
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations establish the East Midlands Combined County Authority (“the Combined County Authority”) and provide for the conferral of functions of local authorities and other public authorities on the Combined County Authority.

Part 2 of the Levelling-up and Regeneration Act 2023 (c. 55) (“the 2023 Act”) provides for the establishment of combined county authorities for the areas of two or more local authorities in England. Combined county authorities are bodies corporate which may be given power to exercise specified functions in their area.

The Secretary of State may establish a combined county authority for an area where a proposal for such an authority has been submitted under section 45 of the 2023 Act. These Regulations have been made following the publication of such a proposal in March 2023 by the constituent councils whose areas together make up the combined area of the new authority. The proposal is available at: <https://committee.nottinghamcity.gov.uk/documents/s145908/Appendix%201%20-%20East%20Midlands%20CCA%20Proposal.pdf>.

Part 2 of these Regulations establishes the new Combined County Authority and makes provision for its constitution (in Schedule 1).

Part 3 of these Regulations provides for the election of a Mayor and for the appointment of a political advisor to the Mayor.

Part 4 of these Regulations confers on the Combined County Authority functions in relation to housing and regeneration which are to be exercised concurrently with the Homes and Communities Agency. It also makes provision about the acquisition and appropriation of land for planning and public purposes and sets out conditions on the exercise of various functions. Regulation 10 and Schedule 2 apply and modify relevant provisions in legislation.

Part 5 of these Regulations confers on the Combined County Authority functions corresponding to those of the Mayor of London in relation to the designation of a Mayoral development area. Schedule 3 to these Regulations modifies Part 8 of and Schedule 21 to the Localism Act 2011 (c. 20) which make provision about the establishment of a Mayoral development corporation, its objects and powers as well as its constitution and governance.

Part 6 of these Regulations confers on the Combined County Authority functions relating to transport. It transfers functions relating to local transport planning and public transport from the local authorities to the Combined County Authority and makes provision for specified highways and traffic powers held by the local authorities to be exercised concurrently by the Combined County Authority. It confers powers for the Mayor to pay grants, including to bus service operators. It also makes incidental provision.

Part 7 of these Regulations provides for the conferral of certain public health functions of local authorities on the Combined County Authority, which are exercisable concurrently with the constituent councils (see regulation 22). The Combined County Authority has a duty to take such steps as it considers appropriate for improving the health of the people in its area. The Combined County Authority is considered a NHS body in certain circumstances, may enter into partnership with an NHS body and must have due regard to the NHS Constitution.

Part 8 of these Regulations sets out the functions of the Combined County Authority which are to be only exercisable by the Mayor and makes provision in relation to Joint Committees.

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

Part 9 of these Regulations makes provision for the funding, by the constituent councils, of those costs of the Combined County Authority that relate to the exercise of its functions. Regulation 29 provides that the Combined County Authority is to have in relation to its area functions corresponding to the functions that the Greater London Authority has under the Business Rate Supplements Act 2009 (c. 7) to levy a supplement on business rates to raise money for expenditure on a project which will promote economic development in its area.

Part 10 of these Regulations confers additional functions to be exercisable by the Combined County Authority concurrently with the constituent councils, including functions relating to economic assessments and data sharing.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of the business and voluntary sectors. The impact on the public sector is that conferring functions on the Combined County Authority should lead to operational efficiencies that could lead to reduced costs.