
EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the conferral of functions of local authorities and other public authorities on the Liverpool City Region Combined Authority (“the 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 of a local authority under sections 104, 105 and 105A of the 2009 Act, and power to exercise specified functions of any other public authority under section 16 of the Cities and Local Government Devolution Act 2016.

The Secretary of State may provide for there to be a mayor for the area of a combined authority where the constituent councils of the combined authority (each district council or county council whose area is within the area of the combined authority) and any existing combined authority consent under section 107B(3) of the 2009 Act.

Part 2 of and Schedule 1 to the Order confer on the Combined Authority functions corresponding to the spatial development strategy function that the Mayor of London has in relation to Greater London under section 334(1) of the Greater London Authority Act 1999, and functions that the Mayor of London has in relation to Greater London under sections 2A to 2F of the Town and Country Planning Act 1990.

Part 3 of and Schedule 3 to the Order confer on the Combined Authority functions in relation to housing and regeneration which are exercised concurrently with the Homes and Communities Agency.

Part 4 of and Schedule 4 to the Order provide that the Combined Authority is to have in relation to its area functions corresponding to the functions that the Mayor of London has in relation to Mayoral development areas and Mayoral development corporations. It also provides that any designation of a Mayoral development area by the Combined Authority requires the consent of a member of the Combined Authority who is an elected member of a constituent council whose council area contains any part of the area to be designated as a mayoral development area.

Part 5 of the Order confers further transport functions on the Combined Authority. Article 14 applies section 32 of the Local Government Act 2003 to ensure that a Minister of the Crown’s power to pay a grant under section 31(1) of the Local Government Act 2003 is exercisable by the Combined Authority in relation to its area towards expenditure incurred or to be incurred by a constituent council. Article 15 confers functions to enter into agreements in respect of highways functions, article 16 confers functions in respect of road safety, and article 17 confers on the Combined Authority functions in relation to traffic regulation.

Part 6 of the Order makes provision for the funding, by the constituent councils, of the costs of the Combined Authority and the Mayor.

Part 7 of the Order makes additional provision for the Mayor for the area of the Combined Authority. Article 19 sets out the functions of the Combined Authority which are to be only exercisable by the Mayor, and article 20 provides for the appointment of a political adviser to the Mayor.

Part 8 of the Order provides for amendments to the order establishing the Combined Authority.

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.