



# Cities and Local Government Devolution Act 2016

## 2016 CHAPTER 1

### *Combined authorities and EPBs: areas and procedure*

#### **12 Removal of geographical restrictions in relation to combined authorities**

- (1) The Local Democracy, Economic Development and Construction Act 2009 is amended as follows.
- (2) Omit subsections (3) and (4) of section 103 (combined authorities and their areas).
- (3) In section 106(2)(a) (changes to boundaries of a combined authority's area: conditions), for "conditions A to D" substitute "conditions A and D".
- (4) In section 109(3)(c) (preparation and publication of scheme for new combined authority: conditions), for "conditions A to C" substitute "condition A".
- (5) In section 110 (requirements in connection with establishment of combined authority), before subsection (4) insert—
  - "(3A) Subsection (3B) applies where the Secretary of State is considering whether to make an order establishing a combined authority for an area and—
    - (a) part of the area is separated from the rest of it by one or more local government areas that are not within the area, or
    - (b) a local government area that is not within the area is surrounded by local government areas that are within the area.
  - (3B) In deciding whether to make the order, the Secretary of State must have regard to the likely effect of the creation of the proposed combined authority on the exercise of functions equivalent to those of the proposed combined authority's functions in each local government area that is next to any part of the proposed combined authority area."
- (6) In section 113 (requirements in connection with changes to existing combined authorities), after subsection (2) insert—

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*Status: This is the original version (as it was originally enacted).*

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“(2A) Subsection (2B) applies where the Secretary of State is considering whether to make an order under section 106 and—

- (a) part of the area to be created is separated from the rest of it by one or more local government areas that are not within the area, or
- (b) a local government area that is not within the area to be created is surrounded by local government areas that are within the area.

(2B) In deciding whether to make the order under section 106, the Secretary of State must have regard to the likely effect of the change to the combined authority’s area on the exercise of functions equivalent to those of the combined authority’s functions in each local government area that is next to any part of the area to be created by the order.”