
STATUTORY INSTRUMENTS

2017 No. 431

**The Tees Valley Combined Authority
(Functions and Amendment) Order 2017**

General functions of the Combined Authority exercisable only by the Mayor

6.—(1) The following functions of the Combined Authority are general functions⁽¹⁾ exercisable only by the Mayor—

- (a) section 31 of the 2003 Act (power to pay grant);
- (b) sections 108 (local transport plans), 109 (further provision about plans: England) and 112 (plans and strategies: supplementary) of the 2000 Act⁽²⁾.

(2) The Mayor may only exercise functions mentioned in paragraph (1)(b) if—

- (a) the Mayor has laid before the Combined Authority, in accordance with standing orders of the Combined Authority—
 - (i) a draft of the local transport plan;
 - (ii) a draft of the local transport plan with any alterations; or
 - (iii) a replacement of the local transport plan;

stating that the Mayor is proposing to exercise the Mayor's functions under sections 108 or 109 of the 2008 Act; and

- (b) the consideration period for the document has expired without the Combined Authority having rejected the proposal.

(3) For the purpose of subsection (2)—

- (a) the “consideration period” for a document is the period of 21 days beginning with the day on which the document is laid before the Combined Authority in accordance with standing orders of the Combined Authority; and
- (b) the Combined Authority rejects a proposal if it resolves to do so on a motion—
 - (i) considered at a meeting of the Combined Authority; and
 - (ii) agreed to by at least three-fifths of the members of the Combined Authority appointed by the constituent councils or substitute members acting in place of those members, present and voting.

(4) Members and officers of the Combined Authority may assist the Mayor in the exercise of the functions mentioned in paragraph (1).

⁽¹⁾ Section 107D(2) of the 2009 Act provides that in Part 6 of that Act references to “general functions”, in relation to a mayor for the area of a combined authority, are to any functions exercisable by the mayor other than PCC functions.

⁽²⁾ Section 108 was amended by sections 7 to 9 of, paragraph 42 of Schedule 4 and Part 1 of Schedule 7 to, the Local Transport Act 2008 (c.26) and paragraph 96 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c.20). Section 109 was amended by section 9 of the Local Transport Act 2000 and paragraph 97 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c.20). Section 112 was amended by sections 10 and 11 and Part 1 of Schedule 7 to the Local Transport Act 2008 and paragraph 48 of Schedule 26 to the Equality Act 2010.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) 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)(3).

(3) Section 113A was inserted by section 13 of the Localism Act 2011 and amended by section 23 of, and paragraph 25 of Schedule 5 to, the 2016 Act.