—
- (a) in subsection (2) “, (e)” were omitted; and
 - (b) in subsection (4)—
 - (i) the definition of “functional body” were omitted; and
 - (ii) in the definition of “permitted recipient”—
 - (aa) paragraph (b) were omitted,
 - (bb) in paragraph (d) for “a London borough council” there were substituted “a district council within the Area”, and
 - (cc) paragraph (e) were omitted.
- (14) Schedule 21 to the 2011 Act (Mayoral development corporations) has effect as if—
- (a) for each reference to—
 - (i) “the Mayor” there were substituted “the Combined County Authority”, except for the references in paragraph 1(1);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) “the Mayor’s” there were substituted “the Combined County Authority’s”;
- (b) for each reference to “an MDC” there were substituted “the Corporation”, except for the references in paragraphs 1(5) and 3;
- (c) for each reference to “the MDC” there were substituted “the Corporation”;
- (d) in paragraph 1(1)—
 - (i) for “A Mayoral development corporation (“MDC”)” there were substituted “A Corporation”;
 - (ii) for the reference to “the Mayor of London (“the Mayor”)” there were substituted “the Combined County Authority”;
- (e) in paragraph 1(2) for “each relevant London council” there were substituted “each relevant district council”;
- (f) in paragraph 1(3)—
 - (i) sub-paragraph (a) were omitted; and
 - (ii) in sub-paragraph (b) for “a London council” there were substituted “a district council”;
- (g) in paragraph 1(5), for “an MDC” there were substituted “a Corporation” and for “MDC’s” there were substituted “Corporation’s”;
- (h) in paragraph 2(5)(d) for “a relevant London council” there were substituted “a relevant district council”;
- (i) in paragraph 3—
 - (i) for “an MDC” there were substituted “a Corporation”;
 - (ii) for “An MDC’s” in each place in which it occurs there were substituted “A Corporation’s”; and
 - (iii) for “the MDC’s” there were substituted “the Corporation’s”;
- (j) in paragraph 4(4) for “the London Assembly” there were substituted “the Combined County Authority”;
- (k) in paragraph 9(c) for “each relevant London council” there were substituted “each relevant district council”; and
- (l) in paragraph 10(1)(c) the reference to “and to the London Assembly” were omitted.

SCHEDULE 4

Regulation 20(4)

Permit schemes: modification of the application of Part 3 of the Traffic Management Act 2004

1.—(1) Part 3 of the 2004 Act is modified as follows.

(2) Section 33A (implementation of permit schemes of strategic highways companies and local highway authorities in England) has effect as if—

- (a) subsection (1) were omitted;
- (b) for subsection (2) there were substituted—
 - “(2) A permit scheme prepared in accordance with section 33(1) or (2) by the Combined County Authority does not have effect in the Area unless the Combined County Authority gives effect to it by order.”;
- (c) subsection (3) were omitted.

(3) Section 36 (variation and revocation of permit schemes) has effect as if, for subsections (1) to (3) there were substituted—

“(1) The Combined County Authority may by order vary or revoke a permit scheme to the extent that it has effect in the Area by virtue of an order made by the Combined County Authority under section 33A(2).

(2) The Secretary of State may direct the Combined County Authority to vary or revoke a permit scheme by an order under subsection (1).

(3) An order made by the Combined County Authority under subsection (1) may vary or revoke an order made by the Combined County Authority under section 33A(2), or an order previously made by the Combined County Authority under subsection (1).”.

(4) Section 39 (interpretation of Part 3) has effect as if, in subsection (1), after the definition of “the appropriate national authority”, there were inserted—

““the Area” means the area of the Combined County Authority;

“the Combined County Authority” means the East Midlands Combined County Authority;”.