

Draft Regulations laid before Parliament under section 252(4) of the Levelling-up and Regeneration Act 2023, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

LOCAL GOVERNMENT, ENGLAND

**The Combined Authorities (Mayors) Filling of
Vacancies Order 2017 (Amendment) Regulations 2024**

Made - - - - *******
Coming into force - - *******

The Secretary of State makes the following Regulations, in exercise of the powers conferred by section 252 of, and paragraph 3(d) of Schedule 2 to, the Levelling-up and Regeneration Act 2023⁽¹⁾. A draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 252(4) of the Levelling-Up and Regeneration Act 2023.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Combined Authorities (Mayors) Filling of Vacancies Order 2017 (Amendment) Regulations 2024 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales.

Amendment of the Combined Authorities (Mayors) Filling of Vacancies Order 2017

2. The Combined Authorities (Mayors) Filling of Vacancies Order 2017⁽²⁾ is amended as follows—

(a) in article 2 (interpretation) in the appropriate places insert—

““the 2023 Act” means the Levelling-up and Regeneration Act 2023;”;

““combined county authority” means a combined county authority established under section 9(1) of the 2023 Act;”;

““combined county authority returning officer” has the same meaning as in article 2 of the Combined Authorities (Mayoral Elections) Order 2017⁽³⁾”;

(1) [2023 c. 55](#).
(2) [S.I. 2017/69](#).
(3) [S.I. 2017/67](#).

- (b) in article 3 (filling of vacancies in the office of elected mayor)—
 - (i) in paragraph (1), after “authority” insert “or a combined county authority”;
 - (ii) in paragraph (3) for “paragraph 2 of Schedule 5B to the 2009 Act” substitute—
 - “—
 - (a) in the case of a mayor of a combined authority, paragraph 2 of Schedule 5B to the 2009 Act;
 - (b) in the case of a mayor of a combined county authority, paragraph 2 of Schedule 2 to the 2023 Act.”;
- (c) in article 4 (date on which vacancy occurs), in paragraph (d)—
 - (i) in the opening words, after “authority” insert “or combined county authority, as the case may be”;
 - (ii) in sub-paragraphs (i) and (ii), after “authority” insert “or the combined county authority”;
- (d) in article 5 (notice of a vacancy), after “authority” in both places it occurs, insert “or combined county authority”;
- (e) in article 6 (filling of vacancies: by-elections)—
 - (i) in paragraph (1)(b), after “authority”, insert “or of the combined county authority, as the case may be”;
 - (ii) in paragraph (2), after “officer” insert “or the combined county authority returning officer, as appropriate.”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Name
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and
Communities

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 (“the 2023 Act”) provides for the establishment of combined county authorities for areas consisting of the whole area of a two-tier county council, plus a minimum of one or more whole areas of another two-tier county council, unitary county council or unitary district council in England. Combined county authorities are bodies corporate which may be given power to exercise specified functions.

The Secretary of State may provide for there to be a mayor for the area of a combined county authority. Paragraph 3(d) of Schedule 2 to the 2023 Act provides for the Secretary of State to make provision in regulations as to the filling of vacancies in the officer of a mayor of a combined county authority.

These Regulations make provision for the Combined Authorities (Mayors) (Filling of Vacancies) Order 2017 (“the 2017 Order”) to apply to combined county authorities. The provisions of the 2017 Order concerning the filling of vacancies, the notice requirements of a vacancy, the date of a by-election arising from a vacancy and the term of office of a person filling a vacancy at a by-election apply to a combined county authority as they do to a 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.