
DRAFT STATUTORY INSTRUMENTS

2024 No.

**The East Midlands Combined
County Authority Regulations 2024**

PART 10

Additional functions

Assessment of economic conditions

31.—(1) The functions of the constituent councils in section 69 of the Local Democracy, Economic Development and Construction Act 2009 (duty to prepare an assessment of economic conditions)(1) are exercisable by the Combined County Authority in relation to the Area.

(2) The functions referred to in paragraph (1) are exercisable concurrently with the constituent councils.

(3) Any requirement in any enactment for a constituent council to exercise any of the functions referred to in paragraph (1) may be fulfilled by the exercise of that function by the Combined County Authority.

(4) Section 69 of the Local Democracy, Economic Development and Construction Act 2009 applies to the Combined County Authority as it applies to a constituent council.

Data sharing

32.—(1) The functions of the constituent councils described in section 17A of the Crime and Disorder Act 1998 (sharing of information)(2) are exercisable by the Combined County Authority in relation to the Area.

(2) The Combined County Authority is a relevant authority for the purposes of section 115 of the Crime and Disorder Act 1998 (disclosure of information)(3).

(3) The functions mentioned in paragraph (1) are exercisable concurrently with the constituent councils.

Incidental provisions

33. The following provisions of the Local Government Act 1972 have effect in relation to the Combined County Authority as if it were a local authority—

(1) 2009 c. 20.

(2) 1998 c. 37. Section 17A was inserted by paragraph 5 of Schedule 9 to the Police and Justice Act 2006 (c. 48) and amended by paragraph 45 of Schedule 19 to the Data Protection Act 2018 (c. 12).

(3) Section 115 was amended by paragraph 151 of Part 2 of Schedule 7 to the Criminal Justice and Court Services Act 2000 (c. 43); by section 97 of the Police Reform Act 2002 (c. 30); by section 219 of the Housing Act 2004 (c. 34); by paragraph 7 of Schedule 9 to the Police and Justice Act 2006; by section 29 of the Transport for London Act 2008 (c. i); by paragraph 238 of Part 3 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13); by paragraph 90 of Schedule 5 to the Health and Social Care Act 2012 (c. 7); by paragraph 80 of Schedule 1 and paragraph 106 of Schedule 2 to the Policing and Crime Act 2017 (c. 3); by paragraph 1(1) of Schedule 1 and paragraph 57 of Schedule 4 to the Health and Care Act 2022 (c. 31); and by S.I. 2000/90, 2002/2469, 2007/961, 2008/912, 2010/866, 2013/602.

- (a) section 113 (power to place staff at the disposal of other local authorities)(4);
- (b) section 142(2) (power to arrange for publication of information etc relating to the functions of the authority)(5);
- (c) section 144 (power to encourage visitors and provide conference and other facilities)(6);
- (d) section 145 (provision of entertainments)(7);
- (e) section 222 (power to prosecute and defend legal proceedings).

34.—(1) The Combined County Authority has the power to exercise any of the functions described in subsection (1)(a) and (b) of section 88 of the Local Government Act 1985 (research and collection of information)(8) whether or not a scheme is made under that section.

(2) For the purposes of paragraph (1), section 88(1) of the Local Government Act 1985 has effect as if a reference to “that area” were a reference to the Area.

35. Section 13 of the 1989 Act (voting rights of members of certain committees)(9) has effect in relation to the Combined County Authority as if—

- (a) in subsection (4), after paragraph (h) there were inserted—
 - “(i) subject to subsection (4A), a committee appointed by the East Midlands Combined County Authority;”;
- (b) after subsection (4) there were inserted—
 - “(4A) A person who is a member of a committee falling within paragraph (i) of subsection (4) or a sub-committee appointed by such a committee is for all purposes to be treated as a non-voting member of that committee or sub-committee unless that person is a member of one of the constituent councils as defined by regulation 2 of the East Midlands Combined County Authority Regulations 2024.”.

36. In Part 2 of Schedule 3 (pension funds) to the Local Government Pension Scheme Regulations 2013(10) in the table insert at the end—

“An employee of the East Midlands Nottinghamshire County Council”
Combined County Authority established by the
East Midlands Combined County Authority
Regulations 2024

- (4) Section 113 was amended by paragraph 151 of Schedule 4 to the National Health Service Reorganisation Act 1973 (c. 32); by paragraph 13 of Schedule 9 to the National Health Service and Community Care Act 1990 (c. 19); by paragraph 18 of Schedule 4 to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43); by paragraph 4 of Schedule 3 to the Health Protection Agency Act 2004 (c. 17); by paragraph 51(a) of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (c. 43); by paragraph 17 of Schedule 5, paragraph 3 of Schedule 7, and paragraph 3 of Schedule 17 to the Health and Social Care Act 2012; by paragraph 1(2) of Schedule 1 and paragraph 11(2) and (3) of Schedule 4 to the Health and Care Act 2022; and by S.I. 2000/90, 2002/2469, 2007/961. It is prospectively amended by paragraph 45 of Schedule 14 to the Health and Social Care Act 2012 from a date and time to be appointed.
- (5) Subsection (2) was amended by section 3(1)(a) of the Local Government Act 1986 (c. 10).
- (6) Section 144 was amended by Schedule 2 to the Local Government (Miscellaneous Provisions) Act 1976 (c. 57); by section 190 of the Local Government, Planning and Land Act 1980 (c. 65); and by Schedule 17 to the Local Government Act 1985.
- (7) Section 145 was amended by paragraph 59 of Schedule 6 to the Licensing Act 2003 (c. 17).
- (8) 1985 c. 51.
- (9) Section 13 was amended by paragraph 156 of Schedule 19 and paragraph 96 of Schedule 37(I) to the Education Act 1993 (c. 35); by paragraph 36 of Part 1 of Schedule 4 and Part 1 of Schedule 9 to the Police and Magistrates’ Courts Act 1994 (c. 29); by Schedule 24 to the Environment Act 1995 (c. 25); by paragraph 96 of Schedule 37 to the Education Act 1996 (c. 56); by paragraph 22 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31); by Part 4 of Schedule 5 to the Children Act 2004 (c. 31); by paragraph 81 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c. 20); by paragraph 14 of Schedule 14 and by Part 4 of Schedule 22 to the Marine and Coastal Access Act 2009 (c. 23); by paragraph 15 of Schedule 8 to the Public Service Pensions Act 2013 (c. 25); by paragraph 12 of Schedule 5 to the Cities and Local Government Devolution Act 2016; by section 7 of the Policing and Crime Act 2017 (c. 3); and by S.I. 2001/1517, 2010/1158.
- (10) S.I. 2013/2356, amended by S.I. 2015/755; there are other amending instruments but none is relevant.

