
DRAFT STATUTORY INSTRUMENTS

2024 No.

The North East Mayoral Combined Authority
(Establishment and Functions) Order 2024

PART 9

Mayoral functions and funding

Functions

42.—(1) The functions of the Combined Authority specified in paragraph (2) are general functions exercisable only by the Mayor.

(2) The functions referred to in paragraph (1) are—

- (a) the functions of the Combined Authority corresponding to those specified in—
 - (i) section 17 of the HA 1985 (acquisition of land for housing purposes) insofar as they are exercisable for the purpose of acquiring land compulsorily in accordance with section 17(3); and
 - (ii) section 9(2) of the 2008 Act (acquisition of land);
- (b) the functions of the Combined Authority corresponding to those specified in sections 334 to 342 and 346 of the 1999 Act;
- (c) the functions of the Combined Authority corresponding to those specified in the following provisions of the 2000 Act—
 - (i) section 108 (local transport plans);
 - (ii) section 109 (further provision about plans: England);
 - (iii) section 112 (plans and strategies: supplementary);
 - (iv) section 154(1) (grants to bus service operators);
- (d) the power to pay grants under section 31 of the 2003 Act (power to pay grant);
- (e) the functions of the Combined Authority corresponding to the functions specified in the following provisions of the 2011 Act—
 - (i) section 197 (designation of mayoral development areas);
 - (ii) section 199 (exclusion of land from Mayoral development areas);
 - (iii) section 200 (transfer of property etc. to a Mayoral development corporation);
 - (iv) section 202 (functions in relation to Town and Country Planning);
 - (v) section 204 (removal or restriction of planning functions);
 - (vi) sections 214 to 217;
 - (vii) sections 219 to 221; and
 - (viii) paragraphs 1 to 4, 6 and 8 of Schedule 21 (Mayoral Development Corporations);

- (f) the functions conferred by article 45 of this Order (conferral of the Business Rates Supplements functions).
- (3) The exercise by the Mayor of the functions specified in paragraph (2)(a) requires the consent of each Constituent Council Member whose constituent council's area contains any part of the land in relation to which the function is to be exercised.
- (4) The exercise by the Mayor of the functions corresponding to the functions contained in section 197(1) of the 2011 Act (designation of Mayoral development areas) requires the consent of each Constituent Council Member whose constituent council's area contains any part of the land in relation to which the function is to be exercised.
- (5) The exercise by the Mayor of the functions corresponding to the functions contained in section 199(1) of the 2011 Act (exclusion of land from Mayoral development areas) in respect of any Mayoral development area requires the consent of each Constituent Council Member whose constituent council's area contains any part of the land in relation to which the function is to be exercised.
- (6) The exercise by the Mayor of the functions corresponding to the functions contained in section 202(2) to (4) of the 2011 Act (functions in relation to town and country planning) in respect of any Mayoral development area requires the consent of—
- (a) the Northumberland National Park Authority if the Combined Authority proposes to exercise the functions in respect of the whole or any part of the area of the Northumberland National Park; and
 - (b) each Constituent Council Member whose constituent council's area contains any part of the land in relation to which the function is to be exercised.
- (7) The exercise by the Mayor of any other function requires the consent of each Constituent Council Member whose constituent council's area contains any part of the land in relation to which the function is to be exercised if it would lead to a financial liability falling directly upon that constituent council or if the requirement for such consent is specified in the Combined Authority's constitution (see Schedule 1).
- (8) Members and officers of the Combined Authority may assist the Mayor in the exercise of the functions referred to in paragraph (2).
- (9) For the purposes of the exercise of the general functions mentioned in paragraph (1) the Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act (general power of EPB or Combined Authority).
- (10) The Mayor may not delegate any of their functions to their political adviser appointed under article 17.