

SCHEDULE 2

Article 20(6) and 22(4)

Adaptation of certain transport-related legislation

PART 1

Amendment of miscellaneous transport-related legislation

Amendments to the Transport Act 1968

1. In section 9 of the Transport Act 1968(1) (areas, authorities, and executives)—
 - (a) in subsection (1)(b)(ia), omit “(except as mentioned in sub-paragraph (ib))”;
 - (b) omit subsection (1)(b)(ib);
 - (c) for subsection (1)(c)(ie) substitute—
 - “(ie) in relation to the area of the North East Mayoral Combined Authority, the Tyne and Wear Passenger Transport Executive;”;
 - (d) omit subsections (6C) and (6D).

Amendments to the Transport Levying Bodies Regulations 1992

- 2.—(1) The Transport Levying Bodies Regulations 1992(2) are amended as follows.
 - (2) In regulation 2 (interpretation)—
 - (a) omit the definitions of “the 2014 Order” and “the 2018 Order”;
 - (b) in the definition of “combined authority”—
 - (i) omit “(ae),”; and
 - (ii) for “(ai)” substitute “(aj)”.
 - (3) In regulation 3 (application)—
 - (a) omit paragraphs (ae) and (ai);
 - (b) after paragraph (ai) insert—
 - “(aj) the North East Mayoral Combined Authority established by the North East Mayoral Combined Authority (Establishment and Functions) Order 2024;”.
 - (4) In regulation 7 (apportionment of levies), in paragraph (4)—
 - (a) omit sub-paragraphs (ab) and (ae);
 - (b) after sub-paragraph (ae) insert—
 - “(af) in the case of the levies to be issued pursuant to article 26 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024, in accordance with regulation 7B;”.
 - (5) For regulation 7B (calculation and apportionment of levies issued by the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority) substitute—

(1) Section 9 was amended by paragraph 1 of Schedule 18 to the Local Government (Scotland) Act 1973 (c. 65); by sections 57 and 58 of, paragraph 3 of Schedule 3 to and Schedule 8 to the Transport Act 1985 (c. 67); by paragraph 80 of Schedule 13 to the Local Government (Scotland) Act 1994 (c. 39); by section 49 and Schedule 8 to the Deregulation Act 2015 (c. 20) and in relation to England and Wales only by section 98 of, paragraph 2 of Schedule 4 to and Part 4 of Schedule 7 to the Local Transport Act 2008 (c. 26) and by S.I. 2011/908, 2014/864, 866, 2016/653 and 2018/1133.

(2) S.I. 1992/2789; relevant amendments are S.I. 2012/213, 2914, 2015/27, 2017/603, 2018/641 and 2018/1133.

“Calculation and apportionment of levies issued by the North East Mayoral Combined Authority

7B.—(1) The amounts of the levies to be issued by the North East Mayoral Combined Authority (“the Authority”) under article 26(2) of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024 (“the 2024 Order”) to their constituent councils for the financial year 2025 to 2026, or any subsequent financial year, are to be determined by the Authority in accordance with the following provisions of this regulation.

(2) The Authority must apportion the estimated relevant expenditure of the Authority for the financial year in question between—

- (a) expenditure which the Authority estimates will be attributable to the exercise of the Authority’s functions in relation to the county of Tyne and Wear (“the Tyne and Wear component”);
- (b) expenditure which the Authority estimates will be attributable to the exercise of the Authority’s functions in relation to the county of Durham (“the Durham component”); and
- (c) expenditure which the Authority estimates will be attributable to the exercise of the Authority’s functions in relation to the county of Northumberland (“the Northumberland component”).

(3) The Tyne and Wear component must be met by means of the levy issued to the councils for the local government areas of Gateshead, Newcastle Upon Tyne, North Tyneside, South Tyneside and Sunderland under article 26(2)(a) of the 2024 Order.

(4) The Durham component must be met by means of the levy issued to Durham County Council under article 26(2)(b) of the 2024 Order.

(5) The Northumberland component must be met by means of the levy issued to Northumberland County Council under article 26(2)(c) of the 2024 Order.

(6) Where, in respect of any financial year, the Authority estimates that the apportionment of its actual expenditure between the Tyne and Wear component, Durham component and Northumberland component will differ from that estimated under paragraph (2), the Authority must make appropriate adjustments to its estimates under paragraph (2) for the following financial year.

(7) Those adjustments must be made with a view to ensuring that, so far as practicable and taking one year with another, the proportions in which relevant expenditure is met by the levies referred to in paragraph (3) to (5) reflect the actual expenditure of the Authority on the Tyne and Wear component, Durham component and Northumberland component.

(8) The proportions in which the levy issued to the councils under paragraph (3) is to be shared among those councils are to be determined in the same way as proportions determined under regulation 7(3) in the case of a levy issued by an integrated transport authority.”.

Amendment of the Sub-national Transport Body (Transport for the North) Regulations 2018

3. In regulation 2 of the Sub-national Transport Body (Transport for the North) Regulations 2018(3), in the definition of “constituent authorities”—

- (a) omit “The Durham, Gateshead, South Tyneside and Sunderland Combined Authority”;
- (b) omit “Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority”;
- (c) insert in the appropriate place—
“North East Mayoral Combined Authority”.

(3) [S.I. 2018/103](#), amended by [S.I. 2018/1133](#); there are other amendments but none is relevant to these Regulations.

PART 2

Permit schemes: modification of Part 3 of the TMA

- 4.—(1) Part 3 of the TMA is modified as follows.
- (2) Section 33A (implementation of permit schemes of strategic highways companies and local highway authorities in England) has effect as if—
- (a) subsection (1) were omitted;
 - (b) for subsection (2) there were substituted—
 - “(2) A permit scheme prepared in accordance with section 33(1) or (2) by the Combined Authority shall not have effect in the Combined Area unless the Combined Authority gives effect to it by order.”; and
 - (c) subsection (3) were omitted.
- (3) Section 36 (variation and revocation of permit schemes) has effect as if, for subsections (1) to (3) there were substituted—
- “(1) The Combined Authority may by order vary or revoke a permit scheme to the extent that it has effect in the Combined Area by virtue of an order made by the Combined Authority under section 33A(2).
 - (2) The Secretary of State may direct the Combined Authority to vary or revoke a permit scheme by an order under subsection (1).
 - (3) An order made by the Combined Authority under subsection (1) may vary or revoke an order made by the Combined Authority under section 33A(2), or an order previously made by the Combined Authority under subsection (1).”.