
STATUTORY INSTRUMENTS

2017 No. 611

The Combined Authorities (Finance) Order 2017

PART 3

Setting of a combined authority's budget: mayor's general functions

Combined authority's decision on budget

8.—(1) When any period specified under article 7 by the combined authority has expired the authority must determine whether to—

- (a) approve the mayor's draft budget (or revised draft budget, as the case may be); or
- (b) veto the draft budget (or revised draft budget) and approve the mayor's draft budget incorporating the combined authority's recommendations contained in the report to the mayor under article 6.

(2) The mayor's draft budget (or revised draft budget) shall be deemed to be approved unless vetoed within the relevant period in accordance with this article.

(3) In making a decision on a question under paragraph (1) the combined authority must take into account the reasons given by the mayor under article 7.

(4) Any decision to veto the mayor's draft budget (or draft revised budget) and approve the mayor's draft budget incorporating the combined authority's recommendations contained in the report to the mayor under article 6 must be decided by a two thirds majority of the members, or substitute members acting in their place, of the combined authority present and voting on the question at a meeting of the authority.

(5) In paragraph (2) "relevant period" means the period of five working days beginning with the day after the date on which the period specified under article 7 expires.

(6) Paragraph (7) applies in a case where the mayor has failed, in accordance with article 5(1), to notify the combined authority of the mayor's draft budget before 1st February.

(7) Where this paragraph applies, the combined authority must determine the relevant amounts and calculations that are to be used for the financial year.

(8) Any decision under paragraph (7) must be decided by a two thirds majority of the members, or substitute members acting in their place, of the combined authority present and voting on the question at a meeting of the authority.

(9) Paragraphs (4) and (8) have effect subject to—

- (a) paragraphs (10) and (11); and
- (b) any provision to the contrary in an order made under Part 6 of the 2009 Act.

(10) In paragraphs (4) and (8) "member" and "substitute member" does not include any person who is not a member of a constituent council.

(11) In relation to the Tees Valley Combined Authority⁽¹⁾, the reference in paragraphs (4) and (8) to a two thirds majority is to be read as a reference to a three fifths majority.

(1) The Tees Valley Combined Authority was established by article 3 of the Tees Valley Combined Authority Order 2016 (S.I. 2016/449).