
STATUTORY INSTRUMENTS

2014 No. 1012

**The Durham, Gateshead, Newcastle Upon Tyne,
North Tyneside, Northumberland, South Tyneside
and Sunderland Combined Authority Order 2014**

PART 2

**Establishment of a combined authority for Durham, Gateshead, Newcastle
Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland**

Establishment

3.—(1) There is established a combined authority for the combined area.

(2) The combined authority is to be a body corporate and to be known as the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority.

(3) The functions of the Combined Authority are those functions conferred or imposed upon it by this Order or by any other enactment (whenever passed or made), or as may be delegated to it by or under this Order or any other enactment (whenever passed or made).

Constitution

4. Schedule 1 (which makes provision about the constitution of the Combined Authority) has effect.

Funding

5.—(1) The constituent councils must meet the costs of the Combined Authority reasonably attributable to the exercise of its functions relating to economic development and regeneration.

(2) The amount payable by each of the constituent councils is to be determined by apportioning the costs of the Combined Authority referred to in paragraph (1) between the constituent councils in such proportions as they may agree or, in default of such agreement, in equal shares between the constituent councils.

(3) Subject to paragraphs (4) to (7), the costs of the Combined Authority reasonably attributable to the exercise of its functions relating to transport shall be met by means of three separate levies issued by the Authority to—

- (a) the district councils in the county of Tyne and Wear;
- (b) Durham County Council; and
- (c) Northumberland County Council,

under section 74 of the Local Government Finance Act 1988⁽¹⁾, and in accordance with regulations made thereunder.

(4) In determining the amount of the levies to be issued to the county councils for a financial year, no account may be taken of the cost of meeting any liabilities or expenses, including the pension liabilities referred to in article 11(6), incurred by the Combined Authority or to be incurred in consequence of article 6 (abolition of the ITA and transfer of functions, property, rights and liabilities).

(5) Without prejudice to the generality of article 11, a levy issued by the ITA under section 74 of the Local Government Finance Act 1988 to the district councils in the county of Tyne and Wear in respect of the financial year beginning 1st April 2014 has effect for that year from and after the commencement date as if it had been so issued by the Combined Authority.

(6) No levy shall be issued to Durham County Council or Northumberland County Council for that financial year, but each of those councils must pay a contribution to the Combined Authority.

(7) Each contribution must bear the same proportion to the amount that the relevant Council has budgeted to spend on the functions transferred under article 8 in that financial year as the number of days in that financial year from and including the commencement date bears to the total number of days in that year.

(1) 1988 c. 41. Section 74 was amended by the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 72(1); by S.I. 1994/2825; by the Greater London Authority Act 1999 (c. 29), section 105; by the Courts Act 2003 (c. 39), Schedule 8, paragraph 305(a); by the Fire and Rescue Services Act 2004 (c.21), Schedule 1, paragraph 68; by the Local Government and Public Involvement in Health Act 2007 (c. 28), Schedule 1, Part 1, paragraph 16(2) and Schedule 7, Part 4; and by the Local Democracy, Economic Development and Construction Act 2009 (c. 20), Schedule 6, paragraphs 74 and 75 and Schedule 7, Part 4.