

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the conferral of functions the Greater London Authority has under the Business Rate Supplements Act 2009 (“the BRS Act”) on the West Midlands Combined Authority and for amendments to the West Midlands Combined Authority (Functions and Amendment) Order 2017 to confer certain transport functions on the Combined Authority in respect of “combined authority roads”.

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 in their area.

Article 3 of the Order provides that the Combined Authority is to have in relation to its area functions corresponding to the functions that the Greater London Authority has under the BRS Act to levy a supplement on business rates to raise money for expenditure on a project which will promote economic development in its area.

Article 4 provides that the functions are exercisable only by the Mayor, that the Mayor may be assisted by members or officers of the authority in the exercise of the functions and that the general power of the combined authority under section 113A of the 2009 Act is conferred on the Mayor for the purposes of those functions.

Article 5 provides for modification of the Business Rate Supplements Act 2009.

Article 6 amends the West Midlands Combined Authority (Functions and Amendment) Order 2017 to provide that the BRS functions of the combined authority will be funded in accordance with the arrangements specified in article 21 of that Order.

The West Midlands Combined Authority (Functions and Amendment) Order 2017 confers certain highway functions on the West Midlands Combined Authority in respect of “combined authority roads”. *Article 7* amends the meaning of “combined authority roads” set out in Schedule 1 to that Order.

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.