



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 2

#### LOCAL DEMOCRACY AND DEVOLUTION

### CHAPTER 2

#### OTHER PROVISION

#### *Alternative mayoral titles*

#### **76 Combined authorities: alternative mayoral titles**

After section 107G of the Local Democracy, Economic Development and Construction Act 2009 insert—

#### **“107H Alternative mayoral titles: new mayoral combined authorities**

- (1) This section applies to a mayoral combined authority where the order made under section 107A (power to provide for election of mayor) in relation to the authority comes into force on or after the date on which this section comes into force.
- (2) At the first meeting of the authority after the order made under section 107A comes into force, the authority must, by a resolution in accordance with subsection (4)—
  - (a) provide that the mayor for the area of the authority is to be known by the title of mayor, or
  - (b) change the title by which the mayor for the area of the authority is to be known to an alternative title mentioned in subsection (3).
- (3) The alternative titles are—
  - (a) county commissioner;

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*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Cross Heading: Alternative mayoral titles. (See end of Document for details)*

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- (b) county governor;
  - (c) elected leader;
  - (d) governor;
  - (e) a title that the authority considers more appropriate than the alternative titles mentioned in paragraphs (a) to (d), having regard to the title of other public office holders in the area of the authority.
- (4) The following requirements must be met in relation to the resolution mentioned in subsection (2)—
- (a) particulars of the resolution must be included in the notice of the meeting,
  - (b) where the resolution includes a proposed alternative title mentioned in subsection (3)(e), the resolution must specify why the authority considers that the title is more appropriate than the other alternative titles mentioned in subsection (3), and
  - (c) the resolution must be passed at the meeting by a simple majority of the members of the authority who vote on it.
- (5) Subsections (6) and (7) apply where under this section a mayoral combined authority changes the title by which the mayor for the area of the authority is to be known to an alternative title.
- (6) The authority must—
- (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (7) Where this subsection applies—
- (a) a reference in any enactment (whenever passed or made) to the mayor for the area of the authority is, unless the context otherwise requires, to be read as a reference to the alternative title by which the mayor is to be known, and
  - (b) references to mayor, mayoral (except in the expression “mayoral combined authority”) and deputy mayor are to be construed accordingly.
- (8) A change of title under this section does not affect the rights or obligations of any person or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of title.
- (9) In this section a reference to a member of a combined authority does not include a non-constituent member.
- (10) In this section “enactment”—
- (a) includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978, but
  - (b) does not include this section or sections 107I and 107J.

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### **107I Alternative mayoral titles: existing mayoral combined authorities**

- (1) This section applies to a mayoral combined authority where the order made under section 107A (power to provide for election of mayor) in relation to the authority comes into force before the date on which this section comes into force.
- (2) The authority may, by a resolution in accordance with subsection (3), change the title by which the mayor for the area of the authority is to be known to one of the following alternative titles—
  - (a) county commissioner;
  - (b) county governor;
  - (c) elected leader;
  - (d) governor;
  - (e) a title that the authority considers more appropriate than the alternative titles mentioned in paragraphs (a) to (d), having regard to the title of other public office holders in the area of the authority.
- (3) The following requirements must be met in relation to the resolution—
  - (a) the resolution must be considered at the first meeting of the authority held after a qualifying election for the return of the mayor,
  - (b) particulars of the resolution must be included in the notice of the meeting,
  - (c) where the resolution includes a proposed alternative title mentioned in subsection (2)(e), the resolution must specify why the authority considers that the title is more appropriate than the other alternative titles mentioned in subsection (2), and
  - (d) the resolution must be passed at the meeting by a simple majority of the members of the authority who vote on it.
- (4) Subsections (5) and (6) apply where under this section a mayoral combined authority changes the title by which the mayor for the area of the authority is to be known to an alternative title.
- (5) The authority must—
  - (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (6) Where this subsection applies—
  - (a) a reference in any enactment (whenever passed or made) to the mayor for the area of the authority is, unless the context otherwise requires, to be read as a reference to the alternative title by which the mayor is to be known, and
  - (b) references to mayor, mayoral (except in the expression “mayoral combined authority”) and deputy mayor are to be construed accordingly.

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- (7) A change of title under this section does not affect the rights or obligations of any person or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of title.
- (8) In this section a reference to a member of a combined authority does not include a non-constituent member.
- (9) In this section—  
“enactment” has the same meaning as in section 107H;  
“qualifying election” means an election for the return of the mayor, other than—  
(a) the first election for the return of the mayor, and  
(b) an election caused by a vacancy in the office of the mayor occurring before expiry of the mayor’s term of office.
- (10) This section is subject to section 107J.

#### **107J Alternative mayoral titles: further changes**

- (1) This section applies where a mayoral combined authority has—  
(a) by a resolution under section 107H or 107I or by a previous resolution under this section, changed the title by which the mayor for the area of the authority is to be known to an alternative title,  
(b) by a resolution under section 107H, provided that the mayor for the area of the authority is to be known by the title of mayor, or  
(c) by a previous resolution under this section, provided that the mayor for the area of the authority is no longer to be known by an alternative title.
- (2) The authority may, by a resolution in accordance with subsection (4)—  
(a) in a subsection (1)(a) case—  
(i) provide that the mayor is no longer to be known by the alternative title, or  
(ii) change the title by which the mayor is to be known to an alternative title mentioned in subsection (3);  
(b) in a subsection (1)(b) or (c) case, change the title by which the mayor is to be known to an alternative title mentioned in subsection (3).
- (3) The alternative titles are—  
(a) county commissioner;  
(b) county governor;  
(c) elected leader;  
(d) governor;  
(e) a title that the authority considers more appropriate than the alternative titles mentioned in paragraphs (a) to (d), having regard to the title of other public office holders in the area of the authority.
- (4) The following requirements must be met in relation to the resolution mentioned in subsection (2)—  
(a) the resolution must be considered at a relevant meeting of the authority,  
(b) particulars of the resolution must be included in the notice of the meeting,

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- (c) where the resolution includes a proposed alternative title mentioned in subsection (3)(e), the resolution must specify why the authority considers that the title is more appropriate than the other alternative titles mentioned in subsection (3), and
  - (d) the resolution must be passed at the meeting by a simple majority of the members of the authority who vote on it.
- (5) In subsection (4)(a) “relevant meeting” means the first meeting of the authority held after a qualifying election for the return of the mayor, provided that the election is at least the third qualifying election since the resolution mentioned in subsection (1) was passed.
- (6) Where under this section an authority provides that the mayor for the area of the authority is no longer to be known by an alternative title, the authority must—
  - (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (7) Subsections (8) and (9) apply where under this section an authority changes the title by which the mayor for the area of the authority is to be known to an alternative title.
- (8) The authority must—
  - (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (9) Where this subsection applies—
  - (a) a reference in any enactment (whenever passed or made) to the mayor for the area of the authority is, unless the context otherwise requires, to be read as a reference to the alternative title by which the mayor is to be known, and
  - (b) references to mayor, mayoral (except in the expression “mayoral combined authority”) and deputy mayor are to be construed accordingly.
- (10) A change of title under this section does not affect the rights or obligations of any person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of title.
- (11) Where a combined authority to which section 107H applies does not pass a resolution as required by subsection (2) of that section, the authority is to be treated for the purposes of this section as if, at the meeting mentioned in that subsection, it had passed the resolution mentioned in section 107H(2)(a) (providing that the mayor is to be known by the title of mayor).
- (12) In this section a reference to a member of a combined authority does not include a non-constituent member.

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(13) In this section—

“enactment” has the same meaning as in section 107H;

“qualifying election” has the same meaning as in section 107I.

### **107K Power to amend list of alternative titles**

(1) The Secretary of State may by regulations amend section 107H(3), 107I(2) or 107J(3) to add, modify or remove a reference to an alternative title or a description of an alternative title.

(2) Regulations under subsection (1) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to section 107H, 107I or 107J.”

#### **Commencement Information**

**II** S. 76 in force at 26.12.2023, see s. 255(2)(n)

## **77 Local authorities in England: alternative mayoral titles**

(1) The Local Government Act 2000 is amended as follows.

(2) After section 9HE insert—

### **“9HF Alternative mayoral titles**

(1) A local authority within subsection (8) may, by a resolution in accordance with subsection (2), change the title by which the elected mayor of the authority is to be known to one of the following alternative titles—

- (a) county commissioner;
- (b) county governor;
- (c) elected leader;
- (d) governor;

(e) a title that the authority considers more appropriate than the alternative titles mentioned in paragraphs (a) to (d), having regard to the title of other public office holders in the area of the authority.

(2) The following requirements must be met in relation to the resolution—

- (a) the resolution must be considered at a relevant meeting of the authority,
- (b) particulars of the resolution must be included in the notice of the meeting,
- (c) where the resolution includes a proposed alternative title mentioned in subsection (1)(e), the resolution must specify why the authority considers that the title is more appropriate than the other alternative titles mentioned in subsection (1), and
- (d) the resolution must be passed at the meeting by a simple majority of the members of the authority who vote on it.

(3) In subsection (2)(a) “relevant meeting” means—

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**Changes to legislation:** There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Cross Heading: Alternative mayoral titles. (See end of Document for details)

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- (a) in the case of a local authority within subsection (8)(a), the first meeting of the authority held after a qualifying election for the return of the elected mayor,
  - (b) in the case of a local authority within subsection (8)(b), the meeting of the authority at which the resolution under section 9KC (resolution of local authority) is passed, and
  - (c) in the case of a local authority within subsection (8)(c), the first meeting of the authority held after the referendum mentioned in section 9N is held.
- (4) Subsections (5) and (6) apply where under this section a local authority changes the title by which the elected mayor of the authority is to be known to an alternative title.
- (5) The authority must—
  - (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (6) Where this subsection applies—
  - (a) a reference in any enactment (whenever passed or made) to the elected mayor of the authority is, unless the context otherwise requires, to be read as a reference to the alternative title by which the elected mayor is to be known, and
  - (b) references to mayor, mayoral and deputy mayor are to be construed accordingly.
- (7) A change of title under this section does not affect the rights or obligations of any person or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of title.
- (8) A local authority is within this subsection if—
  - (a) it operates a mayor and cabinet executive,
  - (b) it passes a resolution in accordance with section 9KC (resolution of local authority) to make a change in governance arrangements which provides for the authority to operate a mayor and cabinet executive, or
  - (c) it holds a referendum by virtue of an order under section 9N (referendum on change to mayor and cabinet executive) and the proposal for the authority to operate a mayor and cabinet executive is approved in that referendum.
- (9) The Secretary of State may by regulations amend subsection (1) to add, modify or remove a reference to an alternative title or a description of an alternative title.
- (10) In this section—
  - “enactment”—
    - (a) includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978, but
    - (b) does not include this section or section 9HG;

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“qualifying election” means an election for the return of the elected mayor, other than—

- (a) the first election for the return of the elected mayor, and
- (b) an election caused by a vacancy in the office of the elected mayor occurring before expiry of the elected mayor’s term of office.

(11) This section is subject to section [9HG](#).

### **9HG Alternative mayoral titles: further changes**

- (1) This section applies where a local authority has—
- (a) by a resolution under section [9HF](#) or by a previous resolution under this section, changed the title by which the elected mayor of the authority is to be known to an alternative title, or
  - (b) by a previous resolution under this section, provided that the elected mayor of the authority is no longer to be known by an alternative title.
- (2) The authority may, by a resolution in accordance with subsection [\(4\)](#)—
- (a) in a subsection [\(1\)\(a\)](#) case—
    - (i) provide that the elected mayor is no longer to be known by the alternative title, or
    - (ii) change the title by which the elected mayor is to be known to an alternative title mentioned in subsection [\(3\)](#);
  - (b) in a subsection [\(1\)\(b\)](#) case, change the title by which the elected mayor is to be known to an alternative title mentioned in subsection [\(3\)](#).
- (3) The alternative titles are—
- (a) county commissioner;
  - (b) county governor;
  - (c) elected leader;
  - (d) governor;
  - (e) a title that the authority considers more appropriate than the alternative titles mentioned in paragraphs [\(a\)](#) to [\(d\)](#), having regard to the title of other public office holders in the area of the authority.
- (4) The following requirements must be met in relation to the resolution mentioned in subsection [\(2\)](#)—
- (a) the resolution must be considered at a relevant meeting of the authority,
  - (b) particulars of the resolution must be included in the notice of the meeting,
  - (c) where the resolution includes a proposed alternative title mentioned in subsection [\(3\)\(e\)](#), the resolution must specify why the authority considers that the title is more appropriate than the other alternative titles mentioned in subsection [\(3\)](#), and
  - (d) the resolution must be passed at the meeting by a simple majority of the members of the authority who vote on it.
- (5) In subsection [\(4\)\(a\)](#) “relevant meeting” means the first meeting of the authority held after a qualifying election for the return of the elected mayor,



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provided that the election is at least the third qualifying election since the resolution mentioned in subsection (1) was passed.

- (6) Where under this section a local authority provides that the elected mayor of the authority is no longer to be known by an alternative title, the authority must—
- (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (7) Subsections (8) and (9) apply where under this section a local authority changes the title by which the elected mayor of the authority is to be known to an alternative title.
- (8) The authority must—
- (a) send notice of the change to the Secretary of State,
  - (b) publish the notice in the area of the authority in such manner as the authority considers appropriate, and
  - (c) publish the notice in such other manner as the Secretary of State may direct.
- (9) Where this subsection applies—
- (a) a reference in any enactment (whenever passed or made) to the elected mayor of the authority is, unless the context otherwise requires, to be read as a reference to the alternative title by which the elected mayor is to be known, and
  - (b) references to mayor, mayoral and deputy mayor are to be construed accordingly.
- (10) A change of title under this section does not affect the rights or obligations of any person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of title.
- (11) The Secretary of State may by regulations amend subsection (3) to add, modify or remove a reference to an alternative title or a description of an alternative title.
- (12) In this section “enactment” and “qualifying election” have the same meaning as in section 9HF.”
- (3) In section 105(6) (orders and regulations), after “9HE,” insert “9HF(9), 9HG(11),”.

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#### Commencement Information

**I2** S. 77 in force at Royal Assent, see [s. 255\(2\)\(o\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Cross Heading: Alternative mayoral titles.