

**2024 No. 418**

**LOCAL GOVERNMENT, ENGLAND**

**The Levelling-up and Regeneration Act 2023 (Consequential Amendments) (England) Regulations 2024**

|                               |         |                        |
|-------------------------------|---------|------------------------|
| <i>Made</i>                   | - - - - | <i>22nd March 2024</i> |
| <i>Laid before Parliament</i> |         | <i>25th March 2024</i> |
| <i>Coming into force</i>      |         | <i>17th April 2024</i> |

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 250 of the Levelling-up and Regeneration Act 2023(a).

**Citation, commencement, extent and application**

1.—(1) These Regulations may be cited as the Levelling-up and Regeneration Act 2023 (Consequential Amendments) (England) Regulations 2024.

(2) These Regulations come into force on 17th April 2024.

(3) These Regulations extend to England and Wales and apply in relation to England only.

**The Education (Fees and Awards)(England) Regulations 2007**

2. In the Education (Fees and Awards) (England) Regulations 2007(b), after regulation 9A (c)(payments by a combined authority), insert—

**“Payments by a combined county authority**

9B.—(1) Subject to paragraph (4), it shall be lawful for a combined county authority to adopt rules of eligibility for awards by an institution to which the combined authority makes grants, loans or other payments under section 100 of the Apprenticeships, Skills, Children and Learning Act 2009 which confine eligibility to those persons who fall within any of paragraphs 2, 2A, 3, 4, 4A, 4B, 4C, 4D, 4E, 5, 5A, 5B, 5C, 6A, 7A, 8A, 9A, 9B, 9BA, 9C, 9D, 9E, 10A, 11A, 12A and 13 of Schedule 1.

(2) Subject to paragraph (4), it shall be lawful for an institution to which a combined county authority provides financial resources to adopt rules of eligibility for awards (however described) which confine eligibility to those persons who fall within any of paragraphs 2, 2A, 3, 4, 4A, 4B, 4C, 4D, 4E, 5, 5A, 5B, 5C, 6A, 7A, 8A, 9A, 9B, 9BA, 9C, 9D, 9E, 10A, 11A, 12A and 13 of Schedule 1.

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(a) 2023 c. 55.

(b) S.I. 2007/779.

(c) Regulation 9A was inserted by articles 1(1) and 10(2) of S.I. 2018/1141. Paragraph 5A of Schedule 1 was inserted by S.I. 2021/1348 and amended by S.I. 2023/74. Paragraph 5B of Schedule 1 was inserted by S.I. 2022/534 and amended by S.I. 2023/74. Paragraph 5C of Schedule 1 was substituted by S.I. 2023/74.

(3) In this regulation, a “combined county authority” means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023 that exercises functions under Part 4 of the Apprenticeships, Skills, Children and Learning Act 2009 by virtue of an order under section 19 of the Levelling-up and Regeneration Act 2023.

(4) In relation to an award made on or after 1st January 2028, paragraphs (1) and (2) have effect as if, in each case, they did not mention paragraphs 8A, 9B, 9BA and 9E of Schedule 1.”.

### **Local Audit (Auditor Panel) Regulations 2014**

**3.**—(1) The Local Audit (Auditor Panel) Regulations 2014(a) are amended as follows.

(2) In regulation 8(4) (application of local authority enactments to auditor panels: disqualification),

(a) after sub-paragraph (p) omit “and”;

(b) after sub-paragraph (q) insert—

“, and

(r) combined county authorities”.

(3) In regulation 10(4) (application of local authority enactments to auditor panels: political balance), in the definition of “political balance authority”

(a) after sub-paragraph (g) omit “and”;

(b) after sub-paragraph (h) insert—

“, and

(i) a combined county authority”.

### **Accounts and Audit Regulations 2015**

**4.** In regulation 19 of the Accounts and Audit Regulations 2015(b) (joint boards, combined authorities and National Park authorities)—

(a) in the heading, after “combined authorities” insert “, combined county authorities”; and

(b) in paragraph (1), after the words “combined authority” insert “, combined county authority”.

### **NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) Order 2017**

**5.** In paragraph 3(2)(g) of Schedule 2 to the NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) Order 2017(c) (appointments, tenure, and conduct of business by the Authority)—

(a) after the words “combined authority” insert “, combined county authority”;

(b) after the words “Local Democracy, Economic Development and Construction Act 2009” insert “or under the Levelling-up and Regeneration Act 2023”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

*Jacob Young*

Parliamentary Under Secretary of State

Department for Levelling Up, Housing and Communities

22nd March 2024

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(a) S.I. 2014/3224.

(b) S.I. 2015/234.

(c) S.I. 2017/958.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Levelling-up and Regeneration Act 2023 (“the 2023 Act”) received Royal Assent on 26 October 2023. Chapter 1 of Part 2 of the 2023 Act makes provision to establish a combined county authority, a local government institution which can be established in, and will enable devolution to, areas with two-tier local government.

These Regulations make consequential amendments to secondary legislation in relation to England to include combined county authorities among the bodies specified in this legislation.

A full regulatory assessment has not been produced for this instrument as it no, or no significant, impact on the private, voluntary or public sector is foreseen.

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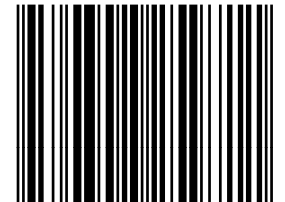
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