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STATUTORY INSTRUMENTS

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**2017 No. 431**

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

**Funding**

7.—(1) The constituent councils must ensure that any reasonably incurred costs of the Combined Authority are met to the extent that the Combined Authority has not decided to meet these costs from other resources available to it.

(2) Subject to paragraph (4), the constituent councils must meet the costs of the expenditure reasonably incurred by the Mayor in, or in connection with, the exercise of the functions specified in articles 3 and 4 (in relation only to the functions in sections 108, 109 and 112 of the 2000 Act that relate to plans) to the extent that the Mayor has not decided to meet these costs from other resources available to the Combined Authority.

(3) Any amount payable by each of the constituent councils to ensure that the costs of the Combined Authority referred to in paragraphs (1) and (2) are met is to be determined by apportioning such costs between the constituent councils in such proportions as they may agree or, in default of such agreement, in the following shares between the constituent councils—

- Darlington 15.80%
- Hartlepool 14.67%
- Middlesbrough 20.89%
- Redcar and Cleveland 20.97%
- Stockton-on-Tees 27.67%.

(4) In relation to the expenditure mentioned in paragraph (2)—

- (a) to the extent to which such expenditure is met by amounts payable under arrangements made under paragraph (3)—
  - (i) the Mayor must agree with the Combined Authority the total expenditure mentioned in paragraph (2) in advance of incurring this expenditure; and
  - (ii) in the absence of the agreement specified in paragraph (i), no such expenditure may be incurred;
- (b) any precept issued in relation to such expenditure under section 40 of the Local Government Finance Act 1992(1) is to be disregarded from any calculation of the costs of the expenditure.

(5) The functions mentioned in article 4 may be funded out of the levy issued by the Combined Authority to the constituent councils under section 74 of the Local Government Finance Act 1988(2) and in accordance with the Transport Levying Bodies Regulations 1992(3).

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(1) 1992 c. 14. Section 40 was amended by section 83 of the 1999 Act, paragraphs 7 and 17 of Schedule 17 to, the Localism Act 2011 and section 5 of the 2016 Act.

(2) c. 41. Section 74 was amended by paragraph 72 of Schedule 13 to the Local Government Finance Act 1992 (c. 14); paragraph 21 of Schedule 60 to the Local Government (Wales) Act 1994 (c. 19); Schedule 24 to the Environment Act 1995 (c. 25); section 105 of the Greater London Authority Act 1999 (c. 29); paragraph 305(a) of Schedule 8 to the Courts Act 2003 (c. 39); paragraph 68 of Schedule 1 to the Fire and Rescue Services Act 2004 (c. 21); paragraph 16 of Schedule 1 to the Local

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

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Government and Involvement in Public Health Act 2007 (c. 28); paragraphs 74 and 75 of Schedule 6 and Part 4 of Schedule 7 to the Local Democracy, Economic Development and Construction Act 2009 (c. 20); paragraphs 1 and 2 of Schedule 7 to the Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 182(a) of Schedule 16 to the Localism Act 2011(c. 20); section 9(1)(a) , (b) and (2) of, and paragraphs 9 and 10 of Schedule 5 to the 2016 Act; and by S.I. 1994/2825.

(3) S.I. 1992/2789, amended by S.I. 2012/213 and S.I. 2015/27.