English Devolution and Community Empowerment Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Ministry of Housing, Communities and Local Government, are published separately as Bill 283—EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

Secretary Angela Rayner has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the English Devolution and Community Empowerment Bill are compatible with the Convention rights.

English Devolution and Community Empowerment Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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TO

Make provision about combined authorities, combined county authorities, the Greater London Authority, local councils, police and crime commissioners and fire and rescue authorities, local audit and terms in business tenancies about rent.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

STRATEGIC AUTHORITIES

The strategic authorities

1 Strategic authorities

(1) This section sets out the meaning of "strategic authority" and other related expressions for the purposes of this Act. 5

Strategic authorities

(2) "Strategic authority" means—
  (a) a single foundation strategic authority,
  (b) a combined foundation strategic authority, or 10
  (c) a mayoral strategic authority, including an established mayoral strategic authority.

Foundation strategic authorities

(3) "Single foundation strategic authority" means—
  (a) a unitary district council , or 15
  (b) a county council,
which is designated under section 3.

(4) "Combined foundation strategic authority" means—
  (a) a non-mayoral combined authority, or

(b) a non-mayoral combined county authority.

Mayoral strategic authorities

(5) "Mayoral strategic authority" means—
(a) a mayoral combined authority,
(b) a mayoral combined county authority, or
(c) the GLA.

Established mayoral strategic authorities

(6) A mayoral strategic authority is "established" if it is—
(a) a mayoral combined authority which is designated under section 106B of LDEDCA 2009,
(b) a mayoral combined county authority which is designated under section 25A of LURA 2023, or
(c) the Greater London Authority.

The areas of competence

2 Areas of competence

For the purposes of this Act, the subjects or subject referred to in each of the following paragraphs is an "area of competence"—
(a) transport and local infrastructure;
(b) skills and employment support;
(c) housing and strategic planning;
(d) economic development and regeneration;
(e) the environment and climate change;
(f) health, well-being and public service reform;
(g) public safety.

Single foundation strategic authorities

3 Single foundation strategic authorities

(1) The Secretary of State may, by regulations, designate a unitary district council or a county council as a single foundation strategic authority.

(2) The Secretary of State may not designate a council if the council's area is within, or is, the area of another strategic authority.

(3) The Secretary of State may not designate a council unless the council consents to the designation.

(4) Regulations under this section are subject to affirmative resolution procedure.

(5) In this Act, see Schedule 23 for powers for the Secretary of State to confer functions on single foundation strategic authorities.

Combined authorities and CCAs

4 Combined authorities and CCAs: establishment, expansion and functions

Schedule 1 contains provision amending requirements relating to the establishment and expansion of, and conferral of functions on, combined authorities and CCAs. 5

5 Combined authorities and CCAs: functions generally

(1) Before section 18 of LURA 2023 insert—

"17A The functions of CCAs

A CCA has the functions that are conferred by—

(a) this Chapter or any regulations under this Chapter, 10

(b) any regulations under Schedule 23 to the English Devolution and Community Empowerment Act 2025, or

(c) any other enactment (whenever passed or made)."

(2) After section 103 of LDEDCA 2009 insert—

"Functions of combined authorities 15

103A The functions of combined authorities

A combined authority has the functions that are conferred by—

(a) this Part or any order under this Part,

(b) any regulations under Schedule 23 to the English Devolution and Community Empowerment Act 2025, or 20

(c) any other enactment (whenever passed or made)."

6 Combined authorities and CCAs: decision-making and validity of proceedings

(1) LURA 2023 is amended in accordance with subsections (2) and (3).

(2) After section 13 insert—

"13A Decision-making 25

(1) This section applies to any decision of a CCA.

(2) A decision of a non-mayoral CCA is to be made by a simple majority of the voting members present and voting on that question at a meeting of the CCA.

(3) A decision of a mayoral CCA is to be made by a simple majority of the voting members present and voting on that question at a meeting of the CCA; and such a majority must include the mayor, or the deputy mayor acting in place of the mayor. 30

(4) But if—

(a) the office of mayor is vacant, and
(b) there is no deputy mayor,

the decision is to be made by a simple majority of the voting members present and voting on that question at a meeting of the CCA.

(5) On a decision of any CCA—
(a) each voting member has one vote;
(b) in the case of a tied vote—
(i) no person has a casting vote; and
(ii) the CCA must be regarded as having disagreed to the question that the decision should be made.

(6) Subsections (1) to (5) are subject to provision made in any other enactment (whenever passed or made).

(7) That includes regulations under this Chapter or under Schedule 23 to the English Devolution and Community Empowerment Act 2025.

(8) In this section "voting member" means—
(a) in relation to a decision of a non-mayoral CCA—
(i) a person appointed by a constituent council to be a member of the CCA (a "constituent member") or a person acting as a member of the CCA in the absence of the constituent member, and
(ii) a non-constituent member (within the meaning of section 11) who is a voting member in relation to the decision by virtue of a resolution under section 11(4) or a person acting as a member of the CCA in the absence of the non-constituent member;
(b) in relation to a decision of a mayoral CCA—
(i) a person appointed by a constituent council to be a member of the CCA (a "constituent member") or a person acting as a member of the CCA in the absence of the constituent member,
(ii) a non-constituent member (within the meaning of section 11) who is a voting member in relation to the decision by virtue of a resolution under section 11(4) or a person acting as a member of the CCA in the absence of the non-constituent member, and
(iii) the mayor, or the deputy mayor acting in place of the mayor.

13B Validity of proceedings

(1) The proceedings of a CCA are not invalidated—
(a) by any vacancy—
(i) among its members or substitute members, or

(ii) (in the case of a mayoral CCA) in the office of deputy mayor, or

(b) by any defect in the appointment or qualifications of—

(i) any member or substitute member, or

(ii) (in the case of a mayoral CCA) of the deputy mayor.

(2) In this section "substitute member" means a person appointed to act as a member in the absence of another member"

(3) In section 13 (regulations about members), in subsection (2)(a), after "members of a particular kind" insert "(including provision disapplying or modifying the effect of section 13A)".

(4) LDEDCA 2009 is amended in accordance with subsections (5) and (6).

(5) After section 104C insert—

"104CA Decision-making

(1) This section applies to any decision of a combined authority.

(2) A decision of a non-mayoral combined authority is to be made by a simple majority of the voting members present and voting on that question at a meeting of the combined authority.

(3) A decision of a mayoral combined authority is to be made by a simple majority of the voting members present and voting on that question at a meeting of the combined authority; and such a majority must include the mayor, or the deputy mayor acting in place of the mayor.

(4) But if—

(a) the office of mayor is vacant, and

(b) there is no deputy mayor,

the decision is to be made by a simple majority of the other voting members present and voting on that question at a meeting of the combined authority.

(5) On a decision of any combined authority—

(a) each voting member has one vote;

(b) in the case of a tied vote—

(i) no person has a casting vote; and

(ii) the combined authority must be regarded as having disagreed to the question that the decision should be made.

(6) Subsections (1) to (5) are subject to provision made in any other enactment (whenever passed or made).

(7) That includes an order under this Part or regulations under Schedule 23 to the English Devolution and Community Empowerment Act 2025.

(8) In this section "voting member" means—

(a) in relation to a decision of a non-mayoral combined authority—
(i) a person appointed by a constituent council to be a member of the combined authority (a "constituent member") or a person acting as a member of the combined authority in the absence of the constituent member, and
(ii) a non-constituent member (within the meaning of section 104A) who is a voting member in relation to the decision by virtue of a resolution under section 104A(4) or a person acting as a member of the combined authority in the absence of the non-constituent member;
(b) in relation to a decision of a mayoral combined authority—
(i) a person appointed by a constituent council to be a member of the combined authority (a "constituent member") or a person acting as a member of the combined authority in the absence of the constituent member,
(ii) a non-constituent member (within the meaning of section 104A) who is a voting member in relation to the decision by virtue of a resolution under section 104A(4) or a person acting as a member of the combined authority in the absence of the non-constituent member, and
(iii) the mayor, or the deputy mayor acting in place of the mayor.

104CB Validity of proceedings

(1) The proceedings of a combined authority are not invalidated—
(a) by any vacancy—
(i) among its members or substitute members, or
(ii) (in the case of a mayoral combined authority) in the office of deputy mayor, or
(b) by any defect in the appointment or qualifications of—
(i) any member or substitute member, or
(ii) (in the case of a mayoral combined authority) of the deputy mayor.

(2) In this section "substitute member" means a person appointed to act as a member in the absence of another member"

(6) In section 104C (regulations about members), in subsection (2)(a), after "members of a particular kind" insert "(including provision disapplying or modifying the effect of section 104CA)".

(7) Schedule 2 makes further provision about decision-making and exercise of functions.

7 Combined authorities and CCAs: powers not limited by other provision or powers

(1) In LURA 2023, after section 24B (inserted by section 41(2) of this Act) insert—

"24C Powers not limited by other provision or powers

(1) This section applies to a power under this Chapter to make subordinate legislation (the "SI-making power") and a CCA if conditions A and B are met.

(2) *Condition A*: the SI-making power confers power to make provision about a particular function or other matter (the "relevant function or matter") in relation to the CCA.

(3) *Condition B*: provision about the relevant function or matter which relates to the CCA—

(a) is made by an enactment (whenever passed or made) that is not subordinate legislation made under this Chapter (the "separate provision"), or

(b) could be made under a power conferred by an enactment that is not contained in this Chapter (the "separate power"),

(whether or not that provision also relates to any other CCAs).

(4) The separate provision or separate power does not limit the subordinate legislation that may be made under the SI-making power in relation to the CCA.

(5) In particular, the separate provision or separate power does not prevent subordinate legislation under the SI-making power from—

(a) making provision about the relevant function or matter in relation to the CCA which is to apply instead of the separate provision;

(b) making modifications or other contrary provision to which the separate provision is subject in its application in relation to the CCA.

(6) Subsection (4) applies to provision made under the SI-making power before or after the coming into force of this section."

(2) In LDEDCA 2009, after section 104CB (inserted by section 6 of this Act) insert—

"104CC Powers not limited by other provision or powers

(1) This section applies to a power under this Part to make subordinate legislation (the "SI-making power") and a combined authority if conditions A and B are met.

(2) *Condition A*: the SI-making power confers power to make provision about a particular function or other matter (the "relevant function or matter") in relation to the combined authority, and

(3) *Condition B*: provision about the relevant function or matter which relates to the combined authority—

(a) is made by an enactment (whenever passed or made) that is not subordinate legislation made under this Part (the "separate provision"), or

(b) could be made under a power conferred by an enactment that is not contained in this Part (the "separate power"),

(whether or not that provision also relates to any other combined authority).

(4) The separate provision or separate power does not limit the subordinate legislation that may be made under the SI-making power in relation to the combined authority.

(5) In particular, the separate provision or separate power does not prevent subordinate legislation under the SI-making power from—

(a) making provision about the relevant function or matter in relation to the combined authority which is to apply instead of the separate provision;

(b) making modifications or other contrary provision to which the separate provision is subject in its application in relation to the combined authority.

(6) Subsection (4) applies to provision made under the SI-making power before or after the coming into force of this section."

8 Combined authorities and CCAs: designation as established mayoral strategic authorities

(1) After section 25 of LURA 2023 insert—

"25A Designation as an established mayoral strategic authority

(1) The Secretary of State may, by regulations, designate a mayoral CCA as an established mayoral strategic authority.

(2) The Secretary of State may not designate a mayoral CCA unless the mayoral CCA has submitted to the Secretary of State a written proposal to be designated (the "designation proposal").

(3) The designation proposal must identify—

(a) any provision—

(i) that applies in relation to the mayoral CCA,

(ii) that would not be of general application to the mayoral CCA if designated, and

(iii) which the mayoral CCA would like to continue to apply in relation to it if designated;

(b) any provision—

(i) that does not apply in relation to the mayoral CCA,

(ii) that would not be of general application to the mayoral CCA, if designated, and

(iii) which the mayoral CCA would like the Secretary of State to make (using a power conferred by this Chapter or otherwise) so as to apply in relation to it, if designated.

(4) If the Secretary of State decides not to designate the mayoral CCA, the Secretary of State must notify the authority in writing of the reasons for the decision.

(5) If the Secretary of State decides not to designate the mayoral CCA, that mayoral CCA may not be designated unless another written proposal to be designated is submitted in accordance with this section.

(6) A Minister of the Crown must not exercise any power to make subordinate legislation (whenever conferred) so as to cause a mayoral CCA to cease to be an established mayoral strategic authority.

(7) That does not limit the making of provision that is—

(a) in consequence of, or

(b) otherwise in connection with,

the abolition or merger of an established mayoral strategic authority (whether the abolition or merger is provided for in secondary legislation or an Act of Parliament).

(8) For the purposes of this section provision would be "of general application to a mayoral CCA if designated" if the provision is contained in an enactment and applies in relation to—

(a) all established mayoral strategic authorities, or

(b) a class of established mayoral strategic authorities which would include the mayoral CCA if designated."

(2) LDEDCA 2009 is amended in accordance with subsections (3) and (4).

(3) Before section 106 insert—

"Changes to combined authorities".

(4) After section 106A insert—

"106B Designation as an established mayoral strategic authority

(1) The Secretary of State may, by order, designate a mayoral combined authority as an established mayoral strategic authority.

(2) The Secretary of State may not designate a mayoral combined authority unless the mayoral combined authority has submitted to the Secretary of State a written proposal to be designated (the "designation proposal").

(3) The designation proposal must identify—

(a) any provision—
  (i) that applies in relation to the mayoral combined authority,
  (ii) that would not be of general application to the mayoral combined authority if designated, and
  (iii) which the mayoral combined authority would like to continue to apply in relation to it if designated;
(b) any provision—
  (i) that does not apply in relation to the mayoral combined authority,
  (ii) that would not be of general application to the mayoral combined authority, if designated, and
  (iii) which the mayoral combined authority would like the Secretary of State to make (using a power conferred by this Part or otherwise) so as to apply in relation to it, if designated.

(4) If the Secretary of State decides not to designate the mayoral combined authority, the Secretary of State must notify the authority in writing of the reasons for the decision.

(5) If the Secretary of State decides not to designate the mayoral combined authority, that mayoral combined authority may not be designated unless another written proposal to be designated is submitted in accordance with this section.

(6) A Minister of the Crown must not exercise any power to make subordinate legislation (whenever conferred) so as to cause a mayoral combined authority to cease to be an established mayoral strategic authority.

(7) That does not limit the making of provision that is—
  (a) in consequence of, or
  (b) otherwise in connection with,
the abolition or merger of an established mayoral strategic authority (whether the abolition or merger is provided for in secondary legislation or an Act of Parliament).

(8) For the purposes of this section provision would be "of general application to a mayoral combined authority if designated" if the provision is contained in an enactment and applies in relation to—
  (a) all established mayoral strategic authorities, or
  (b) a class of established mayoral strategic authorities which would include the mayoral combined authority if designated."

9 Appointment of commissioners by mayors

(1) After section 29 of LURA 2023 insert—

"29A Appointment of commissioners by the mayor

(1) The mayor for the area of a CCA may appoint not more than 7 persons—

(a) to assist the mayor in the exercise of the mayor's general functions in relation to the areas of competence, and

(b) to otherwise assist the mayor in relation to the exercise by the CCA of functions which relate to the areas of competence.

(2) A person appointed under this section is referred to in this Chapter as a "commissioner".

(3) Schedule 2A makes provision about commissioners.

(4) In this section and Schedule 2A "area of competence" has the meaning given by section 2 of the English Devolution and Community Empowerment Act 2025."

(2) In section 30(3) of LURA 2023 (delegation of functions by the mayor), after paragraph (b) insert—

"(ba) for a commissioner appointed under section 29A to exercise any such function (but this is subject to paragraph 7 of Schedule 2A), or".

(3) In Schedule 1 to LURA 2023 (overview and scrutiny committees etc), in paragraph 1 (functions of overview and scrutiny committees), after sub-paragraph (4) insert—

"(4A) Paragraph 10 of Schedule 2A makes provision about particular functions of overview and scrutiny committees in relation to commissioners appointed under section 29A."

(4) After section 107C of LDEDCA 2009 insert—

"107CA Appointment of commissioners by the mayor

(1) The mayor for the area of a combined authority may appoint not more than 7 persons—

(a) to assist the mayor in the exercise of the mayor's general functions in relation to the areas of competence, and

(b) to otherwise assist the mayor in relation to the exercise by the combined authority of functions which relate to the areas of competence.

(2) A person appointed under this section is referred to in this Part as a "commissioner".

(3) Schedule 5BA makes provision about commissioners.

(4) In this section and Schedule 5BA "area of competence" has the meaning given by section 2 of the English Devolution and Community Empowerment Act 2025."

(5) In section 107D(3) of LDEDCA 2009 (delegation of functions by the mayor), after paragraph (b) insert—

"(ba) for a commissioner appointed under section 107CA to exercise any such function (but this is subject to paragraph 7 of Schedule 5BA), or".

(6) In Schedule 5A to LDEDCA 2009 (overview and scrutiny committees etc), in paragraph 1 (functions of overview and scrutiny committees), after sub-paragraph (4) insert—

"(4A) Paragraph 10 of Schedule 5BA makes provision about particular functions of overview and scrutiny committees in relation to commissioners appointed under section 107CA."

(7) Schedule 3 inserts the new Schedule 2A into LURA 2023 and the new Schedule 5BA into LDEDCA 2009.

10 Combined authorities and CCAs: allowances for members with special responsibilities

(1) LURA 2023 is amended in accordance with subsections (2) and (3).

(2) After section 52 insert—

"52A Allowances for members with special responsibilities

(1) A CCA may—
(a) make a scheme providing for the payment of allowances to members of the CCA who have special responsibilities, and
(b) pay allowances in accordance with the scheme.

(2) A CCA may only make a scheme if—
(a) the CCA has considered a report published by a relevant remuneration panel which contains recommendations for the allowances provided for in the scheme, and
(b) the allowances payable under the scheme do not exceed the amounts specified in the recommendations made by the relevant remuneration panel.

(3) A CCA which has made a scheme under this section must produce and publish reports on the allowances paid under the scheme (including their amounts).

(4) In exercising the powers conferred by this section, or complying with the duty to produce and publish reports, a CCA must take account of any guidance issued for this purpose by the Secretary of State.

(5) In deciding the terms of a report produced for the purposes of this section, a relevant remuneration panel must take account of any guidance issued for this purpose by the Secretary of State.

(6) If a member of a CCA is entitled to be paid—

(a) an allowance under this section, and

(b) an allowance or other payment by a constituent council,

in respect of the same special responsibilities, the amount payable under this section is to be reduced by the amount payable by the constituent council (and the amount payable under this section is to be reduced to nil if it is smaller than the amount payable by the constituent council).

(7) Regulations under section 10(1) (about the constitutional arrangements of a CCA) may not prevent or otherwise affect the exercise of the power to pay an allowance under this section; but this section does not otherwise limit the power conferred by section 10(1).

(8) In this section—

"relevant remuneration panel", means a panel that is specified, or of a description specified, in regulations made by the Secretary of State for the purposes of this section;

"special responsibilities", in relation to a member of CCA, means any responsibilities which the member has in addition to the general responsibilities of being a member of the CCA."

(3) In section 252 (regulations)—

(a) in subsection (2), for "(c)" substitute "(ca)";

(b) in subsection (5)(a), for "(c)" substitute "(ca)";

(c) in subsection (8), after paragraph (c) insert—

"(ca) under section 52A;"

(4) After section 113D of LDEDCA 2009 insert—

"113E Allowances for members with special responsibilities

(1) A combined authority may—

(a) make a scheme providing for the payment of allowances to members of the combined authority who have special responsibilities, and

(b) pay allowances in accordance with the scheme.

(2) A combined authority may only make a scheme if—

(a) the combined authority has considered a report published by a relevant remuneration panel which contains recommendations for the allowances provided for in the scheme, and

(b) the allowances payable under the scheme do not exceed the amounts specified in the recommendations made by the relevant remuneration panel.

(3) A combined authority which has made a scheme under this section must produce and publish reports on the allowances paid under the scheme (including their amounts).

(4) In exercising the powers conferred by this section, or complying with the duty to produce and publish reports, a combined authority must take account of any guidance issued for this purpose by the Secretary of State.

(5) In deciding the terms of a report produced for the purposes of this section, a relevant remuneration panel must take account of any guidance issued for this purpose by the Secretary of State.

(6) If a member of a combined authority is entitled to be paid—

(a) an allowance under this section, and

(b) an allowance or other payment by a constituent council,

in respect of the same special responsibilities, the amount payable under this section is to be reduced by the amount payable by the constituent council (and the amount payable under this section is to be reduced to nil if it is smaller than the amount payable by the constituent council).

(7) An order under section 104(1)(a) (about the constitutional arrangements of a combined authority) may not prevent or otherwise affect the exercise of the power to pay an allowance under this section; but this section does not otherwise limit the power conferred by section 104(1)(a).

(8) In this section—

"relevant remuneration panel", means a panel that is specified, or of a description specified, in an order made by the Secretary of State for the purposes of this section;

"special responsibilities", in relation to a member of combined authority, means any responsibilities which the member has in addition to the general responsibilities of being a member of the CCA."

11 Mayoral combined authorities and CCAs: precepts

(1) In section 40 of the Local Government Finance Act 1992 (issue of precepts by major precepting authorities)—

(a) in subsection (11)(a)—

(i) the words from "expenditure" to the end of the paragraph become sub-paragraph (i);

(ii) after that sub-paragraph insert ", and

(ii) expenditure incurred by the mayor or the mayoral combined authority in, or in connection with, the exercise of the authority's functions (as described by

section 103A of the Local Democracy, Economic Development and Construction Act 2009),";

(b) in subsection (12)(a)—

(i) the words from "expenditure" to the end of the paragraph become sub-paragraph (i), and

(ii) after that sub-paragraph insert—

"(ii) expenditure incurred by the mayor or the mayoral combined county authority in, or in connection with, the exercise of the authority's functions (as described by section 17A of the Levelling-up and Regeneration Act 2023),".

(2) In section 107G of LDEDCA 2009 (mayors for combined authority areas: financial matters), omit subsection (1).

(3) In section 41 of LURA 2023 (mayors for CCA areas: financial matters), omit subsection (1).

12 Power to borrow

(1) Section 23 of the Local Government Act 2003 (meaning of "local authority" and application of provisions to combined authorities and CCAs) is amended in accordance with subsections (2) to (6).

(2) In subsection (5), for "except that section 1 confers power on such a combined authority" substitute "except that—

(a) the power conferred by section 1 on a mayoral combined authority is subject to the requirements in subsection (9A) to obtain consent from the Secretary of State, and

(b) section 1 confers power on a non-mayoral combined authority"."

(3) In subsection (8), for "The reference in subsection (5)" substitute "A reference in subsection (5) or (9A)".

(4) In subsection (8A), for "except that section 1 confers power on a CCA" substitute "except that—

(a) the power conferred by section 1 on a mayoral CCA is subject to the requirements in subsection (9A) to obtain consent from the Secretary of State, and

(b) section 1 confers power on a non-mayoral CCA"."

(5) In subsection (8C), for "The reference in subsection (8A)" insert "A reference in subsection (8A) or (9A)".

(6) After subsection (9) insert—

"(9A) These are the requirements to obtain consent from the Secretary of State which apply to the exercise of the power conferred by section 1 on a mayoral combined authority or mayoral CCA—

(a) if the combined authority or CCA had the power to borrow under section 1 before the applicable commencement day, it does not need to obtain consent from the Secretary of State before any exercise of the power to borrow;

(b) if the combined authority or CCA did not have the power to borrow under section 1 before the applicable commencement day—

(i) it does not need to obtain consent from the Secretary of State before any exercise of the power to borrow money for a purpose relevant to its transport, police or fire and rescue functions;

(ii) it must obtain consent from the Secretary of State before the first exercise of that power to borrow money for a purpose relevant to a function other than its transport, police or fire and rescue functions;

(iii) once it has obtained consent in accordance with sub-paragraph (ii) (in relation to any kind of function), it does not need to obtain any further consent under that sub-paragraph (whether in relation to the same kind, or a different kind, of function).

(9B) In this section—

"applicable commencement day" means the day on which section 12 comes into force;

"non-mayoral CCA" means a CCA other than a mayoral CCA;

"non-mayoral combined authority" means a combined authority other than a mayoral combined authority;

"transport, police or fire and rescue functions", in relation to a mayoral combined authority or mayoral CCA, means—

(a) transport functions of the combined authority or CCA,

(b) functions of a police and crime commissioner exercisable by the mayor for the area of the combined authority or CCA, and

(c) functions of a fire and rescue authority exercisable by the mayor for the area of the combined authority or CCA."

(7) The coming into force of this section does not affect the validity of—

(a) any borrowing undertaken by a combined authority or CCA under Part 1 of the Local Government Act 2003 before this section came into force, or

(b) anything else done by a combined authority or CCA, or any other person, before this section came into force—

(i) under or for the purposes of Part 1 of the Local Government Act 2003, or

(ii) in relation to borrowing by a combined authority or CCA under Part 1 of the Local Government Act 2003.

13 Levies

(1) Section 74 of LGFA 1988 (levies) is amended in accordance with this section.

(2) For subsections (8) and (10) substitute—

"(8) A combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 is to be treated as a levying body for the purposes of this section.

(8A) A combined authority has (by virtue of this subsection) power to issue to its constituent councils a levy under this section in respect of any chargeable financial year to meet relevant transport costs in relation to that year which are not otherwise met (for example by the issuing of a precept).

(8B) That power is to be exercised in accordance with regulations made under subsection (2).

(8C) Regulations under subsection (2) may be made conferring on a combined authority power to issue to its constituent councils and in accordance with the regulations a levy under this section in respect of any chargeable financial year, but only to meet costs that are not relevant transport costs."

(3) In subsection (11), for "subsection (8) that include provision within subsection (10)(b)" substitute "subsection (8B) or (8C)".

(4) In subsection (14)—

(a) in the words before the definition of "constituent council", after "(13)" insert "and this subsection";

(b) after the definition of "mayoral functions" insert—

""relevant transport costs" means costs that are reasonably attributable to the exercise of a combined authority's functions, excluding mayoral functions, relating to transport."

(5) For subsections (15) to (17) substitute—

"(15) A combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023 is to be treated as a levying body for the purposes of this section.

(15A) A combined county authority has (by virtue of this subsection) power to issue to its constituent councils a levy under this section in respect of any chargeable financial year to meet relevant transport costs in relation to that year which are not otherwise met (for example by the issuing of a precept).

(15B) That power is to be exercised in accordance with regulations made under subsection (2).

(15C) Regulations under subsection (2) may be made conferring on a combined county authority power to issue to its constituent councils and in accordance with the regulations a levy under this section in respect of any chargeable financial year, but only to meet costs that are not relevant transport costs."

(6) In subsection (17), for "of subsection (15)" substitute "subsection (15B) or (15C)".

(7) In subsection (18)—

(a) in the words before the definition of "constituent council", after "(17)" insert "and this subsection";

(b) after the definition of "mayoral functions" insert—

""relevant transport costs" means costs that are reasonably attributable to the exercise of a combined county authority's functions, excluding mayoral functions, relating to transport."

14 Combined authorities and CCAs: minor amendments

(1) In section 57 of LURA 2023 (interpretation)—

(a) after the definition of "economic prosperity board" insert—

""established mayoral strategic authority" means a mayoral CCA designated by the Secretary of State under section 25A;";

(b) after the definition of "non-constituent member" insert—

""non-mayoral CCA" means a CCA that is not a mayoral CCA;".

(2) Part 6 of LDEDCA 2009 is amended as follows—

(a) before the italic heading before section 88 insert—

"CHAPTER 1

ECONOMIC PROSPERITY BOARDS";

(b) before the italic heading before section 103 insert—

"CHAPTER 2

COMBINED AUTHORITIES";

(c) before the italic heading before section 113A insert—

"CHAPTER 3

GENERAL PROVISION".

(3) In section 120 of LDEDCA 2009 (interpretation)—

(a) after the definition of "deputy mayor" insert—

""established mayoral strategic authority" means a mayoral combined authority designated by the Secretary of State under section 106B;";

(b) after the definition of "non-constituent member" insert— 5

""non-mayoral combined authority" means a combined authority that is not a mayoral combined authority;".

The Greater London Authority

15 Additional functions of the GLA

After section 40 of the Greater London Authority Act 1999 insert— 10

"Additional functions

40A Additional functions of the Authority, Mayor and functional bodies

Schedule 23 to the English Devolution and Community Empowerment Act 2025 contains powers for the Secretary of State to confer further additional functions on the Authority, the Mayor and the functional 15 bodies."

Mayors

16 Members of legislatures disqualified for being a mayor of a strategic authority

(1) In Schedule 5B to LDEDCA 2009 (mayors for combined authority areas: further provision about elections), after paragraph 9A insert— 20

"9B (1) A person is disqualified for holding office as the mayor for the area of a combined authority if the person is an elected member of a legislature in the United Kingdom.

(2) In this section "elected member of a legislature in the United Kingdom" means a member of— 25

(a) the House of Commons;

(b) the Scottish Parliament;

(c) Senedd Cymru;

(d) the Northern Ireland Assembly."

(2) In Schedule 5C to that Act (mayors for combined authority areas: PCC 30 functions), in paragraph 9 (disqualification)—

(a) in sub-paragraph (1), for "sections 64 to 68" substitute "sections 64 to 66 and section 68";

(b) in sub-paragraph (2), for "and 9A" substitute ", 9A and 9B".

(3) In Schedule 2 to the Levelling-up and Regeneration Act 2023 (mayors for combined county authority areas: further provisions about elections), after paragraph 9 insert—

"9A (1) A person is disqualified for holding office as the mayor for the area of a CCA if the person is an elected member of a legislature in the United Kingdom. 5

(2) In this section "elected member of a legislature in the United Kingdom" means a member of—

(a) the House of Commons;

(b) the Scottish Parliament; 10

(c) Senedd Cymru;

(d) the Northern Ireland Assembly."

(4) In Schedule 3 to that Act (mayors for combined county authority areas: PCC functions), in paragraph 10 (disqualification)—

(a) in sub-paragraph (1), for "sections 64 to 68" substitute "sections 64 to 66 and section 68"; 15

(b) in sub-paragraph (2), for "and 9" substitute ", 9 and 9A".

(5) In the Greater London Authority Act 1999, after section 21A insert—

"21B Disqualification from being the Mayor: members of legislatures

(1) A person is disqualified from being the mayor if the person is an elected member of a legislature in the United Kingdom. 20

(2) In this section "elected member of a legislature in the United Kingdom" means a member of—

(a) the House of Commons;

(b) the Scottish Parliament; 25

(c) Senedd Cymru;

(d) the Northern Ireland Assembly."

17 Functions of mayors of combined authorities or CCAs

(1) In section 30 of LURA 2023 (functions of mayors: general), after subsection (1) insert— 30

"(1A) Any mayoral function is to be taken to be a function of the CCA that is exercisable only by the mayor acting on behalf of the CCA.

(1B) The members and officers of a mayoral CCA may assist the mayor in the exercise of any mayoral function (and here "members" means the members of the constituent councils who are appointed to be members of the CCA). 35

(1C) For the purposes of this section a "mayoral function" is—

(a) a function which is conferred by an enactment on the mayor for the area of the CCA, or

(b) a function which is conferred on the CCA by an enactment if an enactment provides for the function to be exercisable only by the mayor for the area of the CCA."

(2) In section 107D of LDEDCA 2009 (functions of mayors: general), after subsection (1) insert—

"(1A) Any mayoral function is to be taken to be a function of the combined authority that is exercisable only by the mayor acting on behalf of the combined authority.

(1B) The members and officers of a mayoral combined authority may assist the mayor in the exercise of any mayoral function (and here "members" means the members of the constituent councils who are appointed to be members of the combined authority).

(1C) For the purposes of this section a "mayoral function" is—

(a) a function which is conferred by an enactment on the mayor for the area of the combined authority, or

(b) a function which is conferred on the combined authority by an enactment if an enactment provides for the function to be exercisable only by the mayor for the area of the combined authority."

18 The "general functions" of mayors

(1) Section 30 of LURA 2023 (functions of mayors: general) is amended in accordance with subsections (2) and (3).

(2) In subsection (2), after "exercisable by the mayor" insert "(whether by virtue of regulations under subsection (1) or otherwise)".

(3) In subsection (8), for "by virtue of this Act" substitute "(whether by virtue of this Act or otherwise)".

(4) Section 107D of LDEDCA 2009 (functions of mayors: general) is amended in accordance with subsections (5) and (6).

(5) In subsection (2), after "exercisable by the mayor" insert "(whether by virtue of an order under subsection (1) or otherwise)".

(6) In subsection (6), for "by virtue of this Act" substitute "(whether by virtue of this Act or otherwise)".

Annual report on devolution

19 Report under section 1 of the Cities and Local Government Devolution Act 2016

For section 1 of the Cities and Local Government Devolution Act 2016 (devolution: annual report) substitute—

"1 Devolution: annual report

(1) The Secretary of State must lay before each House of Parliament an annual report about devolution for all areas within England pursuant to the provisions of—

(a) this Act,

(b) Part 6 of the Local Democracy, Economic Development and Construction Act 2009,

(c) Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023,

(d) Parts 1 and 2 of the English Devolution and Community Empowerment Act 2025, and

(e) any other enactment.

(2) The annual report must include information on—

(a) the areas of the country where strategic authorities have been established,

(b) the areas of the country where proposals have been received by the Secretary of State for establishment of a strategic authority and negotiations have taken place but agreement has not yet been reached,

(c) strategic authorities which have moved from one category of strategic authorities to another category,

(d) additional functions which have been conferred on strategic authorities within each category of strategic authorities or on particular strategic authorities, and

(e) additional financial resources which have been devolved on strategic authorities within each category of strategic authorities or on particular strategic authorities.

(3) The annual report must be laid before each House of Parliament as soon as practicable after 31 March each year.

(4) In this section "strategic authority" and "category of strategic authorities" have the same meanings as in the English Devolution and Community Empowerment Act 2025 (see section 72(1) of that Act)."

PART 2

FUNCTIONS OF STRATEGIC AUTHORITIES AND MAYORS

Mayoral powers of competence

20 Extension of general power of competence to strategic authorities

Schedule 4 amends the Localism Act 2011 to extend the general power of competence to combined authorities and CCAs and their mayors. 5

21 Power of mayors to convene meetings with local partners

(1) After section 17A of LURA 2023 (inserted by section 5 of this Act) insert—

"Collaboration

17B Mayoral power to convene meetings with local partners 10

(1) The mayor for the area of a CCA may convene meetings with local partners to consider relevant local matters.

(2) In exercising the function of convening meetings, a mayor must have regard to any guidance issued for this purpose by the Secretary of State. 15

(3) If a mayor notifies a local partner that the mayor intends to convene a meeting under this section with that local partner, the local partner must respond to the notification.

(4) In responding to a notification given by a mayor, a local partner must have regard to any guidance issued for this purpose by the Secretary of State. 20

(5) In this section—

"local partner" means a person specified, or of a description specified, in regulations made by the Secretary of State;

"relevant local matter", in relation to the mayor for the area of a CCA, means a matter which relates both to— 25

(a) the area of the CCA, and

(b) one or more of the areas of competence set out in section 2 of the English Devolution and Community Empowerment Act 2025." 30

(2) After section 103A of LDEDCA 2009 (inserted by section 5 of this Act) insert—

"103B Mayoral power to convene meetings with local partners

(1) The mayor for the area of a combined authority may convene meetings with local partners to consider relevant local matters.

(2) In exercising the function of convening meetings, a mayor must have regard to any guidance issued for this purpose by the Secretary of State.

(3) If a mayor notifies a local partner that the mayor intends to convene a meeting under this section with that local partner, the local partner must respond to the notification.

(4) In responding to a notification given by a mayor, a local partner must have regard to any guidance issued for this purpose by the Secretary of State.

(5) In this section—

"local partner" means a person specified, or of a description specified, in regulations made by the Secretary of State;

"relevant local matter", in relation to the mayor for the area of a combined authority, means a matter which relates both to—

(a) the area of the combined authority, and

(b) one or more of the areas of competence set out in section 2 of the English Devolution and Community Empowerment Act 2025."

(3) After section 40A of GLAA 1999 (inserted by section 15 of this Act) insert—

"Collaboration

40B Mayor's power to convene meetings with local partners

(1) The Mayor may convene meetings with local partners to consider relevant local matters.

(2) In exercising the function of convening meetings, the Mayor must have regard to any guidance issued for this purpose by the Secretary of State.

(3) If the Mayor notifies a local partner that the Mayor intends to convene a meeting under this section with that local partner, the local partner must respond to the notification.

(4) In responding to a notification given by the Mayor, a local partner must have regard to any guidance issued for this purpose by the Secretary of State.

(5) In this section—

"local partner" means a person specified, or of a description specified, in regulations made by the Secretary of State;

"relevant local matter", in relation to the Mayor of London, means a matter which relates both to—

(a) Greater London, and

(b) one or more of the areas of competence set out in section 2 of the English Devolution and Community Empowerment Act 2025."

22 Duty of mayors to collaborate

(1) After section 17B of LURA 2023 (inserted by section 21 of this Act) insert— 5

"17C Request to collaborate

(1) The mayor for the area of a CCA ("mayor A") may make a request to another elected mayor ("mayor B") for the mayors to collaborate in relation to a matter relating to one or more areas of competence.

(2) A collaboration request must specify— 10

(a) the matter on which mayor A wants the mayors to collaborate, and

(b) the way in which mayor A wants the mayors to collaborate.

(3) Mayor A may make a collaboration request only if mayor A considers that the requested collaboration would be likely to improve the economic, social or environmental well-being of— 15

(a) some or all of the people who live or work in mayor A's area, or

(b) some or all of the people who live or work in mayor A's area and some or all of the people who live or work in mayor B's area. 20

(4) Mayor A may make a collaboration request only if mayor A's area adjoins mayor B's area.

(5) A collaboration request must be in writing.

(6) Mayor A must publish, in such manner as the mayor thinks appropriate, any collaboration request which the mayor makes. 25

(7) The mayors for the areas of CCAs must have regard to any guidance issued by the Secretary of State in exercising powers, and complying with duties, under this section.

(8) Section 17E makes provision about collaboration requests made by, or to, two or more elected mayors. 30

(9) In this section, section 17D and section 17E—

"area of competence" has the same meaning as in the English Devolution and Community Empowerment Act 2025 (see section 2 of that Act); 35

"collaboration request" means a request made under subsection (1);

"elected mayor" means—

(a) the mayor for the area of a CCA,

(b) the mayor for the area of a combined authority, or
(c) the Mayor of London;

"mayor A" has the meaning given in subsection (1);
"mayor A's area" means the area for which mayor A is the mayor;
"mayor B" has the meaning given in subsection (1);
"mayor B's area" means the area for which mayor B is the mayor.

17D Responding to a collaboration request

(1) In a case where a collaboration request is made to mayor B, the mayor must—
(a) consider the collaboration request and decide how to respond,
(b) set out the response in writing,
(c) give the response to mayor A, and
(d) publish, in such manner as the mayor thinks appropriate, the response.

(2) In considering the collaboration request and deciding how to respond, mayor B must have regard to the economic, social and environmental well-being of some or all of the people who live or work in mayor B's area.

(3) If mayor B decides not to agree to the collaboration request, or any part of it, mayor B must—
(a) give the reasons for that decision, and
(b) include the reasons in the response to mayor A.

(4) Mayors to whom collaboration requests are made must have regard to any guidance issued by the Secretary of State in exercising the powers, and complying with the duties, under this section.

17E Collaboration requests made by or to several mayors

(1) Two or more elected mayors (the "requesting mayors") may make a collaboration request to a single elected mayor (the "potential collaborating mayor") if—
(a) at least one of the requesting mayors is the mayor for the area of a CCA, and
(b) each requesting mayor's area meets the neighbour test.

(2) For that purpose, a requesting mayor's area meets the neighbour test if that area—
(a) adjoins every other requesting mayor's area, and
(b) adjoins the potential collaborating mayor's area.

(3) If two or more elected mayors make a collaboration request to a single elected mayor—

(a) sections 17C and 17D apply in relation to each of the requesting mayors separately, and

(b) accordingly, in the application of those sections in relation to a particular requesting mayor, "mayor A" means that mayor.

(4) A single mayor for the area of a CCA (the "requesting mayor") may make a collaboration request to two or more elected mayors (the "potential collaborating mayors") if each potential collaborating mayor's area meets the neighbour test.

(5) For that purpose, a potential collaborating mayor's area meets the neighbour test if that area adjoins the requesting mayor's area.

(6) If a single mayor for the area of a CCA makes a collaboration request to two or more elected mayors—

(a) sections 17C and 17D apply in relation to each of the potential collaborating mayors separately, and

(b) accordingly, in the application of those sections in relation to a particular potential collaborating mayor, "mayor B" means that mayor.

(7) Two or more elected mayors (the "requesting mayors") may make a collaboration request to two or more elected mayors (the "potential collaborating mayors") if—

(a) at least one of the requesting mayors is the mayor for the area of a CCA,

(b) each requesting mayor's area meets the neighbour test, and

(c) each potential collaborating mayor's area meets the neighbour test.

(8) For the purposes of subsection (7), a requesting mayor's area meets the neighbour test if that area—

(a) adjoins every other requesting mayor's area, and

(b) adjoins every potential collaborating mayor's area.

(9) For the purposes of subsection (7), a potential collaborating mayor's area meets the neighbour test if that area adjoins every requesting mayor's area.

(10) If two or more elected mayors make a collaboration request to two or more elected mayors—

(a) sections 17C and 17D apply in relation to each of the requesting mayors separately, and

(b) accordingly, in the application of those sections in relation to a particular requesting mayor, "mayor A" means that mayor;

(c) sections 17C and 17D apply in relation to each of the potential collaborating mayors separately, and

(d) accordingly, in the application of those sections in relation to a particular potential collaborating mayor, "mayor B" means that mayor.

(11) In this section—

"potential collaborating mayor's area" means the area for which a potential collaborating mayor is the mayor;

"requesting mayor's area" means the area for which a requesting mayor is the mayor."

(2) After section 103B of LDEDCA 2009 (inserted by section 21 of this Act) insert—

"103C Request to collaborate

(1) The mayor for the area of a combined authority ("mayor A") may make a request to another elected mayor ("mayor B") for the mayors to collaborate in relation to a matter relating to one or more areas of competence.

(2) A collaboration request must specify—

(a) the matter on which mayor A wants the mayors to collaborate, and

(b) the way in which mayor A wants the mayors to collaborate.

(3) Mayor A may make a collaboration request only if mayor A considers that the requested collaboration would be likely to improve the economic, social or environmental well-being of—

(a) some or all of the people who live or work in mayor A's area, or

(b) some or all of the people who live or work in mayor A's area and some or all of the people who live or work in mayor B's area.

(4) Mayor A may make a collaboration request only if mayor A's area adjoins mayor B's area.

(5) A collaboration request must be in writing.

(6) Mayor A must publish, in such manner as the mayor thinks appropriate, any collaboration request which the mayor makes.

(7) The mayors for the areas of combined authorities must have regard to any guidance issued by the Secretary of State in exercising powers, and complying with duties, under this section.

(8) Section 103E makes provision about collaboration requests made by, or to, two or more elected mayors.

(9) In this section, section 103D and section 103E—

"area of competence" has the same meaning as in the English Devolution and Community Empowerment Act 2025 (see section 2 of that Act);

"collaboration request" means a request made under subsection (1);

"elected mayor" means—

(a) the mayor for the area of a combined authority,

(b) the mayor for the area of a combined county authority, or

(c) the Mayor of London;

"mayor A" has the meaning given in subsection (1);

"mayor A's area" means the area for which mayor A is the mayor;

"mayor B" has the meaning given in subsection (1);

"mayor B's area" means the area for which mayor B is the mayor.

103D Responding to a collaboration request

(1) In a case where a collaboration request is made to mayor B, the mayor must—

(a) consider the collaboration request and decide how to respond,

(b) set out the response in writing,

(c) give the response to mayor A, and

(d) publish, in such manner as the mayor thinks appropriate, the response.

(2) In considering the collaboration request and deciding how to respond, mayor B must have regard to the economic, social and environmental well-being of some or all of the people who live or work in mayor B's area.

(3) If mayor B decides not to agree to the collaboration request, or any part of it, mayor B must—

(a) give the reasons for that decision, and

(b) include the reasons in the response to mayor A.

(4) Mayors to whom collaboration requests are made must have regard to any guidance issued by the Secretary of State in exercising the powers, and complying with the duties, under this section.

103E Collaboration requests made by or to several mayors

(1) Two or more elected mayors (the "requesting mayors") may make a collaboration request to a single elected mayor (the "potential collaborating mayor") if—

(a) at least one of the requesting mayors is the mayor for the area of a combined authority, and

(b) each requesting mayor's area meets the neighbour test.

(2) For that purpose, a requesting mayor's area meets the neighbour test if that area—

(a) adjoins every other requesting mayor's area, and

(b) adjoins the potential collaborating mayor's area.

(3) If two or more elected mayors make a collaboration request to a single elected mayor—

(a) sections 103C and 103D apply in relation to each of the requesting mayors separately, and

(b) accordingly, in the application of those sections in relation to a particular requesting mayor, "mayor A" means that mayor.

(4) A single mayor for the area of a combined authority (the "requesting mayor") may make a collaboration request to two or more elected mayors (the "potential collaborating mayors") if each potential collaborating mayor's area meets the neighbour test.

(5) For that purpose, a potential collaborating mayor's area meets the neighbour test if that area adjoins the requesting mayor's area.

(6) If a single mayor for the area of a combined authority makes a collaboration request to two or more elected mayors—

(a) sections 103C and 103D apply in relation to each of the potential collaborating mayors separately, and

(b) accordingly, in the application of those sections in relation to a particular potential collaborating mayor, "mayor B" means that mayor.

(7) Two or more elected mayors (the "requesting mayors") may make a collaboration request to two or more elected mayors (the "potential collaborating mayors") if—

(a) at least one of the requesting mayors is the mayor for the area of a combined authority,

(b) each requesting mayor's area meets the neighbour test, and

(c) each potential collaborating mayor's area meets the neighbour test.

(8) For the purposes of subsection (7), a requesting mayor's area meets the neighbour test if that area—

(a) adjoins every other requesting mayor's area, and

(b) adjoins every potential collaborating mayor's area.

(9) For the purposes of subsection (7), a potential collaborating mayor's area meets the neighbour test if that area adjoins every requesting mayor's area.

(10) If two or more elected mayors make a collaboration request to two or more elected mayors—

(a) sections 103C and 103D apply in relation to each of the requesting mayors separately, and

(b) accordingly, in the application of those sections in relation to a particular requesting mayor, "mayor A" means that mayor;

(c) sections 103C and 103D apply in relation to each of the potential collaborating mayors separately, and

(d) accordingly, in the application of those sections in relation to a particular potential collaborating mayor, "mayor B" means that mayor.

(11) In this section—

"potential collaborating mayor's area" means the area for which a potential collaborating mayor is the mayor;

"requesting mayor's area" means the area for which a requesting mayor is the mayor."

(3) After section 40B of GLAA 1999 (inserted by section 21 of this Act) insert—

"40C Request to collaborate

(1) The Mayor of London ("mayor A") may make a request to another elected mayor ("mayor B") for the mayors to collaborate in relation to a matter relating to one or more areas of competence.

(2) A collaboration request must specify—

(a) the matter on which mayor A wants the mayors to collaborate, and

(b) the way in which mayor A wants the mayors to collaborate.

(3) Mayor A may make a collaboration request only if mayor A considers that the requested collaboration would be likely to improve the economic, social or environmental well-being of—

(a) some or all of the people who live or work in Greater London, or

(b) some or all of the people who live or work in Greater London and some or all of the people who live or work in mayor B's area.

(4) Mayor A may make a collaboration request only if Greater London adjoins mayor B's area.

(5) A collaboration request must be in writing.

(6) Mayor A must publish, in such manner as the mayor thinks appropriate, any collaboration request which the mayor makes.

(7) The Mayor of London must have regard to any guidance issued by the Secretary of State in exercising powers, and complying with duties, under this section.

(8) Section 40E makes provision about collaboration requests made by, or to, two or more elected mayors.

(9) In this section, section 40D and section 40E—

"area of competence" has the same meaning as in the English Devolution and Community Empowerment Act 2025 (see section 2 of that Act);

"collaboration request" means a request made under subsection (1);

"elected mayor" means—

(a) the Mayor of London,

(b) the mayor for the area of a combined authority, or

(c) the mayor for the area of a combined county authority;

"mayor A" has the meaning given in subsection (1);

"mayor B" has the meaning given in subsection (1);

"mayor B's area" means the area for which mayor B is the mayor.

40D Responding to a collaboration request

(1) In a case where a collaboration request is made to mayor B, the mayor must—

(a) consider the collaboration request and decide how to respond,

(b) set out the response in writing,

(c) give the response to mayor A, and

(d) publish, in such manner as the mayor thinks appropriate, the response.

(2) In considering the collaboration request and deciding how to respond, mayor B must have regard to the economic, social and environmental well-being of some or all of the people who live or work in mayor B's area.

(3) If mayor B decides not to agree to the collaboration request, or any part of it, mayor B must—

(a) give the reasons for that decision, and

(b) include the reasons in the response to mayor A.

(4) Mayors to whom collaboration requests are made must have regard to any guidance issued by the Secretary of State in exercising the powers, and complying with the duties, under this section.

40E Collaboration requests made by or to several mayors

(1) Two or more elected mayors (the "requesting mayors") may make a collaboration request to a single elected mayor (the "potential collaborating mayor") if—

(a) at least one of the requesting mayors is the Mayor of London, and

(b) each requesting mayor's area meets the neighbour test.

(2) For that purpose, a requesting mayor's area meets the neighbour test if that area—

(a) adjoins every other requesting mayor's area, and
(b) adjoins the potential collaborating mayor's area.

(3) If two or more elected mayors make a collaboration request to a single elected mayor—
(a) sections 40C and 40D apply in relation to each of the requesting mayors separately, and
(b) accordingly, in the application of those sections in relation to a particular requesting mayor, "mayor A" means that mayor.

(4) The Mayor of London (the "requesting mayor") may make a collaboration request to two or more elected mayors (the "potential collaborating mayors") if each potential collaborating mayor's area meets the neighbour test.

(5) For that purpose, a potential collaborating mayor's area meets the neighbour test if that area adjoins Greater London.

(6) If the Mayor of London makes a collaboration request to two or more elected mayors—
(a) sections 40C and 40D apply in relation to each of the potential collaborating mayors separately, and
(b) accordingly, in the application of those sections in relation to a particular potential collaborating mayor, "mayor B" means that mayor.

(7) Two or more elected mayors (the "requesting mayors") may make a collaboration request to two or more elected mayors (the "potential collaborating mayors") if—
(a) at least one of the requesting mayors is the Mayor of London,
(b) each requesting mayor's area meets the neighbour test, and
(c) each potential collaborating mayor's area meets the neighbour test.

(8) For the purposes of subsection (7), a requesting mayor's area meets the neighbour test if that area—
(a) adjoins every other requesting mayor's area, and
(b) adjoins every potential collaborating mayor's area.

(9) For the purposes of subsection (7), a potential collaborating mayor's area meets the neighbour test if that area adjoins every requesting mayor's area.

(10) If two or more elected mayors make a collaboration request to two or more elected mayors—
(a) sections 40C and 40D apply in relation to each of the requesting mayors separately, and
(b) accordingly, in the application of those sections in relation to a particular requesting mayor, "mayor A" means that mayor;

(c) sections 40C and 40D apply in relation to each of the potential collaborating mayors separately, and

(d) accordingly, in the application of those sections in relation to a particular potential collaborating mayor, "mayor B" means that mayor.

(11) In this section—

"potential collaborating mayor's area" means the area for which a potential collaborating mayor is the mayor;

"requesting mayor's area" means the area for which a requesting mayor is the mayor."

Transport and local infrastructure

23 Regulation of provision of micromobility vehicles

Schedule 5 confers on strategic authorities, and local authorities where there is no strategic authority, powers to regulate the provision of micromobility vehicles.

24 Arrangements to carry out works on highways

Schedule 6 makes provision about arrangements made by combined authorities and CCAs to carry out works on highways.

25 Civil enforcement of traffic contraventions

Schedule 7 confers on combined authorities and CCAs functions in relation to civil enforcement of traffic contraventions.

26 Restrictions on disposal of land by Transport for London

(1) The GLAA 1999 is amended as follows.

(2) In section 163(1), in the words after paragraph (b), for "Secretary of State" substitute "appropriate person".

(3) In section 163(2), for "Secretary of State" substitute "appropriate person".

(4) After section 163(4), insert—

"(4A) Transport for London must consult Network Rail Limited, or a subsidiary of Network Rail Limited nominated by Network Rail Limited, before seeking from the appropriate person—

(a) consent under subsection (1) in relation to land used by Network Rail, or

(b) consent under subsection (2) in relation to a company in which is vested land used by Network Rail.

(4B) The Secretary of State may by regulations—

(a) amend subsection (4A) by adding or removing a person who must be consulted under that subsection;

(b) amend this section to include other requirements for Transport for London to consult before seeking a consent under this section."

(5) For 163(5) substitute—

"(5) Any consent—

(a) of the appropriate person under this section may be given in relation to any particular transaction or description of transactions; and

(b) of the Secretary of State under this section may be given subject to conditions."

(6) In section 163(7), for "Secretary of State", substitute "appropriate person".

(7) In section 163(8), before "operational land" insert—

""appropriate person" means—

(a) in relation to consent under subsection (1)—

(i) the Mayor of London, in a case where the consent relates to land which is entirely within Greater London and is not Crown land;

(ii) the Secretary of State, in case where the consent relates to any other land;

(b) in relation to consent under subsection (2)—

(i) the Mayor of London, in a case where all the operational land vested in the subsidiary company is entirely within Greater London and is not Crown land;

(ii) the Secretary of State, in any other case;

"Crown land" means land in which the Crown has any estate or interest, or over which the Crown has any right;

"land used by Network Rail" means—

(a) land that is used wholly or partly for the provision of network services by Network Rail; and

(b) land that is used by Network Rail wholly or partly for a purpose ancillary or incidental to use of land that falls within paragraph (a);

"Network Rail" means Network Rail Limited or any subsidiary of Network Rail Limited;

"network services" has the same meaning as in Part 1 of the Railways Act 1993 (see section 82 of that Act);"

(8) In section 164(a), after "Secretary of State" insert "or Mayor".

(9) In section 420, after subsection (5), insert—

"(5A) A statutory instrument containing regulations under section 163(4B) of this Act may not be made unless a draft of the instrument has been

laid before, and approved by a resolution of, each House of Parliament."

27 Key route network roads

Schedule 8 makes provision about key route network roads (including road traffic reduction).

28 Constituent councils to act in accordance with local transport plans etc

For section 113 of the Transport Act 2000 substitute—

"113 Role of councils in relation to policies etc of ITAs, combined authorities & CCAs

(1) A metropolitan district council that is within the area of an Integrated Transport Authority (the "ITA")—

(a) must carry out its functions so as to implement the policies developed by the ITA in accordance with section 108(1)(b);

(b) must, in carrying out its functions in accordance with paragraph (a)—

(i) comply with the duties set out in section 108(2ZB), and

(ii) have regard to the proposals contained in the applicable local transport plan;

(c) must—

(i) cause a copy of the applicable local transport plan to be made available for inspection (at all reasonable hours) at such places as it thinks fit,

(ii) give notice, by such means as it thinks expedient for bringing the applicable local transport plan to the attention of the public, as to the places at which a copy of it may be inspected, and

(iii) supply a copy of the applicable local transport plan (or any part of it) to any person on request, either free of charge or at a charge representing no more than the cost of providing the copy.

(2) A constituent council of a combined authority or a combined county authority—

(a) must carry out its functions so as to implement the policies developed by the combined authority or combined county authority in accordance with section 108(1)(b);

(b) must, in carrying out its functions in accordance with paragraph (a)—

(i) comply with the duties set out in section 108(2ZB), and

(ii) have regard to the proposals contained in the applicable local transport plan;

(c) must—

(i) cause a copy of the applicable local transport plan to be made available for inspection (at all reasonable hours) at such places as it thinks fit,

(ii) give notice, by such means as it thinks expedient for bringing the applicable local transport plan to the attention of the public, as to the places at which a copy of it may be inspected, and

(iii) supply a copy of the applicable local transport plan (or any part of it) to any person on request, either free of charge or at a charge representing no more than the cost of providing the copy.

(3) In this section—

"applicable local transport plan"—

(a) in relation to a metropolitan district council that is within the area of an Integrated Transport Authority, means the local transport plan of the ITA;

(b) in relation to a constituent council of a combined authority or combined county authority, means the local transport plan of that authority;

"constituent council"—

(a) in relation to a combined authority, means—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a combined county authority, means—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means a district council whose area does not form part of the area of a county council.

(4) In any enactment, a reference—

(a) to section 108(1)(b) includes subsection (2)(a) of this section;

(b) to section 108(2ZA) includes subsection (2)(b)(i) of this section;

(c) to section 108(3B) includes subsection (2)(b)(ii) of this section;

(d) to section 109(4) includes subsection (2)(c) of this section."

29 Local transport authorities and other transport functions

Schedule 9 confers on combined authorities and CCAs functions as local transport authorities and makes provision about other functions relating to transport.

Skills and employment support

30 Adult education

Schedule 10 confers on strategic authorities functions relating to adult education.

Housing and strategic planning

31 Planning applications of potential strategic importance

Schedule 11 confers on mayors of combined authorities and CCAs functions in relation to planning applications of potential strategic importance.

32 Development orders

(1) Schedule 12 confers on mayors of combined authorities and CCAs functions in relation to development orders.

(2) Schedule 13 contains amendments relating to section 31 and this section.

33 Power to charge community infrastructure levy

Schedule 14 confers on mayors of combined authorities and CCAs powers to charge community infrastructure levy.

34 Acquisition and development of land

Schedule 15 confers on strategic authorities functions relating to the acquisition and development of land.

35 Housing accommodation

Schedule 16 confers on combined authorities and CCAs functions relating to housing accommodation.

36 Mayoral development corporations

Schedule 17 provides for mayoral development corporations to be established within the areas of mayoral combined authorities and mayoral CCAs.

Economic development and regeneration

37 Assessment of economic conditions

Schedule 18 confers on combined authorities and CCAs functions in relation to the assessment of economic conditions.

38 Local growth plans

(1) Schedule 19 confers on mayoral strategic authorities functions in relation to local growth plans.

39 Local Government Act 2003: expenditure grant

(1) Chapter 1 of Part 3 of the Local Government Act 2003 (expenditure grant) is amended in accordance with this section.

(2) In the heading of section 31 (power to pay grant), after "power" insert "of Ministers".

(3) After section 32 insert—

"32A Power of strategic authorities to pay grant

(1) A combined authority or CCA may pay to a constituent council a grant towards expenditure incurred or to be incurred by it.

(2) The amount of a grant under this section and the manner of its payment are to be such as the person paying it may determine.

(3) A grant under this section may be paid on such conditions as the person paying it may determine.

(4) Conditions under subsection (3) may, in particular, include—
(a) provision as to the use of the grant;
(b) provision as to circumstances in which the whole or part of the grant must be repaid.

(5) Subsection (6) applies where, in exercising a function under this section, a combined authority or CCA determines an amount of grant to be paid towards expenditure incurred or to be incurred by a constituent council in relation to the exercise of its highway functions.

(6) In determining that amount, the combined authority or CCA must have regard to the desirability of ensuring that the constituent council has sufficient funds to facilitate the effective discharge of those highway functions.

(7) To comply with subsection (6), the combined authority or CCA must take into account any other sources of funding available to the constituent council for expenditure incurred or to be incurred in relation to the exercise of its highway functions.

(8) The functions conferred by this section on a mayoral combined authority or mayoral CCA are functions of the authority or CCA exercisable only by the mayor on behalf of the authority or CCA.

(9) In this section—

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a combined county authority—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

"highway functions" means functions exercisable by a constituent council (in whatever capacity) in relation to the highways for which it is the highway authority;

"mayoral CCA" has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 (see section 27(8) of that Act);

"mayoral combined authority" has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (see section 107A(8) of that Act)."

40 Encouragement of visitors and promotion of visitors

(1) LGA 1972 is amended in accordance with this section.

(2) In section 144 (power to encourage visitors and provide conference and other facilities), in subsections (1) and (2), after "local authority" insert ", combined authority or combined county authority".

(3) In section 145 (provision of entertainments)—

(a) in subsection (1), in the words before paragraph (a), after "local authority" insert ", combined authority or combined county authority";

(b) in subsection (2), in the words before paragraph (a), after "local authority" insert ", combined authority or combined county authority".

41 Co-operation with local government pension scheme managers

(1) After section 107ZB of LDEDCA 2009 (inserted by section 43(1) of this Act), insert—

"Combined authorities: co-operation with local government pension scheme managers

107ZC Co-operation with local government pension scheme managers

(1) This section applies where a scheme manager is responsible for managing and administering part of a scheme for local government workers in England and Wales in relation to a current employee of a constituent council of a combined authority in connection with that employment.

(2) The combined authority must co-operate with the scheme manager to identify and develop investment opportunities appropriate to the pension fund that the scheme manager maintains for its part of the scheme.

(3) Where the scheme manager participates in an asset pool company, the combined authority may fulfil its duty to co-operate with the scheme manager under subsection (1) by co-operating with—
   (a) the scheme manager,
   (b) the asset pool company, or
   (c) both the scheme manager and the asset pool company.

(4) A scheme manager participates in an asset pool company by—
   (a) being a shareholder of the company, or
   (b) contracting with the company for it to manage the funds and other assets for which the scheme manager is responsible.

(5) In this section—
   "asset pool company" has the meaning given by section 1(7) of the Pension Schemes Act 2025;
   "local government worker" has the meaning given by section 37 of the Public Service Pensions Act 2013;
   "scheme" has the meaning given by section 37 of the Public Service Pensions Act 2013;
   "scheme manager", in relation to a scheme for local government workers, means a person who is a scheme manager by virtue of section 4(5) of the Public Service Pensions Act 2013 (being a person responsible for the local administration of pensions and other benefits payable under the scheme who maintains a pension fund for the purposes of providing pensions and other benefits under its part of the scheme)."

(2) After section 24A of LURA 2023 (inserted by section 43(2) of this Act), insert—

"24B Co-operation with local government pension scheme managers

(1) This section applies where a scheme manager is responsible for managing and administering part of a scheme for local government workers in England and Wales in relation to a current employee of—
(a) a constituent council of a CCA, or
(b) a district council which is not a constituent council where any part of the area of the council falls within the area of a CCA,
in connection with that employment.

(2) The CCA must cooperate with the scheme manager to identify and develop investment opportunities appropriate to the pension fund that the scheme manager maintains for its part of the scheme.

(3) Where the scheme manager participates in an asset pool company, the CCA may fulfil its duty to co-operate with the scheme manager under subsection (1) by co-operating with—
(a) the scheme manager,
(b) the asset pool company, or
(c) both the scheme manager and the asset pool company.

(4) A scheme manager participates in an asset pool company by—
(a) being a shareholder of the company, or
(b) contracting with the company for it to manage the funds and other assets for which the scheme manager is responsible.

(5) In this section—
"asset pool company" has the meaning given by section 1(7) of the Pension Schemes Act 2025;
"local government worker" has the meaning given by section 37 of the Public Service Pensions Act 2013;
"scheme" has the meaning given by section 37 of the Public Service Pensions Act 2013;
"scheme manager", in relation to a scheme for local government workers, means a person who is a scheme manager by virtue of section 4(5) of the Public Service Pensions Act 2013 (being a person responsible for the local administration of pensions and other benefits payable under the scheme who maintains a pension fund for the purposes of providing pensions and other benefits under its part of the scheme)."

(3) After section 403 of the GLAA 1999, insert—

"403ZA Co-operation with local government pension scheme managers

(1) The Authority must co-operate with a scheme manager for a scheme for local government workers in England and Wales who falls within subsection (2) to identify and develop investment opportunities

appropriate to the pension fund that the scheme manager maintains for its part of the scheme.

(2) A scheme manager falls within this subsection if the scheme manager is—

(a) the London Pensions Fund Authority, or

(b) a London borough.

(3) Where the scheme manager participates in an asset pool company, the Authority may fulfil its duty to co-operate with the scheme manager under subsection (1) by co-operating with—

(a) the scheme manager,

(b) the asset pool company, or

(c) both the scheme manager and the asset pool company.

(4) A scheme manager participates in an asset pool company by—

(a) being a shareholder of the company, or

(b) contracting with the company for it to manage the funds and other assets for which the scheme manager is responsible.

(5) In this section—

"asset pool company" has the meaning given by section 1(7) of the Pension Schemes Act 2025;

"local government worker" has the meaning given by section 37 of the Public Service Pensions Act 2013;

"scheme" has the meaning given by section 37 of the Public Service Pensions Act 2013;

"scheme manager", in relation to a scheme for local government workers, means a person who is a scheme manager by virtue of section 4(5) of the Public Service Pensions Act 2013 (being a person responsible for the local administration of pensions and other benefits payable under the scheme who maintains a pension fund for the purposes of providing pensions and other benefits under its part of the scheme)."

42 Miscellaneous local authority functions

Schedule 20 confers on combined authorities and CCAs and the GLA miscellaneous functions exercisable by local authorities.

Health, well-being & public service reform

43 Health improvement and health inequalities duty

(1) After section 107ZA of LDEDCA 2009 insert—

"Combined authorities: health

107ZB Health improvement and health inequalities duty 5

(1) When considering whether or how to exercise any of its functions, a combined authority must have regard to the need to—
   (a) improve the health of persons in the combined authority's area, and
   (b) reduce health inequalities between persons living in the combined authority's area. 10

(2) When considering whether or how to exercise any function, the mayor for the area of a combined authority must have regard to the considerations set out in subsection (1).

(3) Health inequalities "between persons" living in an area means health inequalities between persons, or persons of different descriptions, living in, or in different parts of, an area. 15

(4) "Health inequalities" means inequalities in respect of life expectancy or general state of health which are wholly or partly a result of differences in respect of general health determinants. 20

(5) "General health determinants" are—
   (a) standards of housing, transport services or public safety,
   (b) employment prospects, earning capacity and any other matters that affect levels of prosperity,
   (c) the degree of ease or difficulty with which persons have access to public services, 25
   (d) the use, or level of use, of tobacco, alcohol or other substances, and any other matters of personal behaviour or lifestyle, that are or may be harmful to health,

   and any other matters that are determinants of life expectancy or the state of health of persons generally, other than genetic or biological factors. 30

(6) In subsection (1)(a), the reference to improving the health of persons includes a reference to mitigating any detriment to health which would otherwise be occasioned by the exercise of a combined authority's function. 35

(7) In subsection (1)(b), the reference to reducing health inequalities includes a reference to mitigating any increase in health inequalities which would otherwise be occasioned by the exercise of a combined authority's function." 40

(2) After section 24 of LURA 2023 insert—

"24A Health improvement and health inequalities duty

(1) When considering whether or how to exercise any of its functions, a CCA must have regard to the need to—
  (a) improve the health of persons in the CCA's area; and
  (b) reduce health inequalities between persons living in the CCA's area.

(2) When considering whether or how to exercise any function, the mayor for the area of a CCA must have regard to the considerations set out in subsection (1).

(3) Health inequalities "between persons" living in an area means health inequalities between persons, or persons of different descriptions, living in, or in different parts of, an area.

(4) "Health inequalities" means inequalities in respect of life expectancy or general state of health which are wholly or partly a result of differences in respect of general health determinants.

(5) "General health determinants" are—
  (a) standards of housing, transport services or public safety,
  (b) employment prospects, earning capacity and any other matters that affect levels of prosperity,
  (c) the degree of ease or difficulty with which persons have access to public services,
  (d) the use, or level of use, of tobacco, alcohol or other substances, and any other matters of personal behaviour or lifestyle, that are or may be harmful to health,

and any other matters that are determinants of life expectancy or the state of health of persons generally, other than genetic or biological factors.

(6) In subsection (1)(a) above, the reference to improving the health of persons includes a reference to mitigating any detriment to health which would otherwise be occasioned by the exercise of a CCA's function.

(7) In subsection (1)(b) above, the reference to reducing health inequalities includes a reference to mitigating any increase in health inequalities which would otherwise be occasioned by the exercise of a CCA's function."

Public safety

44 Functions of police and crime commissioners

(1) In section 107F of LDEDCA 2009 (functions of mayors: policing)—

(a) after subsection (1) insert—

"(1A) The mayor for the area of a combined authority is to exercise functions of a police and crime commissioner in relation to that area if the combined authority meets the eligibility condition and transfer condition in relation to that area (see section 107FA).";

(b) in subsection (2), for "The reference in subsection (1)" substitute "A reference in this section";

(c) in subsection (3), for "subsection (1)" substitute "this section";

(d) after subsection (4) insert—

"(4A) For provision about the exercise of functions of a police and crime commissioner by the mayor for the area of a combined authority by virtue of subsection (1A), see Schedule 10A to the Police Reform and Social Responsibility Act 2011.";

(e) in subsection (8)(b), after "Schedule 5C" insert "to this Act or Schedule 10A to the Police Reform and Social Responsibility Act 2011".

(2) After section 107F of LDEDCA 2009 insert—

"107FA The "eligibility" and "transfer" conditions

(1) This section sets out the "eligibility condition" and "transfer condition" referred to in section 107F(1A).

(2) A combined authority meets the eligibility condition in case A or case B.

(3) *Case A*: the authority's area is the same as a single English police area. In this case, the authority meets the eligibility condition in relation to the single police area.

(4) *Case B*: the authority's area is the same as two or more English police areas (when those areas are taken together).
In this case, the authority meets the eligibility condition in relation to each of those fire and rescue areas.

(5) A combined authority meets the transfer condition in relation to an English police area if—

(a) the Secretary of State has, by order, specified the time at which the mayor for the area of the authority is to begin exercising functions of a police and crime commissioner (the "transfer time"), and

(b) the transfer time has passed.

(6) If a mayoral combined authority or mayoral CCA meets the eligibility condition in relation to two or more English police areas, the Secretary of State may only exercise the power conferred by subsection (5)(a) so as to specify the same transfer time in relation to all of those police areas.

(7) In this section "English police area" means a police area listed in Schedule 1 to the Police Act 1996 (police areas outside London) that is in England."

(3) In section 107G of LDEDCA 2009 (mayors for combined authorities: financial matters), after subsection (4) insert—

"(4A) Where the mayoral functions of a mayor include PCC functions in relation to more than one police area, the provision made in accordance with subsection (4)(a) which ensures that there are separate components in respect of—

(a) the mayor's PCC functions, and

(b) the mayor's general functions,

must include separate components in respect of the mayor's PCC functions in relation to the different police areas."

(4) In section 33 of LURA 2023 (functions of mayors: policing)—

(a) after subsection (1) insert—

"(1A) The mayor for the area of a CCA is to exercise functions of a police and crime commissioner in relation to that area if the CCA meets the eligibility condition and transfer condition in relation to that area (see section 33A).";

(b) in subsection (2), for "The reference in subsection (1)" substitute "A reference in this section";

(c) in subsection (3), for "subsection (1)" substitute "this section";

(d) after subsection (4) insert—

"(4A) For provision about the exercise of functions of a police and crime commissioner by the mayor for the area of a CCA by virtue of subsection (1A), see Schedule 10A to the Police Reform and Social Responsibility Act 2011.";

(e) in subsection (8)(b), after "Schedule 5C" insert "to this Act or Schedule 10A to the Police Reform and Social Responsibility Act 2011".

(5) After section 33 of LURA 2023 insert—

"33A The "eligibility" and "transfer" conditions

(1) This section sets out the "eligibility condition" and "transfer condition" referred to in section 33(1A).

(2) A mayoral CCA meets the eligibility condition in case A or case B.

(3) *Case A*: the CCA's area is the same as a single English police area.
In this case, the CCA meets the eligibility condition in relation to the single police area.

(4) *Case B*: the CCA's area is the same as two or more English police areas (when those areas are taken together).
In this case, the CCA meets the eligibility condition in relation to each of those police areas.

(5) A CCA meets the transfer condition in relation to an English police area if—

(a) the Secretary of State has, by order, specified the time at which the mayor for the area of the CCA is to begin exercising functions of a police and crime commissioner (the "transfer time"), and

(b) the transfer time has passed.

(6) If a mayoral CCA meets the eligibility condition in relation to two or more English police areas, the Secretary of State may only exercise the power conferred by subsection (5)(a) so as to specify the same transfer time in relation to all of those police areas.

(7) In this section "English police area" means a police area listed in Schedule 1 to the Police Act 1996 (police areas outside London) that is in England."

(6) In section 41 of LURA 2023 (mayors for CCA areas: financial matters), after subsection (4) insert—

"(4A) Where the mayoral functions of a mayor include PCC functions in relation to more than one police area, the provision made in accordance with subsection (4)(a) which ensures that there are separate components in respect of—

(a) the mayor's PCC functions, and

(b) the mayor's general functions,

must include separate components in respect of the mayor's PCC functions in relation to the different police areas."

(7) After paragraph 21(a) of Schedule 1 to the Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), insert—

"(aa) for subsection (1) substitute—

"(1) The mayor must—

(a) appoint a person as the deputy mayor for policing and crime for the area, and

(b) arrange for the deputy mayor for policing and crime to exercise one or more of the mayor's PCC functions.""

(8) After—

(a) after paragraph 21(a) of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (S.I. 2021/112),

(b) after paragraph 21(a) of the York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), and

(c) after paragraph 21(a) of the South Yorkshire Mayoral Combined Authority (Election of Mayor and Transfer of Police and Crime Commissioner Functions) Order 2024 (S.I. 2024/4140,

insert—

"(aa) for subsection (1) substitute—

"(1) The Mayor must—

(a) appoint a person as the deputy mayor for policing and crime for the area, and

(b) arrange for the deputy mayor for policing and crime to exercise one or more of the Mayor's PCC functions.""

45 PCCs and police areas

(1) In section 1 of PRSRA 2011 (police and crime commissioners), for subsection (9A) substitute—

"(9A) Subsection (1) does not apply to an area if the mayor for the area of a combined authority or combined county authority is to exercise functions of a police and crime commissioner in relation to the area in accordance with—

(a) an order under section 107F(1) of the Local Democracy, Economic Development and Construction Act 2009;

(b) section 107F(1A) of that Act;

(c) regulations under section 33(1) of the Levelling-up and Regeneration Act 2023;

(d) section 33(1A) of that Act.

(9B) See section 76A and Schedule 10A for provision about cases where a mayor is to exercise functions in accordance with—

(a) section 107F(1A) of the Local Democracy, Economic Development and Construction Act 2009, or

(b) section 33(1A) of the Levelling-up and Regeneration Act 2023."

(2) After section 76 of PRSRA 2011 insert—

"CHAPTER 6A

EXERCISE OF PCC FUNCTIONS BY ELECTED MAYORS

76A Exercise of PCC functions by elected mayors

Schedule 10A makes provision about cases where a mayor is to exercise functions in accordance with—

(a) section 107F(1A) of the Local Democracy, Economic Development and Construction Act 2009, or

(b) section 33(1A) of the Levelling-up and Regeneration Act 2023."

(3) After Schedule 10 to PRSRA 2011, insert Schedule 10A set out in Schedule 21 to this Act.

(4) In the Police Act 1996—

(a) in section 32 (power to alter police areas by order), in subsection (3)—

(i) in the words before paragraph (a), omit "either";

(ii) in paragraph (b), after "effectiveness" insert ", or

(c) the order is made in connection with the functions of a police and crime commissioner becoming exercisable by the mayor for the area of a mayoral strategic authority.

(3A) For that purpose, an order "is made in connection with the functions of a police and crime commissioner becoming exercisable by the mayor for the area of a mayoral strategic authority" if—

(a) the police areas that are altered by the order are all in England, and

(b) the Secretary of State's purpose in making the regulations is to—

(i) cause a mayoral strategic authority to meet the eligibility condition in relation to an altered police area, and

(ii) enable the Secretary of State to specify a transfer time in relation to that mayoral strategic authority and altered police area that will result in the mayor for the area of the mayoral strategic authority exercising functions of a police and crime commissioner in relation to that area.";

(b) in section 32, after subsection (4) insert—

"(4A) In this section—

"eligibility condition" has the same meaning as in—

(a) section 107FA of the Local Democracy, Economic Development and Construction Act 2009, or

(b) section 33A of the Levelling-up and Regeneration Act 2023;

"mayoral strategic authority" means—

(a) a mayoral combined authority (which has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 — see section 107A(8) of that Act), or

(b) a mayoral CCA (which has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 — see section 27(8) of that Act);

"transfer time" has the same meaning as in—

(a) section 107FA of the Local Democracy, Economic Development and Construction Act 2009, or

(b) section 33A of the Levelling-up and Regeneration Act 2023;";

(c) in section 34 (orders altering police areas: supplementary provision), in subsection (5), after "subsection (3)(a)" insert "or (3)(c)".

46 Functions of fire and rescue authorities

(1) Section 1 of FRSA 2004 (fire and rescue authorities) is amended in accordance with subsections (2) and (3).

(2) In subsection (2), after paragraph (e) insert—

"(f) a mayoral combined authority or mayoral CCA is the fire and rescue authority for an English fire and rescue area outside London if the authority or CCA meets—

(i) the eligibility condition, and

(ii) the transfer condition,

in relation to the fire and rescue area (see section 1A)."

(3) After subsection (2) insert—

"(2A) If a mayoral combined authority or mayoral CCA is the fire and rescue authority for a fire and rescue area by virtue of subsection (2)(f), a council or other authority is not the fire and rescue authority for that area by virtue of subsection (2)(a) to (e) or section 2 or 4.

(2B) The functions of a mayoral combined authority or mayoral CCA as a fire and rescue authority are functions of the mayoral combined authority or mayoral CCA exercisable only by the mayor on behalf of the CCA."

(4) After section 1 of FRSA 2004 insert—

"1A The "eligibility" and "transfer" conditions

(1) This section sets out the "eligibility condition" and "transfer condition" referred to in section 1(2)(f)(i) and (ii).

(2) A mayoral combined authority or mayoral CCA meets the "eligibility condition" in relation to an English fire and rescue area outside London in case A or case B.

(3) *Case A*: the authority's area is the same as a single English fire and rescue area outside London.
In this case, the authority meets the eligibility condition in relation to the single fire and rescue area.

(4) *Case B*: the authority's area is the same as two or more English fire and rescue areas outside London (when those areas are taken together).
In this case, the authority meets the eligibility condition in relation to each of those fire and rescue areas.

(5) A mayoral combined authority or mayoral CCA meets the "transfer condition" in relation to an English fire and rescue area outside London if—

(a) the Secretary of State has, by regulations, specified the time at which the mayoral combined authority or mayoral CCA is to become the fire and rescue authority for that fire and rescue area (the "transfer time"), and

(b) the transfer time has passed.

(6) If a mayoral combined authority or mayoral CCA meets the eligibility condition in relation to two or more fire and rescue areas, the Secretary of State may only exercise the power conferred by subsection (5)(a) so as to specify the same transfer time in relation to all of those fire and rescue areas.

(7) At any time—

(a) on or after the making of an order or regulations under any power altering an English fire and rescue area outside London (including by the creation of a combined area that is an English fire and rescue area outside London) (the "boundaries SI"), and

(b) before the coming into force of the boundaries SI,

regulations under subsection (5)(a) may specify a transfer time in relation to the fire and rescue area resulting from the boundaries SI which falls on or after the day on which that SI comes into force.

(8) The provision that may be made by regulations under section 52 of the English Devolution and Community Empowerment Act 2025 (incidental etc provision) for the purposes of, or in consequence of, regulations under subsection (5)(a) which relate to a fire and rescue area includes—

(a) provision for functions of the fire rescue authority for that area to be exercisable by the mayoral combined authority or mayoral CCA, instead of by the fire and rescue authority, during a period which—

(i) ends with the day on which the transfer time falls, and

(ii) is no longer than one year ("shadow functions");

(b) provision about who is to scrutinise the exercise of functions by the mayoral combined authority or CCA;

(c) any other incidental, consequential, transitional, transitory or supplementary provision."

(5) In section 5M of FRSA 2004 (interpretation), after the definition of "City of London police area" insert—

""English fire and rescue area outside London" means any of the following areas in England—

(a) the area of—

(i) a non-metropolitan county,

(ii) a non-metropolitan district if there is no county council for the area,

(iii) a metropolitan county, or

(iv) the Council of the Isles of Scilly,

unless the area is within a combined area;

(b) a combined area;

and here "combined area" means a combined area of a kind referred to in section 2 or 4 which does not consist of or include any area in Greater London;

"mayoral CCA" has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 (see section 27(8) of that Act);

"mayoral combined authority" has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (see section 107A(8) of that Act);".

(6) Schedule 22 contains further provision about fire and rescue services.

47 Mayor with PCC and fire and rescue functions

(1) In section 107EA of LDEDCA 2009 (exercise of fire and rescue functions)—

(a) for subsection (1) substitute—

"(1) This section applies to a mayor for the area of a combined authority who—

(a) by virtue of—

(i) section 107D(1), or

(ii) section 1(2B) of the Fire and Rescue Services Act 2004,

may exercise functions which are conferred on a fire and rescue authority in that name ("fire and rescue functions"), and

(b) by virtue of—

(i) section 107F(1), or

(ii) section 107F(1A),

may exercise functions of a police and crime commissioner.";

(b) in subsection (5), after "107D(1)" insert ", or in section 1(2B) of the Fire and Rescue Services Act 2004,".

(2) In section 34 of LURA 2023 (exercise of fire and rescue functions)—

(a) for subsection (1) substitute—

"(1) This section applies to a mayor for the area of a CCA who—

(a) by virtue of—

(i) section 30(1), or

(ii) section 1(2B) of the Fire and Rescue Services Act 2004,

may exercise functions which are conferred on a fire and rescue authority in that name ("fire and rescue functions"), and

(b) by virtue of—

(i) section 33(1), or

(ii) section 33(1A),

may exercise functions of a police and crime commissioner.";

(b) in subsection (5), after "30(1)" insert ", or in section 1(2B) of the Fire and Rescue Services Act 2004,".

48 Sharing of information

In section 115 of the Crime and Disorder Act 1998 (disclosure of information), in subsection (2), after paragraph (c) insert—

"(ca) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

(cb) a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;".

Requests by mayors of established mayoral strategic authorities

49 Requests by mayors of EMSAs for changes

(1) One or more mayors for EMSAs may notify the Secretary of State of—

(a) any change to the law relating to strategic authorities,

(b) any change to the funding of strategic authorities, or

(c) any other change relating to strategic authorities,

which the mayor or mayors believe would secure, or contribute to securing, the effective exercise of functions in relation to one or more areas of competence.

(2) In exercising the function of giving notifications under this section, a mayor must have regard to any guidance issued for this purpose by the Secretary of State.

(3) If a notification under this section is given, the Secretary of State must, within the period of six months beginning with the day on which the notification is given—

(a) decide how to respond, and

(b) notify the mayor or mayors that gave the notification of—

(i) the decision, and

(ii) the reasons for making the decision.

Regulations relating to functions of strategic authorities and mayors

50 Powers to make regulations in relation to functions of strategic authorities and mayors

Schedule 23 confers on the Secretary of State powers in relation to the functions of strategic authorities and mayors (including powers to use pilot schemes).

51 Health service functions: application of existing limitations on devolution

(1) Section 18 of the Cities and Local Government Devolution Act 2016 (devolving health service functions) is amended in accordance with this section.

(2) In subsection (1)—

(a) for the words before paragraph (a) substitute—

"(1) A devolution of functions SI—";

(b) in paragraph (c)—

(i) for "or a combined county authority" substitute "a combined county authority or a category of strategic authorities";

(ii) after "that authority" insert "or those authorities".

(3) In subsection (2), in the words after paragraph (h), for the words from "transferable" to the end substitute "transferable by a devolution of functions SI."

(4) In subsection (7), in the words before paragraph (a), for "2022" substitute "2023".

(5) After subsection (7) insert—

"(7A) For the purposes of this section, a function is transferred by regulations under Part 1 or 6 of Schedule 23 to the 2025 Act if provision under paragraph 1(1), 2(1) or 3(1) of that Schedule conferring the function is made, including such provision made by virtue of Part 6 of that Schedule.".

(6) In subsection (8), for the words from "transferred" to the end substitute "transferred to it by a devolution of functions SI."

(7) For subsection (9) substitute—

"(9) In this section—

"the 2009 Act" means the Local Democracy, Economic Development and Construction Act 2009;

"the 2023 Act" means the Levelling-up and Regeneration Act 2023;

"the 2025 Act" means the English Devolution and Community Empowerment Act 2025;

"category of strategic authority" has the same meaning as in the 2025 Act (see section 72(1) of that Act);

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"devolution of functions SI" means any of the following—

(a) regulations under section 16 of this Act;

(b) an order under section 105A of the 2009 Act (conferral of functions of public authority on combined authority);

(c) regulations under section 19(1) of the 2023 Act (conferral of functions of public authority on combined county authority);

(d) regulations under Part 1 or 6 of Schedule 23 to the 2025 Act (conferral of functions of public authority on category of strategic authority);

"the health service" has the meaning given by section 275(1) of the NHSA 2006.".

Supplementary provision relating to extension of functions

52 Incidental etc provision

(1) The Secretary of State may by regulations make incidental, consequential, transitional, transitory or supplementary provision for the purposes of, or in consequence of—

(a) the conferral of a function on a relevant authority, or

(b) the modification of a function of a relevant authority,

by relevant legislation.

(2) Regulations under this section may not include provision amending or disapplying sections 15 to 17 of, and Schedule 1 to, the Local Government and Housing Act 1989 (political balance on local authority committees etc).

(3) Regulations under this section may (in particular) amend any Act of Parliament (whenever passed), including by amending this Act.

(4) Regulations under this section which contain provision amending an Act of Parliament are subject to affirmative resolution procedure.

(5) Any other regulations under this section are subject to negative resolution procedure.

(6) In this section—

"relevant authority" means—

(a) a strategic authority;

(b) the mayor for the area of a CCA or the area of a combined authority;
(c) the Mayor of London;
(d) a GLA functional body.

"relevant legislation" means—
(a) this Act,
(b) regulations under this Act, or
(c) any other legislation (whenever passed or made),

except for functions conferred by an order under Chapter 1 of Part 6 of LDEDCA 2009 (instead see section 114 of that Act) or by regulations under Chapter 1 of Part 2 of LURA 2023 (instead see section 53 of that Act).

53 Transfer of property, rights and liabilities

(1) The Secretary of State may by regulations make provision for the transfer of property, rights and liabilities (including criminal liabilities) for the purposes of, or in consequence of, or for giving full effect to—
(a) the conferral of a function on a relevant authority, or
(b) the modification of a function of a relevant authority,
by relevant legislation.

(2) Property, rights and liabilities may be transferred by—
(a) the regulations,
(b) scheme made by the Secretary of State under the regulations, or
(c) a scheme required to be made under the regulations by a person other than the Secretary of State.

(3) A transfer by virtue of this section may have effect—
(a) whether or not the property, rights and liabilities would otherwise be capable of being transferred;
(b) without any instrument or formality being required.

(4) The rights and liabilities which may be transferred by virtue of this section include rights and liabilities in relation to a contract of employment.

(5) The Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246) apply to the transfer by virtue of this section (whether or not the transfer is a relevant transfer for the purposes of those regulations).

(6) Regulations under this section or a scheme made under them may define the property, rights and liabilities to be transferred by specifying or describing them.

(7) Provision for the transfer of property, rights and liabilities made by virtue of this section may include provision—
(a) for the creation or imposition by the Secretary of State of new rights or liabilities in respect of anything transferred;

(b) for the shared ownership or use of any property or facilities;
(c) for the management or custody of transferred property;
(d) for bodies to make agreements with respect to any property, income, rights, liabilities and expenses of, and any financial relations between, the parties to the agreement.

(8) Provision for the transfer of property, rights and liabilities made by virtue of this section may include provision—
(a) for the continuing effect of things done by the transferor in relation to anything transferred;
(b) for the continuation of things (including legal proceedings) in the process of being done, by or on behalf of or in relation to the transferor in relation to anything transferred;
(c) for references to the transferor in any agreement (whether written or not), instrument or other document in relation to anything transferred to be treated (so far as necessary for the purposes of or in consequence of the transfer) as references to the transferee.

(9) In this section—
"relevant authority" means—
(a) a strategic authority;
(b) the mayor for the area of a CCA or the area of a combined authority;
(c) the Mayor of London;
(d) a GLA functional body;
"relevant legislation" means—
(a) this Act,
(b) regulations under this Act, or
(c) any other legislation (whenever passed or made),
except for functions conferred by an order under Chapter 1 of Part 6 of LDEDCA 2009 (instead see section 114 of that Act) or by regulations under Chapter 1 of Part 2 of LURA 2023 (instead see section 53 of that Act)

Protection of functions

54 Prohibition of secondary legislation removing functions

(1) A Minister of the Crown must not exercise any power to make secondary legislation (whenever conferred) so as to cause a function to cease to be exercisable by—
(a) strategic authorities generally, or
(b) a category of strategic authorities.

(2) This section does not apply to a function conferred by regulations under Part 6 of Schedule 23.

(3) This section does not limit the making of—
  (a) permitted provision, or
  (b) provision that is—
    (i) in consequence of, or
    (ii) otherwise in connection with,
  permitted provision (whether the permitted provision is made in secondary legislation or an Act of Parliament).

(4) In this section "permitted provision" means provision—
  (a) modifying a function;
  (b) abolishing a function;
  (c) repealing or revoking provision conferring a function in consequence of, or otherwise in connection with, other legislation conferring the function (with or without modifications).

PART 3

OTHER MEASURES ABOUT LOCAL GOVERNMENT AND PCCS

CHAPTER 1

REORGANISATION , GOVERNANCE AND ELECTIONS

Reorganisation

55 Single tiers of local government

Schedule 24 makes provision about arrangements relating to single tiers of local government.

56 Certain functions of shadow authorities for single tiers of local government

In section 12 of the Local Government and Public Involvement in Health Act 2007 (provision relating to membership etc of authorities)—
  (a) after subsection (3) insert—
    "(3A) Where an order makes provision under subsection (1)(k) conferring functions on a new local authority in relation to a combined authority or combined county authority, the order may provide that such functions are no longer functions of an existing local authority.";
  (b) after subsection (5) insert—
    "(5A) In this section—
      "combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023."

Governance

57 Local authority governance and executives

Schedule 25 contains provision about local authority governance and executives.

58 Local authorities: effective neighbourhood governance

(1) Local authorities in England must make appropriate arrangements to secure the effective governance of any area of a specified description that falls within the authority's area (a "neighbourhood area").

(2) "Appropriate arrangements" for the purposes of subsection (1) are such arrangements as are specified in regulations made by the Secretary of State.

(3) Regulations under subsection (2) may include provision—

(a) requiring the establishment and maintenance by local authorities of specified organisational structures for the governance of neighbourhood areas (or for the use of specified existing organisational structures for that purpose);

(b) about the number, membership, funding and review of such structures;

(c) about the functions that may or must be carried out by such structures for the purpose of ensuring the effective governance of neighbourhood areas (including for the structures to carry out functions on behalf of the local authority);

(d) requiring the carrying out of such activities for the purpose of ensuring local engagement with the neighbourhood area as may be specified.

(4) Regulations under this section may—

(a) confer a function, including a function involving the exercise of a discretion, on any person;

(b) provide for exceptions.

(5) In this section—

"local authority" has the meaning given by section 1 of the Local Government Act 2000;

"specified" means specified or described in regulations under this section.

(6) Regulations under this section are subject to affirmative resolution procedure.

Elections

59 Mayors and Police and Crime Commissioners: supplementary vote system

Schedule 26 makes provision for the use of the supplementary vote system in elections of mayors and police and crime commissioners.

CHAPTER 2

ASSETS OF COMMUNITY VALUE

60 Community right to buy assets of community value and protection of sporting assets

Schedule 27 makes provision for a community right to buy assets of community value and for the protection of sporting assets of community value in England, and related minor and consequential amendments.

PART 4

LOCAL AUDIT

61 Establishment of Local Audit Office

(1) In the Local Audit and Accountability Act 2014, after Part 1 insert—

"PART 1A

THE LOCAL AUDIT OFFICE

1A Establishment and constitution

(1) A body corporate called the Local Audit Office is established.

(2) Schedule 1A makes provision about the Office, including provision about its constitution and proceedings.

1B Main objective

(1) The main objective of the Local Audit Office in performing its functions is to secure the effective operation of the system of audit established by this Act, with a view to meeting the needs of users of the audited accounts.

(2) That includes, in particular, securing—

(a) that audits under this Act are carried out to a high standard, and

(b) that there is a suitable range of persons able and willing to carry out such audits.

1C Financial matters

(1) The Secretary of State may pay grants to the Local Audit Office.

(2) The Office must, on request by the Secretary of State, provide estimates of its income and expenditure.

(3) The Office may charge a person a fee for the exercise in relation to that person of any of its functions that is not the subject of more specific provision about fees.

(4) That includes functions under –

(a) an agreement under section 6B(5)(a), or

(b) rules or arrangements made for the purposes of Schedule 1C.

(5) A fee charged by the Office (under subsection (3) or otherwise) need not be calculated by reference to the cost of doing the thing to which the fee relates.

(6) But the Office must set its fees with a view to securing that, over time, its income from fees is broadly equivalent to such of its expenditure as is not met by way of grant from the Secretary of State.

(7) In subsection (6) –

(a) the reference to fees includes other sums payable to the Office by agreement (see in particular section 6B(5)(b)), and

(b) the reference to setting fees includes agreeing fees and other sums so payable.

1D Oversight and intervention by Secretary of State

(1) The Local Audit Office must exercise its functions in accordance with any direction, and having regard to any guidance, given to it by the Secretary of State.

(2) The Office must comply with any written request by the Secretary of State to be provided with information about the exercise of the Office's functions.

(3) Such a request may cover information about the exercise of functions after the request is made.

(4) No direction, guidance or request under this section may relate to the exercise of functions in relation to a particular relevant authority.

(5) The Secretary of State must –

(a) consult the Local Audit Office before giving any direction or guidance under this section, and

(b) publish any direction or guidance given under this section."

(2) Schedule 28 makes further provision about the Local Audit Office (including the insertion of the Schedule 1A referred to above).

62 Local audit providers: registration and public provision

(1) In the Local Audit and Accountability Act 2014, after Part 2 insert—

"PART 2A

PROVIDERS OF AUDIT SERVICES

6A Local audit register

(1) The Local Audit Office must secure that there is at least one public register of individuals and firms who are (by virtue of their registration) entitled to carry out audits in accordance with this Act.

(2) It may do so by—
  (a) keeping a register itself, or
  (b) designating another body as an external registration body (see section 6B).

(3) An external registration body must keep a register meeting the description in subsection (1).

(4) In this Act—
  "local audit register" means a register kept in accordance with this section;
  "registered local audit provider" means an individual or firm that is registered in a local audit register.

(5) Fees may be charged in respect of—
  (a) applications for registration in a local audit register;
  (b) entry in such a register;
  (c) remaining in such a register.

6B External registration bodies

(1) The Local Audit Office may designate a body as an external registration body only if—
  (a) the body consents, and
  (b) the Office is satisfied that—
    (i) the body is able and willing to co-operate with the Office in pursuit of the objective set out in section 1B,
    (ii) the body is able and willing to promote and maintain high standards of integrity in the conduct of audits under this Act, and
    (iii) the rules and arrangements of the body that will have effect in relation to registered local audit providers and lead partners (see in particular Schedule 1C) will be fair, reasonable, and fit for purpose.

(2) The Office—

(a) may revoke the designation of an external registration body, and

(b) must do so if no longer satisfied of the matters set out in subsection (1)(b), unless it considers that the body is likely to satisfy it of those matters again within a reasonable period.

(3) The making or revocation of a designation is to be done by written notice to the body in question; and the Office must publish such a notice.

(4) The making or revocation is to have effect from the time specified in the notice.

(5) The Local Audit Office and an external registration body, or a body that anticipates becoming an external registration body, may enter into an agreement about—

(a) how the body is to carry out its functions as an external registration body;

(b) fees, costs or other sums that are to be paid by the body to the Office;

(c) circumstances in which the Office will or will not exercise its power under subsection (2)(a);

(d) procedures to be followed in order for the Office to reach a decision whether to exercise that power or whether its duty under subsection (2)(b) is engaged.

(6) Fees charged by an external registration body under section 6A(5) may be calculated by reference to any costs borne by the body as a result of this Act.

(7) Schedule 1B makes further provision about external registration bodies, including provision for the enforcement of their duties.

6C Eligibility and regulation of registered providers

(1) The body that keeps a local audit register must comply with the requirements of Schedule 1C (which sets out requirements in connection with the register, including requirements about eligibility for registration and the regulation of registered providers).

(2) The requirements of Schedule 1C do not limit the ability of the body to have in place rules or arrangements going beyond those requirements (whether relating to the same or different subject-matter).

(3) An agreement under section 6B(5)(a) may, accordingly, include terms supplementing those requirements or imposing additional requirements.

6D Professional qualifications

In Schedule 1D—

(a) Part 1 sets out certain requirements as to professional qualification referred to in Schedule 1C, and
(b) Part 2 makes provision about bodies offering qualifications referred to in Part 1.

6E Powers of Local Audit Office to facilitate provision by firms 5

The Local Audit Office may—
(a) form a firm,
(b) acquire interests in a firm, or
(c) give assistance (financial or otherwise) to a firm,
with a view to the firm becoming, or remaining, a registered local audit provider that carries out audits under this Act. 10

6F Scrutiny of Local Audit Office as audit provider

(1) This section applies if the Local Audit Office decides that it is to carry out audits under this Act.

(2) The Office must put in place arrangements under which its audit practice will be monitored, inspected and reported on by persons acting independently of the Office. 15

(3) The Office must send to the Secretary of State reports made to it under the arrangements."

(2) Schedule 29 inserts the Schedule 1B, Schedule 1C and Schedule 1D referred to above. 20

63 New appointment arrangements for non-NHS audits

In the Local Audit and Accountability Act 2014, after Part 2A (inserted by section 62(1)) insert—

"PART 2B 25

APPOINTMENT ETC OF LOCAL AUDITORS: AUTHORITIES OTHER THAN HEALTH SERVICE BODIES

6G Local Audit Office to appoint auditor

(1) This section applies in relation to a relevant authority other than a health service body. 30

(2) The Local Audit Office must, in relation to each financial year—
(a) decide that it is to audit the accounts of the authority, or
(b) appoint a registered local audit provider to audit those accounts.

(3) A decision under subsection (2)(a) is to be treated for the purposes of this Act as the appointment of the Office as a local auditor under this section.

(4) In the following provisions of this Part, references to an appointment are to an appointment under this section.

6H Further provision about appointments

(1) A single appointment may be made for multiple financial years.

(2) An appointment must be made before the beginning of the financial year (or the first of the financial years) to which it relates.

(3) The appointment of a registered local audit provider is to be on terms agreed in writing between the Local Audit Office and the provider.

(4) Two or more local auditors may be appointed—
  (a) to act jointly in relation to some or all parts of the accounts;
  (b) to act separately in relation to different parts of the accounts;
  (c) to carry out different functions in relation to the audit.

(5) If, as a result of an appointment made in accordance with subsection (4), a function under this Act may be exercised by two or more local auditors—
  (a) it may be exercised by both or all of them acting jointly or by such one or more of them as they may determine, and
  (b) references (however expressed) to the local auditor by whom the function is or has been exercised are to the auditors by whom it is or has been exercised.

(6) The Local Audit Office must not appoint a person whom it has reason to think will be unable to act because of section 32B (independence requirement).

6I Procedure for appointment

(1) Before making an appointment, the Local Audit Office must inform the relevant authority of the person it proposes to appoint and give the authority a reasonable opportunity to make representations.

(2) As soon as practicable after making an appointment, the Office must send to the relevant authority concerned a notice that—
  (a) states that it has made the appointment,
  (b) identifies the local auditor that has been appointed, and
  (c) specifies the financial year or years for which the local auditor has been appointed.

(3) A relevant authority must publish a notice under subsection (2) within the period of 28 days beginning with the day on which it receives it.

(4) The notice must be published—
  (a) if the relevant authority has a website, on its website;
  (b) otherwise, in such manner as the relevant authority thinks is likely to bring the notice to the attention of persons who live in its area.

6J Resignation and removal

(1) If the Local Audit Office is appointed, it may resign from the appointment by giving written notice to the relevant authority concerned.

(2) If a registered local audit provider is appointed, the terms of the appointment must include—
  (a) provision for the resignation of the provider, and
  (b) provision for the removal of the provider by the Local Audit Office.

(3) If the appointed local auditor resigns or is removed, section 6G(2) applies again in relation to the relevant authority concerned.

(4) But if the timing of the resignation or removal makes it impracticable for section 6H(2) to be complied with, the new appointment must instead be made as soon as practicable.

6K Audit fees

(1) The Local Audit Office must charge a relevant authority a fee in respect of the carrying out of an audit by a local auditor appointed by the Office.

(2) The amount of the fee may be revised (even after it has been paid or the audit concerned has been completed).

(3) The payment terms are to be determined by the Office and notified in writing to the relevant authority.

(4) The Office must publish a table of indicative fees, from which each relevant authority (other than a health service body) can, in respect of each financial year, ascertain the amount the Office would ordinarily expect to charge it for that year.

(5) The Office must give reasons if it—
  (a) revises a fee upwards, or
  (b) charges a relevant authority a higher amount than that indicated in the table of indicative fees."

64 Audit providers to nominate lead partner

In the Local Audit and Accountability Act 2014, before section 20 insert—

"19A Requirement to nominate lead partner

(1) Subsections (2) and (3) apply where a firm is appointed as a local auditor.

(2) The firm must ensure that—
  (a) an individual working for the firm acts as the lead partner for the audit in question, and
  (b) the name of that individual is known to—
    (i) the Local Audit Office, and
    (ii) the relevant authority whose accounts are being audited.

(3) The individual must appear in a list kept in relation to the firm in accordance with paragraph 6 of Schedule 1C (list of eligible lead partners in firm's register entry).

(4) Subsections (5) and (6) apply where the Local Audit Office is appointed as a local auditor.

(5) The Office must ensure that—
  (a) an individual working for the Office acts as the lead partner for the audit in question, and
  (b) the name of that individual is known to the relevant authority whose accounts are being audited.

(6) The individual must appear in a public list kept by the Office of individuals who may act as the lead partner for an audit carried out by the Office.

(7) The Office must make arrangements designed to secure that an individual appears in its list only if the individual would be able to appear in a list kept in relation to a firm in accordance with paragraph 6 of Schedule 1C.

(8) For the purposes of this Act, an individual acts as the lead partner for an audit if the individual is primarily responsible for the local auditor's decisions as to—
  (a) the opinion to be given under section 20(2)(b) or 21(5)(a),
  (b) the making of any public interest report or recommendation, and
  (c) the issuing of any advisory notice."

65 Code of audit practice

(1) In the Local Audit and Accountability Act 2014, paragraph 1 of Schedule 6 (preparation of code of audit practice) is amended as follows.

(2) For sub-paragraph (1) substitute—

"(1) The Local Audit Office must prepare one or more codes of audit practice.

(1A) A code—

(a) must prescribe the auditing standards that are to be applied in the carrying out of audits under this Act, and

(b) may impose other requirements as to the way in which local auditors carry out their functions under this Act."

(3) In sub-paragraph (2), for "Comptroller and Auditor General" substitute "Office".

(4) For sub-paragraph (4) substitute—

"(4) A code may prescribe auditing standards or impose other requirements by—

(a) setting out, or referring to, standards or requirements formulated by the Office, or

(b) adopting, with or without modification, standards or requirements formulated by another body;

and any reference in a code to a standard or requirement set out elsewhere may be to that standard or requirement as amended or replaced in the future."

(5) For sub-paragraph (5) substitute—

"(5) Before preparing a code, the Office must consult—

(a) the Comptroller and Auditor General,

(b) such associations or representatives of relevant authorities as the Office considers appropriate,

(c) registered local audit providers,

(d) the Secretary of State,

(e) the Treasury,

(f) any external registration body, and

(g) such other persons as the Office considers appropriate."

(6) A code that has effect as a code of audit practice under the Local Audit and Accountability Act 2014 when this section comes into force continues to have effect until (and except so far as) superseded by a code of audit practice prepared in accordance with Schedule 6 to that Act as amended by this Act.

(7) Guidance that has effect under paragraph 9 of Schedule 6 to that Act when this section comes into force continues to have effect until (and except so far as)—

(a) superseded by guidance prepared in accordance with that paragraph as amended by this Act, or

(b) revoked by the Office.

66 Audit committees

In the Local Audit and Accountability Act 2014, before section 34 insert—

"33A Audit committees

(1) A relevant authority other than a health service body must—
  (a) have an audit committee, and
  (b) arrange for its audit committee to exercise the functions set out in subsection (3).

(2) The audit committee is to be—
  (a) in the case of a relevant authority that has a general power under an enactment to appoint committees, a committee of the authority designated by the authority as its audit committee, or
  (b) in any other case, a group of individuals appointed by the relevant authority.

(3) The functions referred to in subsection (1)(b) are—
  (a) reviewing and scrutinising the authority's financial affairs,
  (b) reviewing and assessing the authority's risk management, internal control and governance arrangements,
  (c) reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the authority's functions, and
  (d) making reports and recommendations to the authority in relation to reviews conducted under paragraphs (a), (b) and (c).

(4) The Secretary of State may by regulations provide for an enactment that applies in relation to a relevant authority, or a committee of a relevant authority, to apply, with or without modification, in relation to a group of individuals appointed under subsection (2)(b).

(5) The Secretary of State may by regulations make provision about—
  (a) the membership of an audit committee;
  (b) the appointment of the members.

(6) Provision must be made under subsection (5) so as to ensure that at least one member of an audit committee is an independent person, as defined by the regulations.

(7) The Secretary of State may by regulations make provision, in relation to the audit committee of a combined authority or combined county authority, about the payment of allowances to members of the committee who are members of a constituent council.

(8) In subsection (7), "constituent council"—
  (a) in relation to a combined authority, means—

(i) a county council the whole or any part of whose area is within the area of the combined authority, or

(ii) a district council whose area is within the area of the combined authority;

(b) in relation to a combined county authority, has the meaning given by section 10(11) of the Levelling-up and Regeneration Act 2023.

(9) A relevant authority must have regard to any guidance issued by the Secretary of State in relation to audit committees.

(10) References in this section to a committee of a relevant authority include a sub-committee of such a committee.

(11) The functions of the Greater London Authority under this section are exercisable by the Mayor of London and the London Assembly acting jointly on behalf of the Authority."

67 Smaller authorities: change of terminology

(1) In sections 5 and 6 of the Local Audit and Accountability Act 2014 (smaller authorities), for "smaller", in each place it occurs except section 5(6)(b), substitute "category 2".

(2) In any regulations, guidance or other instrument made or issued under that Act before this section comes into force, any reference to a smaller authority is to be read, in relation to matters arising after this section comes into force, as a reference to a category 2 authority.

68 Power to provide for smaller authority treatment in previous years where audit outstanding

(1) The Secretary of State may by regulations make provision applying in a case set out in subsection (2) and having the effect set out in subsection (3).

(2) The case is one in which an audit has not been completed in relation to the accounts of a relevant authority other than a smaller authority for any of the following financial years—

(a) that ending with 31 March 2023,

(b) that ending with 31 March 2024, and

(c) that ending with 31 March 2025.

(3) The effect is that of enabling an audit to be carried out or completed, or anything in relation to the audit to be done, as if the relevant authority had been a smaller authority for the financial year or years in question.

(4) Subsections (2) and (3) are to be read as if they were contained in the Local Audit and Accountability Act 2014 (as it has or had effect in relation to the financial years concerned).

(5) Regulations under this section may modify any time limit (whether or not it has already been reached).

(6) Regulations under this section are subject to negative resolution procedure.

69 Amendment paving way for separation of LGPS accounts

In section 20 of the Local Audit and Accountability Act 2014 (general duties of auditors), for subsection (3) substitute—

"(3) If a statement of accounts prepared by a relevant authority under this Act includes both—

(a) accounts of a pension fund maintained by the authority under regulations under section 1 of the Public Service Pensions Act 2013 as they relate to local government workers (within the meaning of that Act), and

(b) other accounts of the authority,

the authority's local auditor must give a separate opinion on the part of the statement that relates to the accounts of the pension fund."

70 Minor and consequential amendments

Schedule 30 makes further amendments in connection with local audit.

PART 5

BUSINESS TENANCIES: PROHIBITED TERMS RELATING TO RENT

71 Rent reviews and "put options": prohibited terms

(1) After section 54 of the Landlord and Tenant Act 1954 insert—

"54A Rent reviews and "put options": prohibited terms

(1) Schedule 7A prohibits certain terms in rent reviews.

(2) Schedule 7B prohibits certain terms relating to rent in arrangements under which a landlord can require a tenant to take a new tenancy."

(2) Schedule 31 inserts the new Schedules 7A and 7B into the Landlord and Tenant Act 1954 and otherwise amends that Act.

PART 6

FINAL PROVISIONS

72 Interpretation

(1) In this Act—

"area of competence" has the meaning given in section 2;

"category of strategic authorities" means each of the following—

(a) the single foundation strategic authorities;
(b) the combined foundation strategic authorities;
(c) the mayoral strategic authorities except the established mayoral strategic authorities;
(d) the established mayoral strategic authorities;

"CCA" means a combined county authority established under section 9(1) of LURA 2023;

"combined authority" means a combined authority established under section 103 of LDEDCA 2009;

"county council" means a county council in England;

"established", in relation to a mayoral strategic authority, has the meaning given in section 1;

"foundation strategic authority" means—
(a) a single foundation strategic authority, or
(b) a combined foundation strategic authority;

"GLA" means the Greater London Authority;

"GLA functional body" means a functional body within the meaning of the GLAA 1999 (see section 424 of that Act);

"GLAA 1999" means the Greater London Authority Act 1999;

"LDEDCA 2009" means the Local Democracy, Economic Development and Construction Act 2009;

"legislation" means—
(a) an Act of Parliament, or
(b) secondary legislation;

"LGA 1972" means the Local Government Act 1972;

"LGA 1985" means the Local Government Act 1985;

"LGFA 1988" means the Local Government Finance Act 1988;

"LURA 2023" means the Levelling-up and Regeneration Act 2023;

"mayor for an EMSA" means—
(a) the mayor for the area of a mayor combined authority, or mayoral CCA, that is an established mayoral strategic authority, or
(b) the Mayor of London;

"mayoral CCA" or "mayoral combined county authority" means a CCA for an area for which provision is made in regulations under section 27(1) of the Levelling-up and Regeneration Act 2023 for there to be a mayor;

"mayoral combined authority" means a combined authority for an area for which provision is made in an order under section 107A of LDEDCA 2009 for there to be a mayor;

"mayoral strategic authority" has the meaning given in section 1;

"Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975;

"non-mayoral CCA" or "non-mayoral combined county authority" means a CCA which is not a mayoral CCA;

"non-mayoral combined authority" means a combined authority which is not a mayoral combined authority;

"PRSRA 2011" means the Police Reform and Social Responsibility Act 2011;

"secondary legislation" means any instrument under an Act of Parliament;

"strategic authority", in relation to a mayoral strategic authority, has the meaning given in section 1;

"unitary district council" means a district council (in England) whose area does not form part of the area of a county council;

73 Saving of orders and regulations relating to combined authorities and CCAs

(1) This section applies to any provision of any subordinate legislation made under—

(a) Part 6 of LDEDCA 2009, or

(b) Chapter 1 of Part 2 of LURA 2023,

before this section comes into force (the "subordinate legislation").

(2) The provision made by Part 1 or 2 of this Act (the "primary legislation") does not impliedly amend, modify or revoke the subordinate legislation.

(3) Accordingly—

(a) the primary legislation does not affect any contrary subordinate legislation; and

(b) the primary legislation has effect subject to the contrary subordinate legislation.

(4) For that purpose "contrary subordinate legislation" means any of the subordinate legislation that—

(a) makes provision which is to apply instead of the primary legislation;

(b) makes modifications or other contrary provision to which the primary legislation is subject.

(5) For provision about the relationship between—

(a) the powers under which the subordinate legislation is made, and

(b) the primary legislation,

see section 104CC of LDEDCA 2009 or section 24C of LURA 2023 (inserted by section 7 of this Act).

(6) This section does not prevent the exercise of the power conferred by section 74 to make amendments, modifications or revocations of the subordinate legislation that are consequential on the primary legislation.

(7) A reference in this section to the provision made by Part 1 or 2 of this Act includes any legislation as amended by that provision.

74 Power to make consequential provision

(1) The Secretary of State may by regulations make provision that is consequential on this Act.

(2) Regulations under this section may amend or repeal provision made by an Act of Parliament passed before, or in the same Session as, this Act.

(3) Regulations under this section which amend or repeal provision made by an Act of Parliament (whether or not they also contain other provision) are subject to affirmative resolution procedure.

(4) Any other regulations under this section are subject to negative resolution procedure.

75 Regulations

(1) Regulations under this Act are to be made by statutory instrument.

(2) Any power to make regulations under this Act includes power to make—
   (a) different provision for different purposes;
   (b) incidental, supplementary or consequential provision;
   (c) transitional or saving provision.

(3) Where this Act provides that regulations are "subject to affirmative resolution procedure", a statutory instrument containing the regulations may not be made unless a draft of it has been laid before, and approved by, each House of Parliament.

(4) Where this Act provides that regulations are "subject to negative resolution procedure", a statutory instrument containing the regulations is subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Any provision that may be made by regulations under this Act that are subject to negative procedure may be made by regulations that are subject to affirmative procedure.

(6) If a draft of a statutory instrument containing regulations under this Act would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

(7) This section does not apply to regulations under section 78.

76 Financial provision

There is to be paid out of money provided by Parliament—
   (a) any expenditure incurred under or by virtue of the Act by the Secretary of State, and
   (b) any increase attributable to the Act in the sums payable under or by virtue of any other Act out of money so provided.

77 Extent

(1) This Act extends to England and Wales only.

(2) That is subject to the following provisions of this section.

(3) Any amendment or repeal has the same extent as the provision amended or repealed.

(4) But section 23 and Schedule 5 extend to England and Wales only.

78 Commencement

(1) On the day on which this Act is passed—
  (a) this Part comes into force;
  (b) the provisions referred to in subsection (2) come into force;
  (c) the other provisions of this Act come into force for the purpose of making regulations.

(2) The provisions that come into force in accordance with subsection (1)(b) are—
  (a) section 1 (strategic authorities);
  (b) section 2 (areas of competence);
  (c) section 4 (and Schedule 1) (combined authorities and CCAs: establishment, expansion and functions), apart from paragraphs 14, 17, 34 and 37 of Schedule 1 and any provision of that Schedule so far as relating to any of those paragraphs;
  (d) section 5 (combined authorities and CCAs: functions generally);
  (e) section 6 (and Schedule 2) (combined authorities and CCAs: decision-making and validity of proceedings);
  (f) section 7 (combined authorities and CCAs: powers not limited by other provision or powers);
  (g) section 9 (and Schedule 3) (appointment of commissioners by mayors);
  (h) section 13 (levies);
  (i) section 14 (combined authorities and CCAs: minor amendments);
  (j) section 17 (functions of mayors of CCAs or combined authorities);
  (k) section 18 (the "general functions" of mayors);
  (l) section 20 (and Schedule 4) (extension of general power of competence to strategic authorities);
  (m) section 24 (and Schedule 6) (arrangements to carry out works on highways);
  (n) section 25 (and Schedule 7) (civil enforcement of traffic contraventions);
  (o) section 27 (and Schedule 8) (key route network roads);
  (p) section 28 (constituent councils to act in accordance with local transport plans etc);
  (q) section 29 (and Schedule 9) (local transport authorities and other transport functions);
  (r) section 30 (and Schedule 10) (adult education);

(s) section 34 (and Schedule 15) (acquisition and development of land);
(t) section 35 (and Schedule 16) (housing accommodation);
(u) section 36 (and Schedule 17) (mayoral development corporations);
(v) section 37 (and Schedule 18) (assessment of economic conditions);
(w) section 39 (Local Government Act 2003: expenditure grant);
(x) section 40 (encouragement of visitors and promotion of visitors);
(y) section 42 (and Schedule 20) (miscellaneous local authority functions);
(z) section 43 (health improvement and health inequalities duty);
(z1) section 48 (sharing of information).

(3) The provisions of this Act come into force in accordance with subsection (4) or (5) (if, or to the extent that, they do not come into force in accordance with subsection (1)).

(4) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—
(a) section 3 (single foundation strategic authorities);
(b) section 8 (combined authorities and CCAs: designation as established mayoral strategic authorities);
(c) section 10 (combined authorities and CCAs: allowances for members with special responsibilities);
(d) section 12 (power to borrow);
(e) section 15 (additional functions of the GLA);
(f) section 16 (members of legislatures disqualified for being a mayor of strategic authority);
(g) section 19 (report under section 1 of the Cities and Local Government Devolution Act 2016);
(h) section 21 (power of mayors to convene meetings with local partners);
(i) section 22 (duty of mayors to collaborate);
(j) section 26 (restrictions on disposal of land by Transport for London);
(k) section 38 (and Schedule 19) (local growth plans);
(l) section 44 (functions of police and crime commissioners);
(m) section 45 (and Schedule 21) (PCCs and police areas);
(n) section 46 (and Schedule 22) (functions of fire and rescue authorities);
(o) section 47 (mayor with PCC and fire and rescue functions);
(p) section 49 (requests by mayors of EMSAs for changes);
(q) section 50 (and Schedule 23) (regulations relating to functions of strategic authorities and mayors);
(r) section 51 (health service functions: application of existing limitations on devolution);
(s) section 52 (incidental etc provision);
(t) section 53 (transfer of property, rights and liabilities);
(u) section 54 (prohibition of secondary legislation removing functions);
(v) section 55 (and Schedule 24) (single tiers of local government);

(w) section 56 (certain functions of shadow authorities for single tiers of local government);

(x) paragraphs 1 to 6 of Schedule 25 and section 57 so far as it relates to those paragraphs of that Schedule (local authority governance).

(5) This Act comes into force on such day or days as the Secretary of State may by regulations appoint (if, and to the extent that, it does not come into force in accordance with subsection (1) or (4)).

(6) Any reference in this Act to the coming into force of a provision is to its coming into force other than for the purpose of making regulations.

(7) A power under this section to appoint a day may be exercised to appoint different days for different purposes or areas.

(8) The Secretary of State may, by regulations, make transitional or saving provision in connection with the coming into force of any provision of this Act.

(9) The power to make regulations under this section includes power to make different provision for different purposes or areas.

(10) Regulations under this section are to be made by statutory instrument.

79 Short title

This Act may be cited as the English Devolution and Community Empowerment Act 2025.

SCHEDULES

SCHEDULE 1

Section 4

ESTABLISHMENT, EXPANSION AND FUNCTIONS OF COMBINED AUTHORITIES AND CCAS

PART 1

COMBINED AUTHORITIES

1 LDEDCA 2009 is amended as follows.

2 In section 104 (constitution and functions: transport)—

(a) in subsection (10)—

(i) in the opening words, for "section 107ZA(7)" substitute "subsections (10A), (11B) and (12)";

(ii) in the opening words, for "a combined authority" substitute "an existing combined authority";

(iii) in paragraph (b), omit "in the case of an order in relation to an existing combined authority,";

(b) after subsection (10) insert—

"(10A) Subsection (10) does not apply where a proposal for the making of the order has been submitted to the Secretary of State in accordance with section 112A (proposal for changes to existing combined arrangements - locally led).";

(c) in subsection (11), for the opening words substitute "In this Part "constituent council", in relation to a combined authority, means—";

(d) omit subsection (11A).

3 In section 104A (non-constituent members of a combined authority), omit subsection (7).

4 In section 105 (constitution and functions: local authority functions generally)—

(a) in subsection (3A)—

(i) in the opening words, for "a combined authority" substitute "an existing combined authority";

(ii) in paragraph (a), omit "(as defined by section 104(11))";

(iii) in paragraph (b), omit "in the case of an order in relation to an existing combined authority,";

(b) after subsection (3A) insert—

"(3AA) Subsection (3A) does not apply where a proposal for the making of the order has been submitted to the Secretary of State in accordance with section 112A (proposal for changes to existing combined arrangements - locally led).";

(c) in subsection (3B), after "is" insert "also".

5 In section 105B (section 105A orders: procedure)—

(a) for subsection (1) substitute—

"(1) The Secretary of State may make an order under section 105A in relation to an existing combined authority's area only if—

(a) a proposal for the making of the order in relation to the combined authority has been submitted to the Secretary of State in accordance with section 112A, or

(b) the appropriate consent is given.";

(b) for subsection (2) substitute—

"(2) For the purposes of subsection (1)(b), the appropriate consent is given to the making of an order under section 105A only if—

(a) each constituent council consents, and

(b) the combined authority consents.";

(c) omit subsections (3) to (5);

(d) omit subsection (12).

6 In section 106 (changes to boundaries of a combined authority's area), omit subsections (3A) to (3D).

7 In section 107 (dissolution of a combined authority's area), omit subsections (2) and (3).

8 In section 107ZA (designation of key route network roads)—

(a) omit subsections (7) and (8);

(b) in subsection (9), omit the definitions of "constituent council" and "eligible power".

9 For section 107B substitute—

"107B Requirements in connection with orders under section 107A

(1) The Secretary of State may make an order under section 107A for there to be a mayor for the area of an existing combined authority only if the requirements under subsection (2), (3), (4) or (5) are met (and for any further requirements in relation to such order see section 113 (requirements in connection with changes to existing combined arrangements)).

(2) The requirement under this subsection is that a proposal for there to be a mayor for the authority's area has been submitted to the Secretary of State in accordance with section 112A (proposal for changes to existing combined arrangements - locally led).

(3) The requirements under this subsection are that—

(a) the order does not confer any additional functions on the authority, and

(b) the order has been consented to in writing by each constituent council and the combined authority.

(4) The requirements under this subsection are that—

(a) the order implements a proposal of which notice was given under section 112C (Secretary of State directed proposal for a mayor), and

(b) the Secretary of State has in making the order had regard to any representations received before the end of the period specified in the notice.

(5) The requirements under this subsection are that the order implements a proposal that the Secretary of State is satisfied that the constituent councils and the combined authority have consented to in principle."

10 In section 107D (functions of mayors: general)—

(a) for subsection (9) substitute—

"(9) Except as provided for by subsections (10A) and (11), an order under this section may be made in relation to an existing combined authority only with the consent of the appropriate authorities.

(9A) The "appropriate authorities" for the purposes of this section means—

(a) in relation to a mayoral combined authority—

(i) the constituent councils, and

(ii) the mayor;

(b) in relation to a non-mayoral combined authority—

(i) the constituent councils, and

(ii) the combined authority."

(b) for subsection (10) substitute—

"(10A) The requirement in subsection (9) does not apply where a proposal to make the order has been submitted to the Secretary of State in accordance with section 112A (proposal for changes to existing combined arrangements - locally led)."

11 In section 107DA (procedure for direct conferral of general functions on mayor), omit subsection (5).

12 In section 107EB (section 107EA orders: procedure), in subsection (12), omit the definition of "constituent councils".

13 In section 109A (proposal for new combined authority)—

(a) in the heading, at the end insert "(locally led)";

(b) in subsection (4), for paragraph (a) substitute—

"(a) consult the relevant consultees,";

(c) after subsection (4) insert—

"(4A) The "relevant consultees" for the purposes of subsection (4)(a) are—

(a) the constituent councils, and

(b) any other persons that the authority or the authorities preparing the proposal consider it appropriate to consult.";

(d) omit subsection (7).

14 After section 109A insert—

"109B Proposal for new combined authority (Secretary of State directed)

(1) The Secretary of State may prepare a proposal under this section for the establishment of a combined authority for an area only if the following requirements are met.

(2) At the time the Secretary of State starts to prepare the proposal—

(a) no relevant proposals have been submitted to the Secretary of State in relation to any of the local government areas (or parts of those areas) that would comprise the proposed area, or

(b) a relevant proposal has been so submitted but the Secretary of State does not consider it to be a viable proposal.

(3) The Secretary of State has had regard to whether the statutory test would be met in relation to the order that would give effect to the proposal.

(4) A "relevant proposal" is a proposal—

(a) under section 109A to establish a new combined authority;

(b) under section 45 of the Levelling-up and Regeneration Act 2023 to establish a new combined county authority;

(c) under section 112A to add an area to the existing area of a combined authority;

(d) under section 47 of the Levelling-up and Regeneration Act 2023 to add an area to the existing area of a combined county authority.

(5) The Secretary of State must give notice of any proposal prepared under subsection (1) (including a copy of the proposal) to—

(a) the constituent councils, and

(b) any other persons that the Secretary of State considers appropriate.

(6) The notice under subsection (5) must specify the period before the end of which any notified person may make representations in writing to the Secretary of State.

(7) In this section—

"notified person" means a person notified about a proposal under this section in accordance with subsection (5);

"proposed area" means the area for which the combined authority is proposed to be established;

"statutory test" has the meaning given by section 110(6)."

15 For section 110 substitute—

"110 Requirements in connection with establishment of combined authority

(1) The Secretary of State may make an order establishing a combined authority for an area (whether or not including other provision made under this Part) only if the following requirements are met in relation to the order.

(2) The Secretary of State considers that the statutory test is met.

(3) The order must—

(a) implement a proposal submitted to the Secretary of State in accordance with section 109A (proposal for new combined authority - locally led), with or without modifications,

(b) implement a proposal of which notice was given under section 109B (proposal for new combined authority - Secretary of State directed), with or without modifications, or

(c) implement a proposal which the Secretary of State is satisfied that the constituent councils have consented to in principle.

(4) If the order falls under subsection (3)(a) or (c), the consultation requirement must be met.

(5) If the order falls under subsection (3)(b), the Secretary of State must in making the order have regard to any representations received before the end of the period specified in the notice.

(6) The "statutory test" is that it is appropriate to make the order in relation to the area having regard to the need to secure effective and convenient local government in relation to the areas of competence.

(7) The "consultation requirement" is that the Secretary of State has consulted—

(a) if the order falls under subsection (3)(a), such persons (if any) as the Secretary of State considers it necessary to consult about—

(i) the proposal that the order will implement, and
(ii) any modifications to that proposal;
(b) if the order falls under subsection (3)(c), the relevant consultees about the proposal.

(8) Subsection (9) applies where the Secretary of State is considering whether to make an order establishing a combined authority for an area and—
(a) part of the area is separated from the rest of it by one or more local government areas that are not within the area, or
(b) a local government area that is not within the area is surrounded by local government areas that are within the area.

(9) In deciding whether to make the order, the Secretary of State must have regard to the likely effect of the creation of the proposed combined authority on the exercise of functions equivalent to those of the proposed combined authority's functions in each local government area that is next to any part of the proposed area.

(10) The requirements of this section do not apply to an order to the extent that it includes provision made under section 107F (functions of mayors: policing).

(11) In this section—
"areas of competence" has the meaning given by section 2 of the English Devolution and Community Empowerment Act 2025;
"proposed area" means the area for which the combined authority is proposed to be established;
the "relevant consultees", in relation to subsection (7)(b) are—
(a) the constituent councils, and
(b) any other persons that the Secretary of State considers it appropriate to consult."

16 In section 112A (proposal for changes to existing combined arrangements)—
(a) in the heading, at the end insert "(locally led)";
(b) in subsection (1)(a), for the words from "section 104" to "107F" substitute "any of the relevant sections";
(c) after subsection (1) insert—

"(1A) The "relevant sections" are—
(a) section 104 (constitution and functions: transport);
(b) section 105 (constitution and functions: local authority functions generally);
(c) section 105A (other public authority functions);
(d) section 106 (changes to boundaries);

(e) section 107 (dissolution);

(f) section 107A (power to provide for election of mayor);

(g) section 107D (functions of mayors: general).";

(d) in subsection (3), for paragraph (a), substitute—

"(a) consult any persons that the authority or the authorities consider it appropriate to consult, and";

(e) in subsection (5), after "an order" insert "under section 104, 105, 105A or 107D";

(f) after subsection (5) insert—

"(5A) Before a proposal under this section for the making of an order under section 106 or 107 is submitted to the Secretary of State, the relevant consenting authorities must consent to the submission of the proposal.

(5B) Before a proposal under this section for the making of an order under section 107A is submitted to the Secretary of State, the constituent councils and the combined authority must consent to the submission of the proposal.";

(g) in subsection (6), after "(5)" insert ", (5A) or (5B)";

(h) after subsection (6) insert—

"(6A) In determining for the purposes of subsection (5) who would have to consent to the making of an order under section 104, 105, 105A or 107D, the consent of an authority is taken to be required even if the requirement for their consent under that section does not apply where a proposal is made under this section.";

(i) omit subsection (8);

(j) for subsection (9) substitute—

"(9A) For the meaning of the "relevant consenting authorities" in relation to an order under section 106 or 107 see sections 113ZB and 113ZC."

17 After section 112A insert—

"112B Proposal to add an area to an existing area of a combined authority (Secretary of State directed)

(1) The Secretary of State may prepare a proposal under this section for the making of an order under section 106 to add a local government area to an existing area of a combined authority only if the following requirements are met.

(2) The local government area, or any part of it, is not within the area of a combined authority or combined county authority.

(3) At the time the Secretary of State starts to prepare the proposal—

(a) no relevant proposals have been submitted to the Secretary of State in relation to the local government area (or any part of that area), or

(b) a relevant proposal has been so submitted but the Secretary of State does not consider it to be a viable proposal.

(4) A "relevant proposal" is a proposal—

(a) under section 109A to establish a new combined authority;

(b) under section 45 of the Levelling-up and Regeneration Act 2023 to establish a new combined county authority;

(c) under section 112A to add an area to the existing area of a combined authority;

(d) under section 47 of the Levelling-up and Regeneration Act 2023 to add an area to the existing area of a combined county authority.

(5) The Secretary of State has had regard to whether the statutory test would be met in relation to the order that the proposal would give effect to (and for that purpose the reference in the statutory test to "the area" is to the proposed area).

(6) The Secretary of State must give notice of any proposal prepared under subsection (1) (including a copy of the proposal) to—

(a) any district council whose area would be added to the area of the combined authority,

(b) any county council any of whose area would be added to the area of the combined authority,

(c) if the combined authority is a mayoral combined authority, the mayor,

(d) the constituent councils of the combined authority, and

(e) any other persons that the Secretary of State considers appropriate.

(7) The notice under subsection (6) must specify the period before the end of which any notified person may make representations in writing to the Secretary of State.

(8) In this section—

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"notified person" means a person notified about a proposal under this section in accordance with subsection (6);

"proposed area" means the area of a combined authority after the local government area that is proposed to be added to it has been added to the area;

"statutory test" has the meaning given by section 110(6) .

112C Proposal to provide for mayor for combined authority (Secretary of State directed)

(1) The Secretary of State may prepare a proposal under this section for there to be a mayor for the area of an existing combined authority only if the following requirements are met.

(2) The combined authority was established for the area no less than 18 months before the Secretary of State starts to prepare the proposal.

(3) At the time the Secretary of State starts to prepare the proposal—

(a) no proposal to make provision for there to be a mayor for the area of the combined authority under section 112A has been submitted to the Secretary of State, or

(b) such a proposal has been so submitted but the Secretary of State does not consider it to be a viable proposal.

(4) The Secretary of State has had regard to whether the statutory test would be met in relation to the order that the proposal would give effect to.

(5) The Secretary of State must give notice of any proposal prepared under subsection (1) (including a copy of the proposal) to—

(a) the constituent councils, and

(b) any other persons that the Secretary of State considers appropriate.

(6) The notice under subsection (5) must specify the period before the end of which any notified person may make representations in writing to the Secretary of State.

(7) In this section—

"notified person" means a person notified about a proposal under this section in accordance with subsection (5);

"statutory test" has the meaning given by section 110(6)."

18 For section 113 substitute—

"113 Requirements in connection with changes to existing combined arrangements

(1) The Secretary of State may make an order under any of the relevant sections in relation to an existing combined authority only if—

(a) the Secretary of State considers that the statutory test is met, and

(b) any consultation required by subsection (3) or (4) has been carried out.

(2) The "relevant sections" are—

(a) section 104 (constitution and functions: transport);

(b) section 105 (constitution and functions: local authority functions generally);
(c) section 105A (other public authority functions);
(d) section 107A (power to provide for election of mayor);
(e) section 107D (functions of mayors: general).

(3) If the order implements a proposal submitted to the Secretary of State in accordance with section 112A, the Secretary of State must consult such persons (if any) as the Secretary of State considers it necessary to consult about the proposal.

(4) In any other case, the Secretary of State must consult the relevant consultees.

(5) Subsection (4) does not apply if the order— .
(a) implements a proposal of which notice was given under section 112C (proposal to provide for mayor for combined authority, Secretary of State directed), or
(b) is made in accordance with the requirements under section 107B(3).

(6) The "relevant consultees" for the purposes of subsection (4)—
(a) in relation to a mayoral combined authority means—
(i) the constituent councils, and
(ii) the mayor;
(b) in relation a non-mayoral combined authority means—
(i) the constituent councils, and
(ii) the combined authority.

(7) In this section, "statutory test" has the meaning given by section 110(6)."

19 After section 113 (inserted by paragraph 18) insert—

"113ZA Requirements in connection with boundary changes or dissolution of combined authority

(1) The Secretary of State may make an order under section 106 (boundary changes) or 107 (dissolution) in relation to an existing combined authority only if the following requirements are met.

(2) The Secretary of State considers that the statutory test is met.

(3) For the purposes of subsection (2), the reference in the statutory test to "the area"—
(a) in relation to an order under section 106, means the area after the local government area in question has been added or removed, or
(b) in relation to an order under section 107, means the area of the combined authority.

(4) The order must—

(a) implement a proposal submitted to the Secretary of State in accordance with section 112A, with or without modifications,

(b) implement a proposal of which notice was given under section 112B, with or without modifications, or

(c) implement a proposal which the Secretary of State is satisfied that the relevant consenting authorities have consented to in principle (see sections 113ZB and 113ZC: relevant consenting authorities).

(5) If the order falls under subsection (4)(a) or (c), the consultation requirement must be met.

(6) If the order falls under subsection (4)(b), the Secretary of State must in making the order have regard to any representations received before the end of the period specified in the notice.

(7) The "consultation requirement" is that the Secretary of State has consulted—

(a) if the order falls under subsection (4)(a), such persons (if any) as the Secretary of State considers it necessary to consult about—

(i) the proposal that the order will implement, and

(ii) any modifications to that proposal;

(b) if the order falls under subsection (4)(c), the relevant consultees about the proposal.

(8) Subsection (9) applies where the Secretary of State is considering whether to make an order under section 106 and—

(a) part of the area to be created is separated from the rest of it by one or more local government areas that are not within the area, or

(b) a local government area that is not within the area to be created is surrounded by local government areas that are within the area.

(9) In deciding whether to make the order under section 106, the Secretary of State must have regard to the likely effect of the change to the combined authority's area on the exercise of functions equivalent to those of the combined authority's functions in each local government area that is next to any part of the area to be created by the order.

(10) In this section—

"relevant consultee" —

(a) in relation to an order under section 106 means—

(i) the council of the local government area to be added to or removed from the area of the combined authority;

(ii) if the local government area is to be added to or removed from a mayoral combined authority, the mayor of that authority;

(iii) if the local government area is to be added to or removed from a non-mayoral combined authority, the combined authority;

(iv) any other persons that the Secretary of State considers appropriate;

(b) in relation to an order under section 107 means—

(i) the constituent councils of the combined authority that is to be abolished;

(ii) if the combined authority that is to be abolished is a mayoral combined authority, the mayor of that authority;

(iii) if the combined authority that is to be abolished is a non-mayoral combined authority, the combined authority;

(iv) any other persons that the Secretary of State considers appropriate;

"statutory test" has the meaning given by section 110(6).

113ZB Relevant consenting authorities in relation to orders under section 106

(1) The "relevant consenting authorities" in relation to an order under section 106 means—

(a) the relevant council for the local government area to be added to or removed from the area of the combined authority;

(b) if the local government area is to be added to or removed from a mayoral combined authority, the mayor of that authority;

(c) if the local government area is to be added to or removed from a non-mayoral combined authority, the combined authority.

(2) The "relevant council" in relation to a local government area for the purposes of subsection (1)(a) is—

(a) if the local government area is the area of a county council, the county council;

(b) if the local government area is the area of a district council whose area does not form part of the area of a county council, the district council;

(c) if the local government area is the area of a district council whose area forms part of the area of a county council, the district council or the county council.

(3) If there are two relevant councils in relation to a local government area by virtue of subsection (2), the condition in subsection (1)(a) is met if—

(a) in the case of an order adding a local government area to an existing area of a combined authority, either or both of the relevant councils consent;

(b) in the case of an order removing a local government area from an existing area of a combined authority, both of the relevant councils consent.

(4) Where the combined authority is a relevant consenting authority, the question of whether to consent in principle for the purpose of section 113ZA(4)(c) is to be decided at a meeting of the combined authority by a simple majority of the voting members of the authority who are present at the meeting.

(5) A reference in subsection (4) to a voting member—

(a) includes a substitute member who may act in place of a voting member;

(b) does not include a non-constituent member.

113ZC Relevant consenting authorities in relation to orders under section 107

(1) The "relevant consenting authorities" in relation to an order under section 107 to dissolve or abolish a combined authority means—

(a) a majority of the relevant councils;

(b) if the combined authority that is to be abolished is a mayoral combined authority, the mayor of that authority.

(2) The "relevant councils" for the purposes of this section are—

(a) a county council whose area, or part of whose area, is within the area of the combined authority;

(b) a unitary district council whose area is within the area of the combined authority."

20 In section 113D (general power of competence)—

(a) in subsection (2), omit "(as defined by section 107B(5))";

(b) for subsection (3) substitute—

"(2A) The "appropriate authorities" for the purpose of this section are—

(a) the constituent councils, and

(b) in the case of an order in relation to an existing combined authority, the combined authority."

PART 2

CCAs

21 LURA 2023 is amended as follows.

22 In section 10 (constitutional arrangements)—

(a) in subsection (8)—

(i) in the opening words, for "a CCA" substitute "an existing CCA";

(ii) in paragraph (b), omit "in the case of regulations in relation to an existing CCA,";

(b) after subsection (8) insert—

"(8A) Subsection (8) does not apply where a proposal to make the regulations has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led).";

(c) omit subsection (9).

23 In section 16 (funding)—

(a) in subsection (2)—

(i) in the opening words, for "a CCA" substitute "an existing CCA";

(ii) in paragraph (b), omit "in the case of regulations in relation to an existing CCA,";

(b) after subsection (2) insert—

"(2A) Subsection (2) does not apply where a proposal to make the regulations has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led)."

24 In section 18 (local authority functions)—

(a) in subsection (6)—

(i) in the opening words, for "a CCA" substitute "an existing CCA";

(ii) in paragraph (b), omit "in the case of regulations in relation to an existing CCA,";

(b) after subsection (6) insert—

"(7) Subsection (6) does not apply where a proposal to make the regulations has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led)."

25 In section 20 (section 19 regulations: procedure)—

(a) for subsection (1) substitute—

"(1) The Secretary of State may make regulations under section 19(1) in relation to an existing CCA only if—

(a) a proposal for the making of the regulations in relation to the CCA has been submitted to the Secretary of State in accordance with section 47, or

(b) the appropriate authorities consent."

(b) omit subsection (2);

(c) in subsection (4), for "appropriate consent to be given" substitute "appropriate authorities to consent";

(d) in subsection (8)(b), omit "in the case of regulations in relation to an existing CCA,".

26 In section 21 (integrated transport authority and passenger transport executive)—

(a) in subsection (5)—

(i) in the opening words, for "a CCA" substitute "an existing CCA";

(ii) in paragraph (b), omit "in the case of regulations in relation to an existing CCA,";

(b) after subsection (5) insert—

"(5A) Subsection (5) does not apply where a proposal to make the regulations has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led)."

27 In section 22 (directions relating to highways and traffic functions)—

(a) in subsection (11)—

(i) for the opening words, substitute "Regulations under subsection (1) may be made in relation to an existing CCA only with the consent of—";

(ii) in paragraph (b), omit "in the case of regulations in relation to an existing CCA,";

(b) after subsection (11) insert—

"(12) Subsection (11) does not apply where a proposal to make the regulations has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led)."

28 In section 24 (designation of key route network roads)—

(a) omit subsections (7) and (8);

(b) in subsection (9), omit the definition of "eligible power".

29 In section 25 (changes to boundaries of a CCA's area), omit subsections (6) to (10).

30 In section 26 (dissolution of a CCA's area), omit subsection (4).

31 For section 28 substitute—

"28 Requirements in connection with regulations under section 27

(1) The Secretary of State may make regulations under section 27(1) for there to be a mayor for the area of an existing CCA only if the requirements under subsection (2),(3), (4) or (5) are met (and for any further requirements in relation to such order see section 48 (requirements in connection with changes to existing CCA))

(2) The requirement under this subsection is that a proposal for there to be a mayor for the CCA's area has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led).

(3) The requirements under this subsection are that—
(a) the regulations do not confer any additional functions on the CCA, and
(b) the regulations have been consented to in writing by each constituent council and the CCA.

(4) The requirements under this subsection are that—
(a) the regulations implement a proposal of which notice was given under section 47B (Secretary of State directed proposal for a mayor), and
(b) the Secretary of State has in making the regulations had regard to any representations received before the end of the period specified in the notice.

(5) The requirements under this subsection are that the order implements a proposal that the Secretary of State is satisfied that the constituent councils and the CCA have consented to in principle."

32 In section 30 (functions of mayors: general)—
(a) for subsection (11) substitute—

"(11) Regulations under this section may be made in relation to an existing CCA only with the consent of—
(a) the constituent councils and the CCA, and
(b) in the case of regulations made in relation to a mayoral CCA, the mayor of the CCA.

(11A) The "appropriate authorities" for the purposes of this section—
(a) in relation to a mayoral combined authority means—
(i) the constituent councils, and
(ii) the mayor;

(b) in relation to a non-mayoral combined authority means—

(i) the constituent councils, and

(ii) the combined authority.";

(b) for subsection (12) substitute—

"(12A) The requirement in subsection (11) does not apply where a proposal to make the regulations has been submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA - locally led)."

33 In section 45 (proposal for new CCA)—

(a) in the heading, at the end insert "(locally led)";

(b) in subsection (4), for paragraph (a) substitute—

"(a) consult the relevant consultees,";

(c) after subsection (4) insert—

"(4A) The "relevant consultees" for the purposes of subsection (4)(a) are—

(a) the constituent councils, and

(b) any other persons that the authority or authorities preparing the proposal consider it appropriate to consult.";

(d) omit subsection (7).

34 After section 45 insert—

"45A Proposal for new CCA (Secretary of State directed)

(1) The Secretary of State may prepare a proposal under this section for the establishment of a CCA for an area only if the following requirements are met.

(2) At the time the Secretary of State starts to prepare the proposal—

(a) no relevant proposals have been submitted to the Secretary of State in relation to any of the local government areas (or parts of those areas) that would comprise the proposed area, or

(b) a relevant proposal has been so submitted but the Secretary of State does not consider it to be a viable proposal.

(3) A "relevant proposal" is a proposal—

(a) under section 109A of the Local Democracy, Economic Development and Construction Act 2009 to establish a new combined authority;

(b) under section 45 to establish a new CCA;

(c) under section 112A of the Local Democracy, Economic Development and Construction Act 2009 to add an area to the existing area of a combined authority;

(d) under section 47 to add an area to the existing area of a CCA.

(4) The Secretary of State has had regard to whether the statutory test would be met in relation to the regulations that would give effect to the proposal.

(5) The Secretary of State must give notice of any proposal prepared under subsection (1) (including a copy of the proposal) to—

(a) the constituent councils, and

(b) any other persons that the Secretary of State considers appropriate.

(6) The notice under subsection (5) must specify the period before the end of which any notified person may make representations in writing to the Secretary of State.

(7) In this section—

"notified person" means a person notified about a proposal under this section in accordance with subsection (5);

"proposed area" means the area for which the CCA is proposed to be established;

"statutory test" has the meaning given by section 46(6)."

35 For section 46 substitute—

"46 Requirements in connection with establishment of CCA

(1) The Secretary of State may make regulations establishing a CCA for an area (whether or not including other provision made under this Part) only if the following requirements are met in relation to the regulations.

(2) The Secretary of State considers that the statutory test is met.

(3) The regulations must—

(a) implement a proposal submitted to the Secretary of State in accordance with section 45 (proposal for new CCA - locally led), with or without modifications,

(b) implement a proposal of which notice was given under section 45A (proposal for new CCA - Secretary of State directed), with or without modifications, or

(c) implement a proposal which the Secretary of State is satisfied that the constituent councils have consented to in principle.

(4) If the regulations fall under subsection (3)(a) or (c), the consultation requirement must be met.

(5) If the regulations fall under subsection (3)(b), the Secretary of State must in making the regulations have regard to any representations received before the end of the period specified in the notice.

(6) The "statutory test" is that it is appropriate to make the regulations having regard to the need to secure effective and convenient local government across the area in relation to the areas of competence.

(7) The "consultation requirement" is that the Secretary of State has consulted—

(a) if the regulations fall under subsection (3)(a), such persons (if any) as the Secretary of State considers it necessary to consult about—

(i) the proposal that the regulations will implement, and

(ii) any modifications to that proposal;

(b) if the regulations fall under subsection (3)(c), the relevant consultees about the proposal.

(8) Subsection (9) applies where the Secretary of State is considering whether to make regulations establishing a CCA for an area and—

(a) part of the area is separated from the rest of it by one or more local government areas that are not within the area, or

(b) a local government area that is not within the area is surrounded by local government areas that are within the area.

(9) In deciding whether to make the regulations, the Secretary of State must have regard to the likely effect of the creation of the proposed CCA on the exercise of functions equivalent to those of the proposed CCA's functions in each local government area that is next to any part of the proposed CCA area.

(10) The requirements of this section do not apply to regulations to the extent that they include provision made under section 33 (functions of mayors: policing).

(11) In this section—

"areas of competence" has the meaning given by section 2 of the English Devolution and Community Empowerment Act 2025;

"proposed area" means the area for which the CCA is proposed to be established;

the "relevant consultees" means—

(a) the constituent councils, and

(b) any other persons that the Secretary of State considers it appropriate to consult."

36 In section 47 (proposal for changes to existing arrangements relating to CCA)—

(a) in the heading, at the end insert "(locally led)";

(b) in subsection (1)(a), for the words from "section 10" to "33" substitute "any of the relevant sections";

(c) after subsection (1) insert—

"(1A) The "relevant sections" are—

(a) section 10 (constitutional arrangements);

(b) section 16 (funding);

(c) section 18 (local authority functions);

(d) section 19 (other public authority functions);

(e) section 21 (integrated transport authority and passenger transport executive);

(f) section 22 (directions relating to highways and traffic functions);

(g) section 25 (changes to boundaries of a CCA's area);

(h) section 26 (dissolution of a CCA's area);

(i) section 27 (power to provide for election of mayor);

(j) section 30 (functions of mayors: general).";

(d) in subsection (3), for paragraph (a), substitute—

"(a) consult any persons that the authority or the authorities consider it appropriate to consult,";

(e) in subsection (5), after "regulations", in the first place it occurs, insert "under section 10, 16, 18, 19, 21, 22, or 30";

(f) after subsection (5) insert—

"(5A) Before a proposal under this section for the making of regulations under section 25 or 26 is submitted to the Secretary of State, the relevant consenting authorities must consent to the submission of the proposal.

(5B) Before a proposal under this section for the making of regulations under section 27 is submitted to the Secretary of State, the constituent councils and the CCA must consent to the submission of the proposal.";

(g) in subsection (6), after "(5)" insert ",(5A) or (5B)";

(h) after subsection (6) insert—

"(6A) In determining for the purposes of subsection (5) who would have to consent to the making of regulations under section 10, 16, 18, 19, 21, 22, or 30, the consent of an authority is taken to be required even if the requirement for their consent under that section does not apply where a proposal is made under this section.";

(i) omit subsection (7);

(j) for subsection (8) substitute—

"(8A) For the meaning of the "relevant consenting authorities" in relation to regulations under section 25 or 26 see sections 48B and 48C."

37 After section 47 insert—

"47A Proposal to add an area to an existing area of a CCA (Secretary of State directed)

(1) The Secretary of State may prepare a proposal under this section to add a local government area to an existing area of a CCA only if the following requirements are met.

(2) The local government area, or any part of it, is not within the area of a combined authority or CCA.

(3) At the time the Secretary of State starts to prepare the proposal—

(a) no relevant proposals have been submitted to the Secretary of State in relation to the local government area (or any part of that area), or

(b) a relevant proposal has been so submitted but the Secretary of State does not consider it to be a viable proposal.

(4) A "relevant proposal" is a proposal—

(a) under section 109A of the Local Democracy, Economic Development and Construction Act 2009 to establish a new combined authority;

(b) under section 45 to establish a new combined county authority;

(c) under section 112A Local Democracy, Economic Development and Construction Act 2009 to add an area to the existing area of a combined authority;

(d) under section 47 to add an area to the existing area of a combined county authority.

(5) The Secretary of State has had regard to whether the statutory test would be met in relation to the regulations that would give effect to the proposal (and for that purpose the reference in the statutory test to "the area" is to the proposed area).

(6) The Secretary of State must give notice of any proposal prepared under subsection (1) (including a copy of the proposal) to—

(a) any county council whose area would be added to the area of the CCA,

(b) any unitary district council whose area would be added to the area of the CCA,

(c) if the CCA is a mayoral CCA, the mayor,

(d) the constituent councils of the CCA, and

(e) any other persons that the Secretary of State considers appropriate.

(7) The notice under subsection (6) must specify the period before the end of which any notified person may make representations in writing to the Secretary of State.

(8) In this section—

"notified person" means a person notified about a proposal under this section in accordance with subsection (6);

"proposed area" means the area of a combined authority after the local government area that is proposed to be added to it has been added to the area;

"statutory test" has the meaning given by section 46(6).

47B Proposal to provide for mayor for CCA (Secretary of State directed)

(1) The Secretary of State may prepare a proposal under this section for there to be a mayor for the area of an existing CCA only if the following requirements are met.

(2) The CCA was established for the area no less than 18 months before the Secretary of State starts to prepare the proposal.

(3) At the time the Secretary of State starts to prepare the proposal—

(a) no proposal to make provision for there to be a mayor for the area of the CCA under section 47 has been submitted to the Secretary of State, or

(b) such a proposal has been so submitted but the Secretary of State does not consider it to be a viable proposal.

(4) The Secretary of State has had regard to whether the statutory test would be met in relation to the regulations that would give effect to the proposal .

(5) The Secretary of State must give notice of any proposal prepared under subsection (1) (including a copy of the proposal) to—

(a) the constituent councils, and

(b) any other persons that the Secretary of State considers appropriate.

(6) The notice under subsection (5) must specify the period before the end of which any notified person may make representations in writing to the Secretary of State.

(7) In this section—

"notified person" means a person notified about a proposal under this section in accordance with subsection (5);

"statutory test" has the meaning given by section 46(6)."

38 For section 48 substitute—

"48 Requirements for changes to existing arrangements relating to CCA

(1) The Secretary of State may make regulations under any of the relevant sections in relation to an existing CCA only if—
  (a) the Secretary of State considers that the statutory test is met, and
  (b) any consultation required by subsection (3) or (4) has been carried out.

(2) The relevant sections are—
  (a) section 10 (constitutional arrangements);
  (b) section 16 (funding);
  (c) section 18 (local authority functions);
  (d) section 19 (other public authority functions);
  (e) section 21 (integrated transport authority and passenger transport executive);
  (f) section 22 (directions relating to highways and traffic functions);
  (g) section 27 (power to provide for election of mayor);
  (h) section 30 (functions of mayors: general).

(3) If the regulations implement a proposal submitted to the Secretary of State in accordance with section 47, the Secretary of State must consult such persons (if any) as the Secretary of State considers it necessary to consult about the proposal.

(4) In any other case, the Secretary of State must consult the relevant consultees.

(5) Subsection (4) does not apply if the regulations—
  (a) implement a proposal of which notice was given under section 47B (proposal to provide for mayor for CCA - Secretary of State directed), or
  (b) is made in accordance with the requirements under section 28(3).

(6) The "relevant consultees" for the purposes of subsection (4)—
  (a) in relation to a mayoral CCA means—
    (i) the constituent councils, and
    (ii) the mayor;
  (b) in relation a non-mayoral CCA means—
    (i) the constituent councils, and
    (ii) the CCA.

(7) In this section, "statutory test" has the meaning given by section 46(6)."

39 After section 48 insert—

"48A Requirements in connection with boundary changes or dissolution of CCA

(1) The Secretary of State may make regulations under section 25 (boundary changes) or 26 (dissolution) in relation to an existing CCA only if the following requirements are met.

(2) The Secretary of State considers that the statutory test is met.

(3) For the purposes of subsection (2), the reference in the statutory test to "the area"—

(a) in relation to regulations under section 25, means the area after the local government area in question has been added or removed, or

(b) in relation to regulations under section 26, means the area of the combined authority.

(4) The regulations must—

(a) implement a proposal submitted to the Secretary of State in accordance with section 47 (proposal for changes to existing arrangements relating to CCA, locally led), with or without modifications,

(b) implement a proposal of which notice was given under section 47A (proposal to add an area to an existing area of a CCA, Secretary of State directed), with or without modifications, or

(c) implement a proposal which the Secretary of State is satisfied that the relevant consenting authorities have consented to in principle (see sections 48B and 48C: relevant consenting authorities).

(5) If the regulations falls under subsection (4)(a) or (c), the consultation requirement must be met.

(6) If the regulations fall under subsection (4)(b), the Secretary of State must in making the regulations have regard to any representations received before the end of the period specified in the notice.

(7) The "consultation requirement" is that the Secretary of State has consulted—

(a) if the regulations fall under subsection (4)(a), such persons (if any) as the Secretary of State considers it necessary to consult about the proposal that the regulations will implement;

(b) if the regulations fall under subsection (4)(c), the relevant consultees about the proposal.

(8) Subsection (9) applies where the Secretary of State is considering whether to make regulations under section 25 and—

(a) part of the area to be created is separated from the rest of it by one or more local government areas that are not within the area, or

(b) a local government area that is not within the area to be created is surrounded by local government areas that are within the area.

(9) In deciding whether to make regulations under section 25, the Secretary of State must have regard to the likely effect of the change to the CCA's area on the exercise of functions equivalent to those of the CCA's functions in each local government area that is next to any part of the area to be created by the regulations.

(10) In this section—

"relevant consultee" —

(a) in relation to regulations under section 25 means—

(i) the council of the local government area to be added to or removed from the area of the CCA;

(ii) if the CCA that the local government area is to be added to or removed from is a mayoral CCA, the mayor of the CCA;

(iii) if the CCA that the local government area is to be added to or removed from is a non-mayoral CCA, the CCA;

(iv) any other persons that the Secretary of State considers appropriate;

(b) in relation to regulations under section 26 means—

(i) the constituent councils of the CCA that is to be abolished,

(ii) if the CCA that is to be abolished is a mayoral CCA, the mayor of the CCA;

(iii) if the CCA that is to be abolished is a non-mayoral CCA, the CCA;

(iv) any other persons that the Secretary of State considers appropriate;

"statutory test" has the meaning given by section 46(6).

48B Relevant consenting authorities in relation to regulations under section 25

(1) The "relevant consenting authorities" in relation to regulations under section 25 means—

(a) the relevant council in relation to the relevant local government area to be added to or removed from the area of the CCA, and

(b) if the CCA that the local government area is to be added to or removed from is a mayoral CCA, the mayor of the CCA;

(c) if the CCA that the local government area is to be added to or removed from is a non-mayoral CCA, the CCA.

(2) The "relevant council" in relation to a relevant local government area is—

(a) if the local government area is the area of a county council, the county council;

(b) if the local government area is the area of a unitary district council, the unitary district council.

(3) Where a CCA is a relevant consenting authority, the question of whether to consent in principle for the purpose of section 48A(4)(c) is to be decided at a meeting of the CCA by a simple majority of the voting members of the authority who are present at the meeting.

(4) A reference in subsection (3) to a voting member—

(a) includes a substitute member who may act in place of a voting member;

(b) does not include a non-constituent member.

48C Relevant consenting authorities in relation to regulations under section 26

The "relevant consenting authorities" in relation to regulations under section 26 means—

(a) a majority of the constituent councils, and

(b) if the CCA to be abolished is a mayoral CCA, the mayor for the area of the authority."

40 In section 52 (general power of competence)—

(a) in subsection (2) omit "(as defined by section 28(4)";

(b) for subsection (3) substitute—

"(2A) The "appropriate authorities" for the purposes of this section are—

(a) the constituent councils, and

(b) in the case of regulations in relation to an existing CCA, the CCA."

SCHEDULE 2

Section 6

DECISION-MAKING AND EXERCISE OF FUNCTIONS

Planning and Compulsory Purchase Act 2004

1 The provisions of the Planning and Compulsory Purchase Act 2004 referred to in paragraphs 2 to 4 are inserted by section 52 of the Planning and Infrastructure Act 2025.

2 In section 12A of the Planning and Compulsory Purchase Act 2004 (spatial development strategy to be produced by strategic planning authorities), after subsection (3) insert—

"(3A) Where there is a mayor for the area of a combined authority or combined county authority, the functions of the authority under this Part as a strategic planning authority are functions of the authority exercisable only by the mayor on behalf of the authority."

3 (1) Section 12L of the Planning and Compulsory Purchase Act 2004 (adoption of spatial development strategy) is amended in accordance with this paragraph.

(2) In subsection (4), for "Subsection (5) applies" substitute "Subsections (4A) to (5) apply".

(3) For subsections (4) and (5) substitute—

"(4) Subsections (4A) to (5) apply in relation to the adoption of a spatial development strategy by—

(a) a combined authority, or

(b) a combined county authority.

(4A) In the case of a non-mayoral combined authority or non-mayoral combined county authority, a resolution to adopt the strategy is to be made by a simple majority of the constituent members present and voting on that resolution at a meeting of the authority.

(4B) In the case of a mayoral combined authority or mayoral combined county authority, a resolution to adopt the strategy is to be made by a simple majority of the relevant members present and voting on that resolution at a meeting of the authority; and such a majority must include the mayor, or the deputy mayor acting in place of the mayor.

(4C) But if—

(a) the office of mayor is vacant, and

(b) there is no deputy mayor,

the decision is to be made by a simple majority of the other relevant members present and voting on that question at a meeting of the authority.

(4D) In the case of a resolution by a non-mayoral combined authority or non-mayoral combined county authority—

(a) each constituent member has one vote;

(b) in the case of a tied vote—

(i) no person has a casting vote; and

(ii) the authority must be regarded as having disagreed to the question that the decision should be made.

(5) In the case of a resolution of a mayoral combined authority or mayoral combined county authority—

(a) each relevant member has one vote;

(b) in the event of a tied vote then (unless it is a case where subsection (4C) applies), the mayor, or the deputy mayor acting in place of the mayor, has a casting vote (in addition to any other vote the mayor or deputy mayor may have)."

(4) After subsection (7) insert—

"(8) In this section—

"constituent member", in relation to a combined authority or combined county authority—

(a) means a person appointed by a constituent council to be a member of the authority; and

(b) also includes a person acting as a member of the authority in the absence of such a member;

and here "constituent council" has the meaning given in section 104(11) of the Local Democracy, Economic Development and Construction Act 2009 (in relation to a combined authority) or section 10(11) of the Levelling-up and Regeneration Act 2023 (in relation to a combined county authority);

"relevant member", in relation to mayoral combined authority or mayoral combined county authority means—

(a) a constituent member, or

(b) the mayor,

and also includes the deputy mayor acting in place of the mayor."

4 In section 12X of the Planning and Compulsory Purchase Act 2004 (interpretation), in subsection (1), after the definition of "national development management policy", insert—

""non-mayoral combined authority" means a combined authority that is not a mayoral combined authority;

"non-mayoral combined county authority" means a combined county authority that is not a mayoral combined county authority;"

Local Government and Housing Act 1989

5 In section 13 of LGHA 1989 (voting rights of members of certain committees: England and Wales), before subsection (6) insert—

"(5B) Nothing in this section prevents the appointment of any of the following as a voting member of a committee or sub-committee of a combined authority or combined county authority—

(a) a person who is a member of a constituent council of that authority;

(b) a person who is a non-constituent member of that authority, if that authority has resolved that that person is to be a voting member of that committee or sub-committee.

(5C) In subsection (5B)—

"combined authority " has the same meaning as in section 21(1)(jb);

"combined county authority " has the same meaning as in section 21(1)(jba);

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a combined county authority—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means a district council whose area does not form part of the area of a county council;

"non-constituent member" has the same meaning—

(a) as in section 104A of the Local Democracy, Economic Development and Construction Act 2009 in relation to a combined authority;

(b) as in section 11 of the Levelling-up and Regeneration Act 2023 in relation to a combined county authority;

"resolved" means—

(a) in relation to a combined authority, resolved under section 104A(4) of the Local Democracy, Economic Development and Construction Act 2009;

(b) in relation to a combined county authority, resolved under section 11(4) of the Levelling-up and Regeneration Act 2023."

Local Government Act 1972

6 (1) Section 101 of LGA 1972 (arrangements for discharge of functions by local authorities) is amended in accordance with this paragraph.

(2) For subsection (1D) substitute—

"(1D) A combined authority may not arrange for the discharge of a function under subsection (1) if, or to the extent that, the function is a mayoral function of a mayor for the area of the authority unless a mayor for the area of the authority has given the authority written consent for the function to be so discharged.

(1DA) If a mayor for the area of the authority notifies the authority of withdrawal of the consent (whether the consent was given by that mayor or a predecessor), the arrangements made under subsection (1) for the discharge of the function cease to have effect; but that does not affect anything already done under the arrangements."

(3) For subsection (1F) substitute—

"(1F) A combined county authority may not arrange for the discharge of a function under subsection (1) if, or to the extent that, the function is a mayoral function of a mayor for the area of the authority unless a mayor for the area of the authority has given the authority written consent for the function to be so discharged.

(1FA) If a mayor for the area of the authority notifies the authority of withdrawal of the consent (whether the consent was given by that mayor or a predecessor), the arrangements made under subsection (1) for the discharge of the function cease to have effect; but that does not affect anything already done under the arrangements."

SCHEDULE 3

Section 9

COMMISSIONERS

Schedule 2A to LURA 2023

1 After Schedule 2 to LURA 2023 insert—

"SCHEDULE 2A

Section 29A

5

COMMISSIONERS

Application of Schedule

1 This Schedule applies to commissioners appointed by the mayor for the area of a CCA (see section 29A).

Persons ineligible for appointment

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2 (1) The appointment of an ineligible person as a commissioner is of no effect.

(2) The appointment of a person ceases to have effect if a person becomes ineligible after appointment as a commissioner.

(3) For the purposes of this paragraph a person is "ineligible" if the person—

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(a) is disqualified for being elected or holding office as the mayor for the area of a CCA under paragraph 8, 9 or 9A of Schedule 2, or

(b) is the mayor or deputy mayor for the area of the CCA to which the appointment relates.

20

(4) But being a commissioner does not make a person ineligible by virtue of paragraph 8(1)(a) of Schedule 2 (as applied by sub-paragraph (3)(a)) — instead see paragraphs 4(3) and 5.

(5) Any defect in the appointment of a person as a commissioner, or in the qualifications of a person appointed as a commissioner, does not affect the validity of anything done by the person as commissioner.

25

Terms and conditions of appointment

3 (1) The mayor must determine the terms and conditions of a person's appointment as a commissioner.

30

(2) But that is subject to the provisions of this Schedule.

Commissioner to work in only one area of competence

4 (1) The terms and conditions must provide for the person's work as commissioner to relate to one of the areas of competence (the commissioner's "special" area of competence).

(2) This paragraph does not prevent a person's work as a commissioner from relating incidentally—

(a) to any area of competence other than the commissioner's special area, or

(b) to matters outside any of the areas of competence.

(3) The appointment of a person as a commissioner (the "invalid appointment") is of no effect if (in the absence of this paragraph) the person would, at any particular time, be serving—

(a) as commissioner under the invalid appointment, and

(b) as commissioner under another appointment made before, or at the same time as, the invalid appointment—

(i) under section 29A (whether or not in relation to the same CCA as the invalid appointment), or

(ii) under section 107CA of the Local Democracy, Economic Development and Construction Act 2009 (appointments by mayors of combined authorities).

Only one commissioner for each area of competence

5 The appointment of a person as a commissioner (the "invalid appointment") is of no effect if (in the absence of this paragraph), at any particular time—

(a) the person would be serving as commissioner in relation to the special area of competence under the invalid appointment, and

(b) another person would be serving as commissioner in relation to that area of competence under another appointment made under section 29A in relation to the same CAA before, or at the same time as, the invalid appointment.

Duration of appointment

6 (1) The terms and conditions must provide for a person's appointment as a commissioner to end on or before the last day of the relevant term of office of the mayor making the appointment.

(2) If the mayor who made the appointment ceases to hold office before the last day of the relevant term of office—

(a) any arrangements under section 30(3)(ba) for the commissioner to exercise functions cease to have effect; and

(b) the appointment as commissioner ends with the earlier of the following days—

(i) the day on which a person next becomes mayor for the area of the CCA;

(ii) the last day of the period of three months beginning with the day on which the mayor ceases to hold office.

(3) In this paragraph "relevant term of office", in relation to an appointment of a person as a commissioner made by a mayor, means the term of office of the mayor during which, or in relation to which, the appointment is made.

Limitation on delegation of functions

7 (1) The power of the mayor to arrange under section 30(3)(ba) for a commissioner to exercise a function is subject to this paragraph.

(2) The mayor may not arrange for a commissioner to exercise—

(a) any function of approving—

(i) a local growth plan under section 32A,

(ii) a local transport plan under Part 2 of the Transport Act 2000,

(iii) a spatial development strategy under Part 2 of the Planning and Compulsory Purchase Act 2004, or

(iv) any other document that is specified for the purposes of this paragraph in regulations made by the Secretary of State;

(b) any function of making or terminating the appointment of a person as a member of staff or holder of any office or role (whether as an employee or otherwise);

(c) any function of a police and crime commissioner that is exercisable by the mayor or the deputy mayor for policing and crime.

(3) The mayor must obtain the consent of the CCA to any arrangement for a commissioner to exercise a function; but this does not apply to a function that is exercisable only by the mayor on behalf of the CCA.

(4) The mayor may not arrange for a commissioner to exercise a function except in relation to the commissioner's special area of competence.

(5) That does not prevent the mayor from arranging for the commissioner to exercise the function incidentally in relation—

(a) to any area of competence other than the commissioner's special area, or

(b) to matters outside any of the areas of competence.

Allowances

8 (1) A CCA may—

(a) make a scheme providing for the payment of allowances to commissioners appointed by the mayor for the area of the CCA, and

(b) pay allowances in accordance with the scheme.

(2) A CCA may only make a scheme if—

(a) the CCA has considered a report published by a relevant remuneration panel which contains recommendations for the allowances provided for in the scheme, and

(b) the allowances payable under the scheme do not exceed the amounts specified in the recommendations made by the relevant remuneration panel.

(3) A CCA which has made a scheme under this section must produce and publish reports on the allowances paid under the scheme (including their amounts).

(4) In this section "relevant remuneration panel" means a panel that is specified, or of a description specified, in regulations made by the Secretary of State for the purposes of this paragraph.

Termination of appointment

9 It is the mayor for the area of a CCA who may terminate (in accordance with the terms and conditions of the appointment) the appointment of a person as a commissioner (whether the mayor is the person who made the appointment or a successor).

Role of overview and scrutiny committees

10 (1) The power which the CCA's overview and scrutiny committee has (or its overview and scrutiny committees have between them) in accordance with paragraph 1(3) of Schedule 1 must include power to recommend that a commissioner's appointment is terminated.

(2) If a recommendation is made that a commissioner's appointment is terminated, the CCA must decide whether or not to accept the recommendation.

(3) A decision to accept the recommendation must be made by a two thirds majority of the non-mayoral members, or substitute

members acting in their place, of the CCA present and voting on the question at a meeting of the authority.

(4) If a decision is made to accept the recommendation, the commissioner's appointment ceases to have effect when the decision is made.

(5) In this paragraph "non-mayoral members", in relation to a CCA, means the members of the CCA other than the mayor.

Powers of appointment and termination exercisable on behalf of the CCA

11 (1) The powers to make and terminate the appointment of a person as a commissioner are (by virtue of section 30(1A)) powers of the CCA exercisable only by the mayor on behalf of the CCA.

(2) Accordingly, if a person is appointed as a commissioner—

(a) under a worker's contract, the CCA is the employer;

(b) under a contract other than a worker's contract, the contract is between the CCA and the commissioner;

(c) otherwise than under a contract, the commissioner holds office under the CCA.

(3) In this paragraph "worker's contract" and "employer" have the same meanings as in the Employment Rights Act 1996 (see section 230 of that Act).

Guidance

12 (1) The Secretary of State may issue guidance about the selection or appointment of commissioners.

(2) The mayors for the areas of CCAs must take account of any such guidance.

(3) The Secretary of State may issue guidance about the exercise of the function under paragraph 7(3) of consenting to arrangements for a function to be exercisable by a commissioner.

(4) CCAs must take account of any such guidance.

(5) The Secretary of State may issue guidance about the exercise by CCAs of the powers conferred by paragraph 8 and guidance about compliance with the duty under that paragraph to produce and publish reports.

(6) CCAs must take account of any such guidance.

(7) The Secretary of State may issue guidance about the terms of reports produced by relevant remuneration panels for the purposes of paragraph 8.

(8) Relevant remuneration panels must take account of any such guidance.

(9) The Secretary of State may issue guidance about the making of recommendations under paragraph 10 to terminate the appointment of a person as commissioner.

(10) The members of overview and scrutiny committees must take account of any such guidance." 5

2 In section 252 of LURA 2023 (regulations), in subsection (8), after paragraph (k) insert—

"(l) under Schedule 2A."

Schedule 5BA to LDEDCA 2009

3 After Schedule 5B to LDEDCA 2009 insert— 10

"SCHEDULE 5BA Section 107CA

COMMISSIONERS

Application of Schedule

1 This Schedule applies to commissioners appointed by the mayor for the area of a combined authority (see section 107CA). 15

Persons ineligible for appointment

2 (1) The appointment of an ineligible person as a commissioner is of no effect.

(2) The appointment of a person ceases to have effect if a person becomes ineligible after appointment as a commissioner. 20

(3) For the purposes of this paragraph a person is "ineligible" if the person—

(a) is disqualified for being elected or holding office as the mayor for the area of a combined authority under paragraph 9, 9A or 9B of Schedule 5B, or 25

(b) is the mayor or deputy mayor for the area of the combined authority to which the appointment relates.

(4) But being a commissioner does not make a person ineligible by virtue of paragraph 8(1)(a) of Schedule 2 (as applied by sub-paragraph (3)(a)) — instead see paragraphs 4(3) and 5. 30

(5) Any defect in the appointment of a person as a commissioner, or in the qualifications of a person appointed as a commissioner, does not affect the validity of anything done by the person as commissioner.

Terms and conditions of appointment

3 (1) The mayor must determine the terms and conditions of a person's appointment as a commissioner.

(2) But that is subject to the provisions of this Schedule.

Commissioner to work in only one area of competence

4 (1) The terms and conditions must provide for the person's work as commissioner to relate to one of the areas of competence (the commissioner's "special" area of competence).

(2) This paragraph does not prevent a person's work as a commissioner from relating incidentally—

(a) to any area of competence other than the commissioner's special area, or

(b) to matters outside any of the areas of competence.

(3) The appointment of a person as a commissioner (the "invalid appointment") is of no effect if (in the absence of this paragraph) the person would, at any particular time, be serving—

(a) as commissioner under the invalid appointment, and

(b) as commissioner under another appointment made before, or at the same time as, the invalid appointment—

(i) under section 107CA (whether or not in relation to the same combined authority as the invalid appointment), or

(ii) under section 29A of the Levelling-up and Regeneration Act 2023 (appointments by mayors of CCAs).

Only one commissioner for each area of competence

5 The appointment of a person as a commissioner (the "invalid appointment") is of no effect if (in the absence of this paragraph), at any particular time—

(a) the person would be serving as commissioner in relation to the special area of competence under the invalid appointment, and

(b) another person would be serving as commissioner in relation to that area of competence under another appointment made under section 107CA in relation to the same combined authority before, or at the same time as, the invalid appointment.

Duration of appointment

6 (1) The terms and conditions must provide for a person's appointment as a commissioner to end on or before the last day of the relevant term of office of the mayor making the appointment.

(2) If the mayor who made the appointment ceases to hold office before the last day of the relevant term of office—

(a) any arrangements under section 107D(3)(ba) for the commissioner to exercise functions cease to have effect; and

(b) the appointment as commissioner ends with the earlier of the following days—

(i) the day on which a person next becomes mayor for the area of the combined authority;

(ii) the last day of the period of three months beginning with the day on which the mayor ceases to hold office.

(3) In this paragraph "relevant term of office", in relation to an appointment of a person as a commissioner made by a mayor, means the term of office of the mayor during which, or in relation to which, the appointment is made.

Limitation on delegation of functions

7 (1) The power of the mayor to arrange under section 107D(3)(ba) for a commissioner to exercise a function is subject to this paragraph.

(2) The mayor may not arrange for a commissioner to exercise—

(a) any function of approving—

(i) a local growth plan under section 107L,

(ii) a local transport plan under Part 2 of the Transport Act 2000,

(iii) a spatial development strategy under Part 2 of the Planning and Compulsory Purchase Act 2004, or

(iv) any other document that is specified for the purposes of this paragraph in an order made by the Secretary of State;

(b) any function of making or terminating the appointment of a person as a member of staff or holder of any office or role (whether as an employee or otherwise);

(c) any function of a police and crime commissioner that is exercisable by the mayor or the deputy mayor for policing and crime.

(3) The mayor must obtain the consent of the combined authority to any arrangement for a commissioner to exercise a function; but

this does not apply to a function that is exercisable only by the mayor on behalf of the combined authority.

(4) The mayor may not arrange for a commissioner to exercise a function except in relation to the commissioner's special area of competence.

(5) That does not prevent the mayor from arranging for the commissioner to exercise the function incidentally in relation—

(a) to any area of competence other than the commissioner's special area, or

(b) to matters outside any of the areas of competence.

Allowances

8 (1) A combined authority may—

(a) make a scheme providing for the payment of allowances to commissioners appointed by the mayor for the area of the combined authority, and

(b) pay allowances in accordance with the scheme.

(2) A combined authority may only make a scheme if—

(a) the combined authority has considered a report published by a relevant remuneration panel which contains recommendations for the allowances provided for in the scheme, and

(b) the allowances payable under the scheme do not exceed the amounts specified in the recommendations made by the relevant remuneration panel.

(3) A combined authority which has made a scheme under this section must produce and publish reports on the allowances paid under the scheme (including their amounts).

(4) In this section "relevant remuneration panel" means a panel that is specified, or of a description specified, in an order made by the Secretary of State for the purposes of this paragraph.

Termination of appointment

9 It is the mayor for the area of a combined authority who may terminate (in accordance with the terms and conditions of the appointment) the appointment of a person as a commissioner (whether the mayor is the person who made the appointment or a successor).

Role of overview and scrutiny committees

10 (1) The power which the combined authority's overview and scrutiny committee has (or its overview and scrutiny committees have

between them) in accordance with paragraph 1(3) of Schedule 5A must include power to recommend that a commissioner's appointment is terminated.

(2) If a recommendation is made that a commissioner's appointment is terminated, the combined authority must decide whether or not to accept the recommendation.

(3) A decision to accept the recommendation must be made by a two thirds majority of the non-mayoral members, or substitute members acting in their place, of the combined authority present and voting on the question at a meeting of the authority.

(4) If a decision is made to accept the recommendation, the commissioner's appointment ceases to have effect when the decision is made.

(5) In this paragraph "non-mayoral members", in relation to a combined authority, means the members of the combined authority other than the mayor.

Powers of appointment and termination exercisable on behalf of the combined authority

11 (1) The powers to make and terminate the appointment of a person as a commissioner are (by virtue of section 107D(1A)) powers of the CCA exercisable only by the mayor on behalf of the CCA.

(2) Accordingly, if a person is appointed as a commissioner—

(a) under a worker's contract, the combined authority is the employer;

(b) under a contract other than a worker's contract, the contract is between the combined authority and the commissioner;

(c) otherwise than under a contract, the commissioner holds office under the combined authority.

(3) In this paragraph "worker's contract" and "employer" have the same meanings as in the Employment Rights Act 1996 (see section 230 of that Act).

Guidance

12 (1) The Secretary of State may issue guidance about the selection or appointment of commissioners.

(2) The mayors for the areas of combined authorities must take account of any such guidance.

(3) The Secretary of State may issue guidance about the exercise of the function under paragraph 7(3) of consenting to arrangements for a function to be exercisable by a commissioner.

(4) Combined authorities must take account of any such guidance.

(5) The Secretary of State may issue guidance about the exercise by combined authorities of the powers conferred by paragraph 8 and guidance about compliance with the duty under that paragraph to produce and publish reports.

(6) Combined authorities must take account of any such guidance.

(7) The Secretary of State may issue guidance about the terms of reports produced by relevant remuneration panels for the purposes of paragraph 8.

(8) Relevant remuneration panels must take account of any such guidance.

(9) The Secretary of State may issue guidance about the making of recommendations under paragraph 10 to terminate the appointment of a person as commissioner.

(10) The members of overview and scrutiny committees must take account of any such guidance."

SCHEDULE 4

Section 20

EXTENSION OF THE GENERAL POWER OF COMPETENCE

Introduction

1 The Localism Act 2011 is amended in accordance with this Schedule.

Amendment of section 1

2 (1) Section 1 (local authority's general power of competence) is amended in accordance with this paragraph.

(2) For the heading substitute "General power of competence".

(3) In subsection (1), after "local authority" insert ", combined authority or CCA".

(4) After subsection (1) insert—

"(1A) The general power which a mayoral combined authority or mayoral CCA has under this Chapter may be exercised by the mayor on behalf of that authority (concurrently with the authority)."

Amendment of section 2

3 (1) Section 2 (boundaries of the general power) is amended as follows.

(2) After subsection (2) insert—

"(2A) If exercise of a pre-commencement power of a combined authority or CCA is subject to restrictions, those restrictions apply also to exercise of the general power so far as it is overlapped by the pre-commencement power.

(2B) The general power does not enable a combined authority or CCA to do—

(a) anything which the authority is unable to do by virtue of a pre-commencement limitation, or

(b) anything which the authority is unable to do by virtue of a post-commencement limitation which is expressed to apply—

(i) to the general power,

(ii) to all of the authority's powers, or

(iii) to all of the authority's powers but with exceptions that do not include the general power.".

(3) After subsection (3) insert—

"(3A) The general power may be exercised by a non-mayoral combined authority or non-mayoral CCA only for the purpose of economic development or regeneration."

(4) In subsection (4), in the words before the definitions, after "section" insert ", in relation to a local authority".

(5) After subsection (4) insert—

"(5) In this section, in relation to a combined authority or CCA—

"post-commencement limitation" means a prohibition, restriction or other limitation expressly imposed by a statutory provision that—

(a) is contained in an Act passed after the end of the Session in which the English Devolution and Community Empowerment Act 2025 is passed, or

(b) is contained in an instrument made under an Act and comes into force on or after the commencement of section 20 of the English Devolution and Community Empowerment Act 2025;

"pre-commencement limitation" means a prohibition, restriction or other limitation expressly imposed by a statutory provision that—

(a) is contained in this Act, or in any other Act passed no later than the end of the Session in which the English Devolution and Community Empowerment Act 2025 is passed, or

(b) is contained in an instrument made under an Act and comes into force before the commencement of

section 20 of the English Devolution and Community Empowerment Act 2025;

"pre-commencement power" means power conferred by a statutory provision that—

(a) is contained in this Act, or in any other Act passed no later than the end of the Session in which the English Devolution and Community Empowerment Act 2025 is passed, or

(b) is contained in an instrument made under an Act and comes into force before the commencement of section 20 of the English Devolution and Community Empowerment Act 2025."

Amendment of section 3

4 In section 3 (limits on charging in exercise of general power), in subsection (1)(a), after "local authority" insert ", combined authority or CCA".

Amendment of section 4

5 (1) Section 4 (limits on doing things for commercial purpose in exercise of general power) is amended in accordance with this paragraph.

(2) In subsections (1), (2) and (3), after "local authority" insert ", combined authority or CCA".

Amendment of section 5

6 (1) Section 5 (powers to make supplemental provision) is amended in accordance with this paragraph.

(2) In subsections (1), (3), (4), (5)(a) and (b), and (7)(a) after "local authorities" insert ", combined authorities or CCAs".

(3) In subsection (5)(c), after "local authority" insert ", combined authority or CCA".

Amendment of section 8

7 (1) Section 8 (interpretation) is amended in accordance with this paragraph.

(2) Before the definition of "the general power" insert—

""CCA" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;".

(3) After the definition of "local authority" insert—

""mayor", in relation to a mayoral combined authority or mayoral CCA, means the mayor for the area of that authority;

"mayoral CCA" has the same meaning as in Chapter 1 of Part 1 of the Levelling-up and Regeneration Act 2023 — see section 57 of that Act;

"mayoral combined authority" has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 — see section 120 of that Act;

"non-mayoral CCA" means a CCA that is not a mayoral CCA;

"non-mayoral combined authority" means a combined authority that is not a mayoral combined authority;"

SCHEDULE 5

Section 23

PROVIDERS OF MICROMOBILITY VEHICLES

1 (1) The Road Traffic Regulation Act 1984 is amended in accordance with this paragraph.

(2) After Part 2 insert—

"PART 2A

LICENSING OF PROVIDERS OF MICROMOBILITY VEHICLES IN ENGLAND

22E Provision of micromobility vehicles must be licensed

(1) A person (P) is guilty of an offence if—

(a) P provides a passenger micromobility vehicle on a road or in a public place,

(b) the purpose of providing the vehicle there is that persons may take possession of it there for use (whether the use is on the road or in the public place or at any other place), and

(c) P does not have a licence from the relevant licensing authority under which P is authorised to provide the vehicle for that purpose.

(2) A person (P) is guilty of an offence if—

(a) P provides a non-passenger micromobility vehicle (whether on a road or in a public place or at any other place),

(b) the purpose of providing the vehicle is that persons may make use of it—

(i) on a road or in a public place, or

(ii) at a place to which the vehicle will or may need to travel using a road or public place, and

(c) P does not have a licence from the relevant licensing authority under which P is authorised to provide the vehicle for that purpose.

(3) In subsection (1) or (2) "relevant licensing authority" means the licensing authority for the licensing area in which the micromobility vehicle is located when it is provided.

22F Micromobility vehicles

(1) In this Part "passenger micromobility vehicle" means—

(a) a pedal cycle,

(b) an electrically assisted pedal cycle, or

(c) a micromobility vehicle that—

(i) is designed or adapted to carry one or more individuals, and

(ii) is of a description prescribed by regulations made by the Secretary of State.

(2) In this Part "non-passenger micromobility vehicle" means a micromobility vehicle that—

(a) is not designed or adapted to carry one or more individuals, and

(b) is of a description prescribed by regulations made by the Secretary of State.

(3) For the purposes of subsections (1)(c) and (2), the following are not micromobility vehicles—

(a) motor vehicles (within the meaning of the Road Traffic Act 1988, including section 189 of that Act);

(b) invalid carriages (within the meaning of the Road Traffic Act 1988);

(c) pedicabs (within the meaning of the Pedicabs (London) Act 2024).

22G Exemptions

(1) The prohibitions in section 22E(1) and (2) do not apply to the provision of micromobility vehicles by a licensing authority in its own licensing area (including where the micromobility vehicles are provided on behalf of the licensing authority by another person under arrangements between the licensing authority and that person).

(2) The Secretary of State may make regulations which provide for other exemptions from the prohibition in section 22E(1) or the prohibition in section 22E(2).

(3) The regulations may (in particular) relate to—
- (a) the vehicles which may be provided;
- (b) the duration for which vehicles may be provided;
- (c) the locations or areas where vehicles may be parked or locked before or after use;
- (d) the areas where vehicles may be used during use;
- (e) the purpose for which vehicles may be provided (including provision for use in guided tours);
- (f) the persons who are providing the vehicles;
- (g) the number of vehicles provided (whether generally, at locations where use may begin, or in particular areas).

22H Regulations about licences under this Part

(1) The Secretary of State may make regulations about the licences required for persons providing passenger micromobility vehicles or non-passenger micromobility vehicles.

(2) Schedule 3A makes further provision about regulations under this section (including provision for the imposition of financial penalties and fees, and for the creation of criminal offences).

22I Licensing authorities

(1) The Secretary of State may make regulations about the powers and duties of a licensing authority, such as provision—
- (a) imposing a duty to monitor the provision of micromobility vehicles,
- (b) about the publication of information on the provision of micromobility vehicles,
- (c) about the provision of reports or other information to the Secretary of State, and
- (d) requiring licensing authorities to work collaboratively with others.

(2) The Secretary of State—
- (a) may issue guidance to licensing authorities about their functions under this Part, and
- (b) must publish, or arrange the publication of, any guidance issued under this paragraph.

(3) Licensing authorities must have regard to guidance issued under this paragraph.

(4) A licensing authority is not liable on any basis (whether in tort or otherwise) for taking, or failing to take, any action in relation to a person providing micromobility vehicles, unless the liability is in respect of wilful misconduct or gross negligence.

(5) For the purposes of subsection (4), there is "gross negligence" on the part of a licensing authority if—
   (a) it is in breach of a duty of care owed under the law of negligence, and
   (b) the conduct constituting that breach falls far below what can reasonably be expected of the licensing authority in the circumstances.

(6) Traffic authorities in England and licensing authorities must co-operate with each other on matters relating to the parking or docking of micromobility vehicles.

22J Information

(1) The Secretary of State may make regulations authorising or requiring the disclosure of relevant information by any of the following—
   (a) persons providing micromobility vehicles;
   (b) licensing authorities;
   (c) the Secretary of State.

(2) The regulations may, in particular—
   (a) authorise licensing authorities or the Secretary of State to require the disclosure of information;
   (b) provide that a person is guilty of an offence if they knowingly or recklessly provide false information to a licensing authority or the Secretary of State.

(3) In this section "relevant information" means information relating to the provision of micromobility vehicles including, in the case of a person who has or had a licence required by section 22E, all information relating to the licensed provision of micromobility vehicles.

22K Proceedings in respect of offences by bodies corporate and partnerships etc

(1) If a micromobility licensing offence committed by a body corporate is proved—
   (a) to have been committed with the consent or connivance of an officer or a responsible individual, or
   (b) to be attributable to neglect on the part of an officer or responsible individual,

that officer or responsible individual (as well as the body corporate) is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) If a micromobility licensing offence committed by a partnership is proved—

(a) to have been committed with the consent or connivance of a partner or a responsible individual, or

(b) to be attributable to neglect on the part of a partner or responsible individual,

that partner or responsible individual (as well as the partnership) is guilty of the offence and is liable to be proceeded against and dealt with accordingly.

(3) If an offence committed by an unincorporated association (other than a partnership) is proved—

(a) to have been committed with the consent or connivance of an officer of the association or a member of its governing body or a responsible individual, or

(b) to be attributable to neglect on the part of such an officer or member or responsible individual,

that officer or member or responsible individual (as well as the association) is guilty of the offence and liable to be proceeded against and punished accordingly.

(4) In this section—

"micromobility licensing offence" means an offence under this Part (including an offence under regulations made under this Part);

"officer", in relation to a body corporate, means—

(a) a director, manager, secretary or other similar officer, or

(b) any person purporting to act in any such capacity;

and for this purpose "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate;

"partner" includes a person purporting to act as a partner;

"responsible individual", in relation to a body corporate, partnership or unincorporated association which has or had a licence under this Part, means a person who has or had a role in relation to the licence that is specified in regulations made by the Secretary of State for the purposes of this section.

22L Regulations

Regulations under this Part—

(a) may make different provision for different purposes, including different provision for different types of micromobility vehicle or different types of provision of micromobility vehicles;

(b) may make consequential, supplementary, incidental, transitional and saving provision.

22M Interpretation

(1) For the purposes of this Part—

(a) a combined authority or CCA is the licensing authority for its area;

(b) a relevant local council is the licensing authority for its area if that area does not comprise, or form part of, the area of a combined authority or CCA;

(c) Transport for London is the licensing authority for Greater London.

(2) In this Part—

"CCA" means a combined county authority established under section 9(1) of LURA 2023;

"combined authority" means a combined authority established under section 103 of LDEDCA 2009;

"licensing area" means—

(a) the area of a combined authority or CCA;

(b) the area of a relevant local council that is a licensing authority;

(c) Greater London;

"licensing authority" has the meaning given in subsection (1);

"public place" means any place to which the public, or any section of the public, has access (on payment or otherwise) as of right or by virtue of an express or implied permission;

"relevant local council" means—

(a) a county council in England,

(b) a district council whose area does not form part of the area of a county council in England,

(c) a metropolitan district council, or

(d) the Council of the Isles of Scilly."

(3) Before Schedule 4 insert—

"SCHEDULE 3A Section 22H

LICENSING OF PROVISION OF MICROMOBILITY VEHICLES

Introduction

1 This Schedule is about the provision that may (or must) be made by regulations under section 22H.

Licence conditions

2 (1) The regulations may make provision about conditions that must be included, or must not be included, in a licence.

(2) The regulations may enable a licensing authority to include other conditions in a licence.

Duration, renewal, suspension and revocation of licence

3 (1) The regulations may make provision about the duration, renewal, suspension or revocation of a licence.

(2) That includes provision which gives the Secretary of State the power to direct a licensing authority not to renew, or to suspend or revoke, a licence.

(3) But any such regulations must provide that the power of direction may only be exercised for purposes specified or described in the regulations which relate to the protection of public safety.

Variation and transfer of licence

4 (1) The regulations may make provision about the variation of a licence.

(2) The regulations may make provision about the transfer of a licence to a different licensee.

Licence applications etc: process

5 (1) Regulations may make provision about the process for applying for a licence, and for renewing, varying or transferring a licence.

(2) The regulations may—

(a) require a licensing authority to be satisfied as to a matter specified in the regulations before granting, renewing, varying or transferring a licence;

(b) require a licensing authority to have regard to a matter specified in the regulations, in deciding whether to grant, renew, vary or transfer a licence.

(3) The regulations may enable the licensing authority—

(a) to specify the form and content of an application;

(b) to specify information to be provided in connection with an application;

(c) to specify the procedure for rectifying procedural irregularities;

(d) to specify the time limits for doing anything required to be done in connection with an application and any procedure for extending any such limits;

(e) to inspect sites, facilities, equipment or vehicles for the purposes of deciding an application, but may not give the licensing authority any power of entry.

6 (1) Regulations may make provision about the process for suspending or revoking a licence.

(2) The regulations may—

(a) require a licensing authority to be satisfied as to a matter specified in the regulations before suspending or revoking a licence;

(b) require a licensing authority to have regard to a matter specified in the regulations, in deciding whether to suspend or revoke a licence.

Monitoring

7 (1) The regulations may make provision about the issue by a licensing authority to a provider of micromobility vehicles of—

(a) a contravention notice, in a case where the authority knows or suspects that the provider—

(i) is in breach of its licence conditions, or

(ii) is doing a thing that is likely to put the provider in breach;

(b) a warning notice, setting out the authority's powers to vary, suspend or revoke a licence, in a case where a provider has failed to comply with a contravention notice;

(c) a prohibition notice, prohibiting the provider from carrying on activities specified in the notice.

(2) The regulations may provide that a notice mentioned in sub-paragraph (1) may include directions to the provider of micromobility vehicles, and may make provision about the consequences of failure to comply with a direction.

(3) The regulations—

(a) may enable the licensing authority to inspect sites, facilities, equipment or vehicles for the purposes of monitoring compliance with the terms of a licence;

(b) but may not give the licensing authority any power of entry.

Financial penalties

8 (1) The regulations may enable a licensing authority to impose a financial penalty in relation to—

(a) the breach of the prohibition in section 22E(1) or the prohibition in section 22E(2) (providing a micromobility vehicle without a licence);

(b) the breach of a condition included in a licence.

(2) The amount of the financial penalty is to be specified in, or determined in accordance with, the regulations.

(3) If the regulations confer power to impose a financial penalty in relation to the breach of the prohibition in section 22E(1) or the prohibition in section 22E(2) they must provide that a person is not liable to such a penalty in respect of conduct for which the person has been convicted of the offence under that section.

(4) If the regulations confer power to impose a financial penalty, they must include provision—

(a) requiring the licensing authority, before imposing a financial penalty on a person, to give the person written notice (a "notice of intent") of the proposed financial penalty;

(b) ensuring that the person is given an opportunity to make representations about the proposed financial penalty;

(c) requiring the licensing authority, after the period for making representations, to decide whether to impose the financial penalty;

(d) requiring the licensing authority, if it decides to impose the financial penalty, to give the person notice in writing (a "final notice") imposing the penalty;

(e) enabling a person on whom a financial penalty is imposed to appeal to a court or tribunal in accordance with the regulations;

(f) as to the powers of the court or tribunal on such an appeal.

(5) The provision that may be made by the regulations by virtue of sub-paragraph (1) includes provision—

(a) enabling a notice of intent or final notice to be withdrawn or amended;

(b) requiring the licensing authority to withdraw a final notice in circumstances specified in the regulations;

(c) for a financial penalty to be increased by an amount specified in or determined in accordance with the regulations in the event of late payment;

(d) as to how financial penalties are recoverable.

Decisions: reconsideration and appeals

9 (1) The regulations must make provision about—

(a) reconsideration by a licensing authority of its decisions, and

(b) appeals to the First-tier Tribunal against decisions of a licensing authority that have been reconsidered.

(2) The regulations may (in particular) make provision about—

(a) the decisions of the licensing authority which may be reconsidered or appealed;

(b) the grounds for requesting reconsideration of a decision or bringing an appeal;

(c) the person or persons by whom, and manner in which, a decision is to be reconsidered;

(d) the powers of the First-tier Tribunal on an appeal.

(3) The regulations must make provision about the procedure, and time limits, for—

(a) requesting the reconsideration of a decision, and

(b) bringing an appeal against a decision.

Fees

10 (1) The regulations may enable a licensing authority to create a charging scheme under which the authority may charge fees to a person providing micromobility vehicles in connection with the exercise of its functions under this Part.

(2) The regulations may require a licensing authority—

(a) before making a charging scheme, to consult persons who may be affected by the scheme;

(b) to publish its charging scheme.

Offences

11 The regulations may provide that a person is guilty of an offence if they—

(a) knowingly or recklessly provide false information to a licensing authority in connection with an application for a licence or for a renewal, variation or transfer of a licence;

(b) knowingly or recklessly provide false information in connection with reconsideration of, or an appeal against, a decision of a licensing authority."

(4) In section 134 (provisions as to regulations), after subsection (5) insert—

"(5A) Subsections (2) to (5) do not apply to regulations under Part 2A; instead—

(a) a statutory instrument by which the power conferred by section 22I is exercised is subject to annulment in pursuance of a resolution of either House of Parliament;

(b) no regulations may be made under any other provision of Part 2A unless a draft has been laid before Parliament and has been approved by a resolution of each House of Parliament;

(c) but a statutory instrument by which the power conferred by section 22I is exercised may, where the power conferred by any other provision of Part 2A is exercised by the same instrument, be made under the procedure described in paragraph (b) instead of the procedure mentioned in paragraph (a)."

2 (1) The Road Traffic Offenders Act 1988 is amended in accordance with this paragraph.

(2) In section 91 (penalty for breach of regulations), in paragraph (b), after "made under" insert "any provision of Part 2A except section 22I or under".

(3) In Schedule 2 (prosecution and punishment of offences), in the table in Part 1, after the entry for "RTRA section 20(5)" insert—

"RTRA section 22E(1) or (2)	Providing mobility vehicles without a licence	Summarily	A fine".			

(4) In that table, after the entry for "RTRA section 22E" (inserted by sub-paragraph (3)), insert—

"Regulations under RTRA section 22H made by virtue of paragraph 11(a) or (b) of Schedule 3A	Providing false information in connection with a licence application or on an appeal	Summarily	A fine			

	against a licensing decision					
Regulations under RTRA section 22J(2)(b)	Providing false information about provision of micromobility vehicles to the Secretary of State or a licensing authority	Summarily	A fine".			

SCHEDULE 6

Section 24

ARRANGEMENTS TO CARRY OUT WORKS ON HIGHWAYS

Highways Act 1980: delegation of functions relating to trunk roads

1 (1) Section 6 of the Highways Act 1980 (delegation etc of functions with respect to trunk roads) is amended in accordance with this paragraph.

(2) In subsection (1)—

(a) after "may by agreement with" insert "a combined authority, a combined county authority,";

(b) after "delegate to that" insert "authority or".

(3) After subsection (1) insert—

"(1ZA) A combined authority or combined county authority may not enter into an agreement under subsection (1) unless the authority has obtained the consent of any upper-tier constituent council or councils in whose area the authority would discharge functions under the agreement."

(4) In subsection (2)—

(a) in the words before paragraph (a), for "A council" substitute "An authority or council";

(b) in paragraphs (a) and (b), for "the council" substitute "the authority or council".

(5) In subsection (3), for "the council" substitute "the authority or council".

(6) In subsection (4)—

(a) for "a council" substitute "an authority or council";

(b) for "the council" (in both places) substitute "the authority or council".

(7) In subsection (5)—

(a) in the words before paragraph (a), after "agreement with" insert "a combined authority, a combined county authority,";

(b) in paragraph (b), for "the council" substitute "the authority or council";

(c) in the words after paragraph (b)—

(i) for "a council" substitute "an authority or council";

(ii) for "such council" substitute "such authority or council".

(8) After subsection (5) insert—

"(5A) A combined authority or combined county authority may not enter into any arrangements under subsection (5) unless the authority has obtained the consent of any constituent council or councils in whose area the authority would discharge functions under the agreement."

(9) After subsection (6) insert—

"(6ZA) Where—

(a) any functions have been delegated by the Minister or a strategic highways company to a combined authority or combined county authority under subsection (1) above, or

(b) the Minister or a strategic highways company has entered into an agreement with a combined authority or combined county authority under subsection (5) above,

the combined authority or combined county authority may, with the consent of the Minister or a strategic highways company, enter into arrangements with a county council, district council or Welsh council (the "contracting council") for the carrying out by the contracting council, in accordance with the arrangements, of such of the delegated functions or, as the case may be, of the functions to which the agreement relates as may be specified in the arrangements.

(6ZB) A combined authority or combined county authority may not enter into arrangements under subsection (6ZA) unless the authority has obtained the consent of any constituent council or councils in whose area functions would be discharged under the arrangements."

(10) In subsection (6A), in the words before paragraph (a), after "subsection (6)" insert "or (6ZA)".

(11) In subsection (7), for "a council" substitute "an authority or council".

(12) After subsection (8) insert—

"(9) In this section—

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a combined county authority—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

"unitary district council" means the council for a district for which there is no county council;

"upper-tier constituent council" means a constituent council that is—

(a) a county council, or

(b) a unitary district council."

Highways Act 1980: agreements for doing certain works

2 (1) Section 8 of the Highways Act 1980 (agreements between local highway authorities and strategic highways companies for doing of certain works) is amended in accordance with this paragraph.

(2) In subsection (1), after "local highways authorities" insert ", combined authorities, combined county authorities".

(3) After subsection (1) insert—

"(1A) If a combined authority or combined county authority is a party to an agreement under subsection (1), the agreement may make or include provision for or in relation to the construction, reconstruction, alteration, improvement or maintenance of a highway for which a constituent council of that authority are the highway authority even if that constituent council is not a party to the agreement (a "relevant constituent council") (whether that is instead of, or in addition to, such provision about any highway for which a party to the agreement are the highway authority).

(1B) A combined authority or combined county authority may not enter into an agreement under this section unless the authority has

obtained the consent of any upper-tier constituent council or councils in whose area the authority would exercise functions under the agreement."

(4) In subsection (2), after "parties to the agreement" insert ", or a relevant constituent council,"

(5) In subsection (3)—

(a) after "another highway authority" insert "or a combined authority or combined county authority";

(b) for "other highway authority" substitute "other authority".

(6) After subsection (4) insert—

"(4A) A combined authority or combined county authority may not enter into an agreement under this section with a council unless their areas adjoin each other."

(7) After subsection (5) insert—

"(6) In this section—

"combined authority", "combined county authority" and "constituent council" have the same meanings as in section 6;

"relevant constituent council" has the meaning given in subsection (1A);

"upper-tier constituent council" has the same meaning as in section 6."

SCHEDULE 7

Section 25

CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS

1 (1) Paragraph 9 of Schedule 8 to the Traffic Management Act 2004 (civil enforcement areas and enforcement authorities outside Greater London: bus lane contraventions) is amended in accordance with this paragraph.

(2) In sub-paragraph (4), for "are to the local authority in whose area the contravention is committed" substitute "—

(a) are references to the local authority in whose area the contravention is committed;

(b) if there is a qualifying CCA or combined authority for the area of that local authority, are also references to that authority or CCA (in addition to references that local authority)."

(3) After sub-paragraph (4) insert—

"(5) There is a qualifying CCA or combined authority for the area of a local authority if—

(a) the local authority is a constituent council of a CCA or combined authority, and

(b) the CCA or combined authority has the written consent of the local authority to act as an enforcement authority in relation to bus lane contraventions in the local authority's area.

(6) In this paragraph—

"CCA" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a CCA—

(i) a county council for an area within the area of the CCA, or

(ii) a unitary district council for an area within the area of the CCA;

and here "unitary district council" means the council for a district for which there is no county council."

2 (1) Paragraph 10 of Schedule 8 to the Traffic Management Act 2004 (civil enforcement areas and enforcement authorities outside Greater London: moving traffic contraventions) is amended in accordance with this paragraph.

(2) For sub-paragraph (5) substitute—

"(5) In relation to a civil enforcement area designated by order under this paragraph on an application that was not a joint application, references in this Part of this Act to the enforcement authority—

(a) are references to the applicant authority;

(b) if there is a qualifying CCA or combined authority for the area of the applicant authority, are also references to that authority or CCA (in addition to references the applicant authority).

(6) In relation to a civil enforcement area designated by order under this paragraph on a joint application, references in this Part of this Act to the enforcement authority—

(a) are references to each applicant authority;

(b) as respects the area of any applicant authority for which there is a qualifying CCA or combined authority, are also references to that authority or CCA (in addition to references that applicant authority).

(7) There is a qualifying CCA or combined authority for the area of an applicant authority if—

(a) the applicant authority is a constituent council of a CCA or combined authority, and

(b) the CCA or combined authority has the written consent of the applicant authority to act as an enforcement authority in relation to moving traffic contraventions in the applicant authority's area.

(8) In this paragraph—

"applicant authority " means the authority, or in the case of a joint application an authority, on whose application an order under this paragraph was made;

"CCA", "combined authority" and "constituent council" have the same meanings as in paragraph 9."

SCHEDULE 8

Section 27

KEY ROUTE NETWORK ROADS

PART 1

DESIGNATION AND DIRECTIONS

Designation of key route network roads: CCAs

1 (1) Section 24 of LURA 2023 (designation of key route network roads) is amended in accordance with this paragraph.

(2) For subsection (1) substitute—

"(1) A CCA has the power to—

(a) designate a highway or proposed highway in its area as a key route network road, or

(b) remove its designation as a key route network road.

(1A) In the case of a mayoral CCA—

(a) that power is a power of the CCA exercisable only by the mayor on behalf of the CCA;

(b) the mayor may not designate a highway or proposed highway unless—

(i) the mayor has prepared a proposal to designate it (a "proposed designation"), and

(ii) the CCA has passed a resolution approving the proposed designation;

(c) if there is no highway or proposed highway in the CCA's area that is designated as a key route network road, the mayor must prepare a proposed designation in relation to at least one highway or proposed highway.

(1B) In the case of a non-mayoral CCA, the CCA may only exercise that power with the consent of each constituent council in whose area the highway or proposed highway is."

(3) In subsection (2), for paragraphs (a) to (c) substitute—

"(d) the mayor of a CCA, in the case of a mayoral CCA;

(e) the CCA or a constituent council, in the case of a non-mayoral CCA."

(4) For subsection (5) substitute—

"(5) A CCA must maintain, and publish on its website, a record of the roads in its area which are key route network roads."

Designation of key route network roads: combined authorities

2 (1) Section 107ZA of LDEDCA 2009 (designation of key route network roads) is amended in accordance with this paragraph.

(2) For subsection (1) substitute—

"(1) A combined authority has the power to—

(a) designate a highway or proposed highway in its area as a key route network road, or

(b) remove its designation as a key route network road.

(1A) In the case of a mayoral combined authority—

(a) that power is a power of the combined authority exercisable only by the mayor on behalf of the combined authority;

(b) the mayor may not designate a highway or proposed highway unless—

(i) the mayor has prepared a proposal to designate it (a "proposed designation"), and

(ii) the combined authority has passed a resolution approving the proposed designation;

(c) if there is no highway or proposed highway in the combined authority's area that is designated as a key route network

road, the mayor must prepare a proposed designation in relation to at least one highway or proposed highway.

(1B) In the case of a non-mayoral combined authority, the combined authority may only exercise that power with the consent of each constituent council in whose area the highway or proposed highway is."

(3) In subsection (2), for paragraphs (a) to (c) substitute—

"(d) the mayor of a combined authority, in the case of a mayoral combined authority;

(e) the combined authority or a constituent council, in the case of a non-mayoral combined authority."

(4) For subsection (5) substitute—

"(5) A combined authority must maintain, and publish on its website, a record of the roads in its area which are key route network roads."

Power of direction: CCAs

3 (1) Section 22 of LURA 2023 (directions relating to highways and traffic functions) is amended in accordance with this paragraph.

(2) For the heading substitute "Highways and traffic functions: regulations conferring power to give directions".

(3) For subsection (1) substitute—

"(1) The Secretary of State may by regulations—

(a) confer on a non-mayoral CCA a power to give a direction about the exercise of an eligible power;

(b) confer on a mayoral CCA a power to give a direction about the exercise of an eligible power in relation to roads that are not key route network roads (see section 24)."

(4) For subsection (6) substitute—

"(6) In subsection (5) "road"—

(a) in the case of a power of direction under subsection (1)(a), has the meaning given by section 142(1) of the Road Traffic Regulation Act 1984;

(b) in the case of a power of direction under subsection (1)(b), means a road that is not a key route network road;

(c) in either case, does not include any road which is the subject of a concession agreement under Part 1 of the New Roads and Street Works Act 1991."

4 (1) After section 23 insert—

"23A Highways and traffic functions: directions by mayors

(1) A mayoral CCA may give a direction about the exercise of—
(a) an eligible power, or
(b) a street authority or permit authority power,
in respect of a particular key route network road or a description of roads which are all key route network roads.

(2) The power under this section to give a direction is exercisable only by the mayor for the area of a CCA on behalf of the CCA.

(3) A direction under this section must relate only to the exercise of a relevant power—
(a) by a constituent council of the CCA, and
(b) in—
(i) the area of the CCA, and
(ii) the area of the constituent council.

(4) Any direction given by virtue of this section—
(a) must be given in writing and may be varied or revoked by a further direction in writing, and
(b) may make different provision for different cases and different provision for different areas.

(5) Before giving a direction under this section, a mayor must have regard to the following—
(a) the network management duty imposed by section 16 of the Traffic Management Act 2004;
(b) the duty imposed by section 17 of that Act (duty to make arrangements for planning and carrying out action to be taken in performing the network management duty);
(c) any guidance issued under section 18 of that Act;
(d) any guidance issued under section 55 of this Act.

(6) On the day on which a mayor gives a direction under this section, the mayor must publish a copy of the direction in such manner as the mayor considers appropriate.

(7) A mayor who gives a direction under this section must reimburse any costs incurred by a council in complying with the direction (including administrative costs incurred in dealing with the direction).

(8) In a case where works are carried out in complying with the direction, the costs of the works are those incurred—
(a) before or while carrying out the works, or

(b) during the period that ends 12 months after completion of the works.

(9) In this section—

"eligible power" means a power of a county council or a unitary district council which the council has—

(a) as highway authority by virtue of section 1 of the Highways Act 1980, or

(b) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984;

"power", in the definition of "eligible power" or street authority or permit authority power, does not include a duty;

"relevant power" means—

(a) an eligible power, or

(b) a street authority or permit authority power;

"street authority or permit authority power" means a power of a county council or a unitary district council which the council has—

(a) as a street authority by virtue of section 49 of the New Roads and Street Works Act 1991, or

(b) as a permit authority (and here "permit authority" means a local highway authority which has submitted, or intends to submit, a permit scheme within the meaning of Part 3 of the Traffic Management Act 2004 to the Secretary of State under section 33(1) or (2) of the that Act).

23B Contraventions of section 23A

(1) If an authority exercises any power in contravention of a direction under section 23A, the CCA may take such steps as it considers appropriate to reverse or modify the effect of the exercise of the power.

(2) For the purposes of subsection (1), the CCA has power to exercise any power of the authority subject to the direction on behalf of that authority.

(3) Any reasonable expenses incurred by the CCA in taking any steps under subsection (1) are recoverable from the authority subject to the direction as a civil debt"

(2) After subsection (9) insert—

"(9A) Before giving a direction under this section, a mayor or CCA must have regard to the following—

(a) the network management duty imposed by section 16 of the Traffic Management Act 2004;

(b) the duty imposed by section 17 of that Act (duty to make arrangements for planning and carrying out action to be taken in performing the network management duty);

(c) any guidance issued under section 18 of that Act;

(d) any guidance issued under section 55 of this Act.

(9B) On the day on which a mayor or CCA gives a direction under this section, the mayor or CCA must publish a copy of the direction in such manner as the mayor or CCA considers appropriate.

(9C) If a mayor of a CCA gives a direction under this section, the mayor must reimburse any costs incurred by a council in complying with the direction (including administrative costs incurred in dealing with the direction).
In a case where works are carried out in complying with the direction, the costs are those incurred to carry out those works or during the period that ends 12 months after completion of those works."

(3) In subsection (11), omit "Except as provided for by section 24(7),".

Power of direction: combined authorities

5 (1) Section 104 of LDEDCA 2009 (constitution and functions: transport) is amended in accordance with this paragraph.

(2) After subsection (3) insert—

"(3A) In its application by virtue of this section, the Local Transport Act 2008 has effect with the modifications set out in subsections (3B) and (3C).

(3B) Section 88 (conferral of a power to direct) has effect as if—

(a) for subsection (1) there were substituted—

"(1) The Secretary of State may by regulations—

(a) confer on a non-mayoral combined authority a power to give a direction about the exercise of an eligible power;

(b) confer on a mayoral CCA a power to give a direction about the exercise of an eligible power in relation to roads that are not key route network roads (see section 107ZA).";

(b) for subsection (7) there were substituted—

"(7) In subsection (6) "road"—

(a) in the case of a power of direction under subsection (1)(a), has the meaning given by section 142(1) of the Road Traffic Regulation Act 1984;

(b) in the case of a power of direction under subsection (1)(b), means a road that is not a key route network road;

(c) in either case, does not include any road which is the subject of a concession agreement under Part 1 of the New Roads and Street Works Act 1991."

(3C) The Act has effect as if the following were inserted after section 89—

"89A Highways and traffic functions: directions by mayors

(1) A mayoral combined authority may give a direction about the exercise of—

(a) an eligible power, or

(b) a street authority or permit authority power,

in respect of a particular key route network road or a description of roads which are all key route network roads.

(2) The power under this section to give a direction is exercisable only by the mayor for the area of a combined authority on behalf of the combined authority.

(3) A direction under this section must relate only to the exercise of a relevant power—

(a) by a constituent council of the combined authority;

(b) in—

(i) the area of the combined authority, and

(ii) the area of the constituent council.

(4) Any direction given under this section—

(a) must be given in writing and may be varied or revoked by a further direction in writing, and

(b) may make different provision for different cases and different provision for different areas.

(5) Before giving a direction under this section, a mayor must have regard to the following—

(a) the network management duty imposed by section 16 of the Traffic Management Act 2004;

(b) the duty imposed by section 17 of that Act (duty to make arrangements for planning and carrying out action to be taken in performing the network management duty);

(c) any guidance issued under section 18 of that Act;

(d) any guidance issued under section 118 of the Local Democracy, Economic Development and Construction Act 2009.

(6) On the day on which a mayor gives a direction under this section, the mayor must publish a copy of the direction in such manner as the mayor considers appropriate.

(7) A mayor who gives a direction under this section must reimburse any costs incurred by a council in complying with the direction (including administrative costs incurred in dealing with the direction).

(8) In a case where works are carried out in complying with the direction, the costs of the works are those incurred—

(a) before or while carrying out the works, or

(b) during the period that ends 12 months after completion of the works.

(9) The following provisions of this Act apply in relation to a combined authority as they apply in relation to an ITA on whom functions of a kind described in section 88 are conferred—

(a) section 88(10) (provisions about directions);

(b) section 89(2) and (3) (power to remedy contravention of direction).

(10) In this section—

"eligible power" means a power of a county council or a unitary district council which the council has—

(a) as highway authority by virtue of section 1 of the Highways Act 1980, or

(b) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984;

"power", in the definition of "eligible power" or street authority or permit authority power, does not include a duty;

"relevant power" means—

(a) an eligible power, or

(b) a street authority or permit authority power;

"street authority or permit authority power" means a power of a county council or a unitary district council which the council has—

(a) as a street authority by virtue of section 49 of the New Roads and Street Works Act 1991, or

(b) under section 33 or 33A of the Traffic Management Act 2004 or under a permit scheme prepared under section 33 of that Act.

89B Contraventions of section 89A

(1) If an authority (the "defaulting authority") exercises any power in contravention of a direction under section 89A given by a combined authority (the "CA"), the CA may take such steps as it considers appropriate to reverse or modify the effect of the exercise of the power.

(2) For the purposes of subsection (1), the CA has power to exercise any power of the defaulting authority on behalf of that authority.

(3) Any reasonable expenses incurred by the CA in taking any steps under subsection (1) are recoverable from the defaulting authority as a civil debt""

(3) In subsection (10), omit "Except as provided for by section 107ZA(7),"

Consequential amendments

6 (1) In section 107ZA LDEDCA 2009—
(a) omit subsections (7) and (8);
(b) in subsection (9), omit the definition of "eligible power".

(2) In section 107D(9), omit "Except as provided for by section 107ZA(7),".

7 (1) In section 24 LURA 2023—
(a) omit subsections (7) and (8);
(b) in subsection (9), omit the definition of "eligible power".

(2) In section 30(11), omit "Except as provided for by section 24(7),".

PART 2

TRANSFER OF DUTY OF PRINCIPAL COUNCILS TO MAKE REPORTS ON KEY ROUTE NETWORK ROADS

Introduction

8 The Road Traffic Reduction Act 1997 is amended in accordance with this Part of this Schedule.

New duty of mayoral combined authorities and CCAs

9 After section 2 insert—

"2A Duty of mayoral combined authorities and CCAs to make reports

(1) It is the duty of every mayoral combined authority and every mayoral CCA to prepare, at such time or times as the Secretary of State may direct, a report containing— 5

(a) an assessment of the levels of local road traffic using key route network roads in the area, and

(b) a forecast of the growth in those levels.

(2) Subject to subsection (5), the report must also specify targets for— 10

(a) a reduction in the levels of local road traffic using key route network roads in the area, or

(b) a reduction in the rate of growth in the levels of such traffic.

(3) The report must also contain any other information or proposals which— 15

(a) relate to levels of local road traffic using key route network roads in the area, and

(b) are required by guidance under subsection (6).

(4) The report—

(a) may specify different targets for different parts of the area or for different classes of local road traffic using key route network roads, and 20

(b) may specify targets—

(i) under subsection (2)(a) in relation to certain classes of local road traffic using key route network roads, or in relation to part of the area, and 25

(ii) under subsection (2)(b) in relation to other classes of local road traffic using key route network roads or in relation to another part of the area.

(5) A mayoral combined authority or mayoral CCA is not obliged to specify targets under subsection (2)(a) or (b) in relation to the area, or in relation to any part of the area, if they consider it inappropriate to do so, but in that case the report must state— 30

(a) that the authority considers it inappropriate to do so, and

(b) the authority's reasons for so considering. 35

(6) The Secretary of State may issue guidance to mayoral combined authorities and mayoral CCAs in relation to—

(a) the preparation and content of reports under this section, and

(b) consultation in connection with the preparation of such reports;

and a mayoral combined authority or mayoral CCA must have regard to any guidance when preparing a report.

(7) Where a mayoral combined authority or mayoral CCA has prepared a report under this section the authority must—

(a) send the report to the Secretary of State, and

(b) publish a copy of the report in such manner as the authority considers appropriate.

(8) The Secretary of State must lay a copy of every report received under subsection (7)(a) before each House of Parliament.

(9) In this section "the area", in relation to a mayoral combined authority or mayoral CCA, means that authority's area."

Consequential amendments

10 In section 1 (interpretation)—

(a) before the definition of "local implementation plan" insert—

""constituent council" means—

(a) in relation to a mayoral combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a mayoral CCA—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means the council for a district for which there is no county council;

"key route network road" means a highway or proposed highway designated for the time being as a key route network road—

(a) by a mayoral combined authority under section 107ZA of the Local Democracy, Economic Development and Construction Act 2009, or

(b) by a mayoral CCA under section 24 of the Levelling-up and Regeneration Act 2023;";

(b) after the definition of "London council" insert – –

""mayoral CCA" has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 – see section 57 of that Act);

"mayoral combined authority" has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 – see section 120 of that Act;".

11 In section 2 (duty of principal councils to make reports), after subsection (4) insert –

"(4ZA) If a principal council is a constituent council of a mayoral combined authority or mayoral CCA, the duty imposed on the council by subsection (1) does not apply to the levels of local road traffic using key route network roads in the council's area."

SCHEDULE 9

Section 29

LOCAL TRANSPORT AUTHORITIES AND OTHER TRANSPORT FUNCTIONS

Transport Act 2000

1 The Transport Act 2000 is amended in accordance with paragraphs 2 to 15.

2 In section 108 (local transport plans) –

(a) in subsection (4)(cb), omit "established under section 9(1) of the Levelling-up and Regeneration Act 2023";

(b) after subsection (4) insert –

"(4A) A county council or a council of a non-metropolitan district is not a local transport authority where –

(a) the area of the council falls within the area of a combined authority or combined county authority, and

(b) the combined authority or combined county authority has completed its first full financial year.

(4B) Where a local transport authority is a mayoral combined authority, the functions of the combined authority under this section are exercisable only by the mayor acting on behalf of the combined authority.

(4C) Where a local transport authority is a mayoral CCA, the functions of the combined county authority under this section are exercisable only by the mayor acting on behalf of the combined county authority."

3 In section 109 (further provision about plans: England), after subsection (4) insert—

"(4A) Where a local transport authority is a mayoral combined authority, the functions of the combined authority under this section are exercisable only by the mayor acting on behalf of the combined authority.

(4B) Where a local transport authority is a mayoral CCA, the functions of the combined county authority under this section are exercisable only by the mayor acting on behalf of the combined county authority."

4 After section 109 insert—

"109ZA Mayoral combined authorities and mayoral CCAs: adoption of local transport plans

(1) This section applies where a local transport authority is a mayoral combined authority or a mayoral CCA.

(2) The local transport plan prepared by the authority in accordance with section 108, and any review or alteration to the plan, only becomes operative once it is adopted by the mayoral combined authority or mayoral CCA.

(3) A resolution to adopt the strategy is to be made by a simple majority—

(a) of the relevant members present and voting on that resolution at a meeting of the authority,

(b) which includes the mayor, or the deputy mayor acting in place of the mayor.

(4) But if—

(a) the office of mayor is vacant, and

(b) there is no deputy mayor, or the deputy mayor is unable to act in place of the mayor,

the decision is to be made by a simple majority of the other relevant members present and voting on that question at a meeting of the authority.

(5) In relation to the resolution—

(a) each relevant member has one vote;

(b) in the event of a tied vote then (unless it is a case where subsection (4) applies), the mayor, or the deputy mayor acting in place of the mayor, has a casting vote (in addition to any other vote the mayor or deputy mayor may have).

(6) In this section—

"constituent member", in relation to a mayoral combined authority or mayoral CCA—

(a) means a person appointed by a constituent council to be a member of the authority; and

(b) also includes a person acting as a member of the authority in the absence of such a member;

and here "constituent council" has the meaning given in section 104(11) of the Local Democracy, Economic Development and Construction Act 2009 (in relation to a combined authority) or section 10(11) of the Levelling-up and Regeneration Act 2023 (in relation to a combined county authority);

"relevant member" in relation to a mayoral combined authority or mayoral CCA means—

(a) a constituent member or

(b) the mayor,

and also includes the deputy mayor acting in place of the mayor."

5 In section 112 (plans and strategies: supplementary), after subsection (2) insert—

"(3) Where a local transport authority is a mayoral combined authority, references in this section to the local transport authority are to the mayor acting on behalf of the combined authority.

(4) Where a local transport authority is a mayoral combined county authority, references in this section to the local transport authority are to the mayor acting on behalf of the combined county authority."

6 In section 113F (advanced quality partnership schemes: traffic regulation orders)—

(a) in subsection (1)(b), for "metropolitan district council" substitute "local highway authority";

(b) in subsection (3)—

(i) in the opening words, for "metropolitan district council" substitute "local highway authority";

(ii) in paragraph (a), for "metropolitan district council" substitute "local highway authority".

7 In section 113M (variation: supplementary), in subsection (7)(a), for "metropolitan district council" substitute "local highway authority".

8 In section 113O (guidance about schemes), in subsection (1), for "metropolitan district councils" substitute "local highway authorities".

9 In section 114 (quality partnership schemes), in subsection (7)(b), for "metropolitan district council for the district" substitute "local highway authority for the local authority area".

10 In section 121 (variation: supplementary), in subsection (7)(a), for "metropolitan district council" substitute "local highway authority".

11 In section 123 (guidance about schemes), in subsection (1), for "metropolitan district councils" substitute "local highway authorities".

12 In section 138B (further parties to a scheme)—

(a) in subsection (2)(b), for "metropolitan district council for the district" substitute "local highway authority for the local authority area"; 5

(b) in subsection (5), for "metropolitan district council" substitute "local highway authority".

13 In section 138N (variation: supplementary), in subsection (7)(a), for "metropolitan district council" substitute "local highway authority".

14 In section 146 (mandatory concessions: supplementary), in the definition of "travel concession authority", after paragraph (c) insert— 10

"(cza) a combined authority,

(czb) a combined county authority,".

15 In section 162 (interpretation of Part 2), in subsection (1), in the appropriate place insert— 15

""local highway authority" has the meaning given in section 329(1) of the Highways Act 1980,".

Transport Act 1985

16 The Transport Act 1985 is amended in accordance with paragraphs 17 to 20. 20

17 In section 63 (functions of local councils with respect to passenger transport in areas other than integrated transport areas and passenger transport areas)—

(a) in subsection (4), for "non-metropolitan district council in England" substitute "district council in England or a relevant county council"; 25

(b) after subsection (8) insert—

"(8B) Where the whole or any part of the area of a county council in England falls within the area of a combined authority or a combined county authority, references in this section to the council are references to the combined authority or the combined county authority (instead of to the council). 30

(8C) Subsection (8B) does not apply to any such references in subsection (4) or (9A).";

(c) after subsection (9) insert—

"(9A) A "relevant county council" for the purposes of subsection (4) is a county council in England the whole or any part of whose area falls within the area of a combined authority or a combined county authority." 35

18 In section 65 (co-operation between certain councils and London regional transport), after subsection (3) insert—

"(3A) Where the whole or any part of the area of a county council in England falls within the area of a combined authority or a combined county authority, references in this section to the council are references to the combined authority or the combined county authority (instead of to the council)."

19 In section 88 (expenditure on public passenger transport services), in subsection (8)—

(a) omit the "and" at the end of paragraph (b),

(b) after that paragraph insert—

"(ba) combined authorities,

(bb) combined county authorities, and".

20 In section 105 (travel concessions on services provided by local authorities)—

(a) in subsection (1), after "Scotland" insert ", or a combined authority or a combined county authority,";

(b) in subsection (2), after "such council" insert "or authority";

(c) in subsection (3), after "council" insert "or authority".

SCHEDULE 10

Section 30

ADULT EDUCATION

1 The Apprenticeships, Skills, Children and Learning Act 2009 is amended in accordance with this Schedule.

2 (1) Section 86 (education and training for persons aged 19 or over and others subject to adult detention) is amended in accordance with this paragraph.

(2) After subsection (1) insert—

"(1A) The Mayor of London, each combined authority and CCA, and each district council or county council that is a strategic authority, must secure the provision in relation to the relevant area of such facilities as it considers appropriate for—

(a) education suitable to the requirements of persons who are aged 19 or over, other than persons aged under 25 for whom an EHC plan is maintained, and

(b) training, other than apprenticeship training, suitable to the requirements of such persons.

(1B) Subsection (1) does not apply to the provision of facilities to the extent that subsection (1A) applies to the provision of those facilities."

(3) In subsection (6), after the definition of "education" insert—

""relevant area" means—

(a) in relation to the Mayor of London, Greater London;

(b) in relation to a combined authority or CCA, its area;

(c) in relation to a district council or county council that is a strategic authority, the council's area;"

(4) In subsection (7), after "subsection (1)(a) or (b)" insert "or (1A)(a)".

3 (1) Section 87 (learning aims for persons aged 19 or over: provision of facilities) is amended in accordance with this paragraph.

(2) After subsection (1) insert—

"(1A) The Mayor of London, each combined authority and CCA, and each district council or county council that is a strategic authority, must secure the provision in relation to the relevant area of such facilities as it considers appropriate for relevant education or training for persons falling within subsection (3) which is suitable to their requirements.

(1B) Subsection (1) does not apply to the provision of facilities to the extent that subsection (1A) applies to the provision of those facilities."

(3) In subsection (3)(b), for "Secretary of State" substitute "person, authority or council exercising the function under subsection (1) or (1A)".

(4) In subsection (6), after the definition of "education" insert—

""relevant area" means—

(a) in relation to the Mayor of London, Greater London;

(b) in relation to a combined authority or CCA, its area;

(c) in relation to a district council or county council that is a strategic authority, the council's area;"

4 (1) Section 88 (learning aims for persons aged 19 or over: payment of tuition fees) is amended in accordance with this paragraph.

(2) In subsection (1), for "Secretary of State" substitute "relevant authority".

(3) In subsection (2)(b), for "Secretary of State" substitute "person, authority or council exercising the function under this Part".

(4) In subsections (2A) and (3), for "Secretary of State" substitute "relevant authority".

(5) In subsection (4)(b), for "Secretary of State" substitute "relevant authority securing the provision of the facilities under section 86".

(6) In subsection (6)(a), for "Secretary of State" substitute "relevant authority".

(7) After subsection (7) insert—

"(8) In this section "relevant authority" means—

(a) the Secretary of State,
(b) the Mayor of London,
(c) a combined authority or CCA, or
(d) a district council or county council that is a strategic authority."

5 (1) Section 90 (encouragement of education and training for persons aged 19 or over and others subject to adult detention) is amended in accordance with this paragraph.

(2) After subsection (1) insert—

"(1A) The Greater London Authority, each combined authority and CCA, and each district council or county council that is a strategic authority, must—

(a) encourage participation by persons within section 86(1A)(a) in education and training within strategic authorities' remit under this Part;

(b) encourage employers to participate in the provision of education and training within strategic authorities' remit under this Part for persons within section 86(1A)(a);

(c) encourage employers to contribute to the costs of education and training within strategic authorities' remit under this Part for such persons."

(3) In subsection (2), after "subsection (1)(b)" insert "or (1A)(b)".

6 (1) Section 100 (provision of financial resources) is amended in accordance with this paragraph.

(2) In subsection (1)—

(a) in the words before paragraph (a), for "The Secretary of State" substitute "A relevant authority";

(b) in paragraph (a), for "the Secretary of State's remit" substitute "the relevant authority's remit".

(3) In subsection (1AA) omit the words after "combined authority".

(4) In subsection (1AB), for the words from "combined county authority" to the end substitute "CCA".

(5) In subsection (1B), for "The Secretary of State" substitute "A relevant authority".

(6) After subsection (1B) insert—

"(1C) The Greater London Authority, a combined authority or CCA, or a district council or county council that is a strategic authority, may not exercise—

(a) a function conferred by subsection (1) in relation to persons subject to adult detention;

(b) a function conferred by subsection (1) or (1B) in relation to any person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(i) aged under 19, or

(ii) aged under under 25 and for whom an EHC plan is maintained."

(7) In subsection (3)—

(a) in the words before paragraph (a), for "The Secretary of State" substitute "A relevant authority";

(b) in paragraph (c), for "the Secretary of State" substitute "the relevant authority".

(8) In subsection (4), for "The Secretary of State" substitute "A relevant authority".

(9) In subsection (5)—

(a) omit the definitions of "combined authority" and "combined county authority";

(b) after the definition of "English statutory apprenticeship" insert—

""relevant authority" means—

(a) the Secretary of State,

(b) the Greater London Authority,

(c) a combined authority or CCA, or

(d) a district council or county council that is a strategic authority ;

"relevant authority's remit under this Part" means—

(a) in relation to financial resources whose provision is secured by the Secretary of State, the Secretary of State's remit under this Part;

(b) in relation to financial resources whose provision is secured by the Mayor of London, a combined authority or CCA, or a district council or county council that is a strategic authority, strategic authorities' remit under this Part."

7 (1) Section 101 (financial resources: conditions) is amended in accordance with this paragraph.

(2) In subsection (1), for "the Secretary of State" substitute "a relevant authority".

(3) In the following provisions, for "the Secretary of State" substitute "the relevant authority"—

(a) subsection (3)(a) (in both places);

(b) subsection (3)(b) (in both places);

(c) subsection (6)(a) (in both places);
(d) subsection (6)(b).

8 In section 103 (means tests), after subsection (1) insert—

"(1A) For the purpose of the exercise of the powers under section 100(1)(c), (d) or (e), the Greater London Authority, a combined authority or CCA, or a district council or county council that is a strategic authority, may—
(a) carry out means tests;
(b) arrange for other persons to carry out means tests."

9 After section 114 insert—

"Directions and guidance

114A Directions and guidance to strategic authorities

(1) Where the Greater London Authority, a combined authority or CCA, or a district council or county council that is a strategic authority, adopts rules of eligibility for awards by an institution to which it makes grants, loans or other payments under section 100, it must adopt such rules in accordance with any direction given by the Secretary of State.

(2) In exercising a function under section 86, 87, 88, 90 or 100, the Mayor of London or Greater London Authority, a combined authority or CCA, or a district council or county council that is a strategic authority, must have regard to guidance issued by the Secretary of State for the purpose of this subsection."

10 In section 115 (persons with special educational needs), for subsections (1) and (2) substitute—

"(1) The Secretary of State must, in performing functions under this Part, have regard to the needs of persons with special educational needs who are of a kind specified in subsection (2B)(a) or (b).

(2A) The Mayor of London or Greater London Authority, a combined authority or CCA, or a district council or county council that is a strategic authority, must, in performing functions under this Part, have regard to the needs of persons with special educational needs who are of a kind specified in subsection (2B)(a).

(2B) The persons referred to above are—
(a) persons who are aged 19 or over, other than persons aged under 25 for whom an EHC plan is maintained;
(b) persons who are subject to adult detention."

11 (1) Section 121 (interpretation) is amended in accordance with this paragraph.

(2) In subsection (1), at the appropriate place insert—

""CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;

"district council or county council that is a strategic authority" means a district council or county council that is designated as a single foundation strategic authority under section 3 of the English Devolution and Community Empowerment Act 2025;".

(3) After subsection (3) insert—

"(3A) In this Part a reference to education within strategic authorities' remit under this Part is a reference to—

(a) education falling within section 86(1A)(a), and

(b) organised leisure-time occupation in connection with such education.

(3B) In this Part a reference to training within strategic authorities' remit under this Part is a reference to—

(a) training falling within section 86(1A)(b)), and

(b) organised leisure-time occupation in connection with such training."

12 (1) Section 122 (sharing of information for education and training purposes) is amended in accordance with this paragraph.

(2) In subsection (3)—

(a) after paragraph (fd) insert—

"(fe) the Mayor of London;

(ff) a person providing services to the Mayor of London;

(fg) the Greater London Authority;

(fh) a person providing services to the Greater London Authority;".

(3) In subsection (5), for paragraphs (d) and (e) substitute—

"(d) any function of a combined authority under Part 4,

(e) any function of a combined county authority under Part 4,

(f) any function of the Mayor of London under Part 4, or

(g) any function of the Greater London Authority under Part 4,".

SCHEDULE 11

Section 31

PLANNING APPLICATIONS OF POTENTIAL STRATEGIC IMPORTANCE

1 (1) The Town and Country Planning Act 1990 is amended as follows.

(2) In section 2A (the Mayor of London: applications of potential strategic importance)—

(a) in the heading, after "London" insert ", mayors of combined authorities and mayors of combined county authorities";

(b) in subsection (1), in the closing words, for "Mayor of London" substitute "relevant mayor";

(c) omit subsection (1A);

(d) in subsection (1B)—

(i) in the opening words, for "Mayor of London" substitute "relevant mayor";

(ii) in paragraph (b), for "Mayor of London" substitute "relevant mayor";

(e) in subsection (2) for "Mayor" substitute "relevant mayor";

(f) in subsection (3)(a)—

(i) the words from "in Greater" to the end of that paragraph become sub-paragraph (i);

(ii) after that sub-paragraph insert—

"(ii) in an area of a mayoral combined authority, or

(iii) in an area of a mayoral combined county authority,";

(g) in subsection (5), for "Mayor of London" substitute "relevant mayor";

(h) after subsection (5) insert—

"(5A) For the purposes of this section and sections 2B to 2F the "relevant mayor"—

(a) in relation to an application relating to land in Greater London, is the Mayor of London;

(b) in relation to an application relating to land in the area of a mayoral combined authority, is the mayor for that combined authority;

(c) in relation to an application relating to land in the area of a mayoral combined county authority, is the mayor for that combined county authority.";

(i) in subsection (6), for "the spatial development strategy" substitute "a spatial development strategy".

(3) In section 2B (section 2A: supplementary provision)—

(a) in subsection (1), for "Mayor of London" substitute "relevant mayor";

(b) in subsection (2), for "Mayor of London's" substitute "relevant mayor's";
(c) in subsection (3), for "Mayor of London" substitute "relevant mayor";
(d) in subsection (4), for "Mayor of London" substitute "relevant mayor";
(e) in subsection (5), for "Mayor of London" substitute "relevant mayor";
(f) in subsection (6), omit paragraph (b).

(4) In section 2C (matters reserved for subsequent approval)—
(a) in subsection (1), for "Mayor of London" substitute "relevant mayor";
(b) in subsection (3), for "Mayor of London" substitute "relevant mayor".

(5) In section 2D (further provision about orders under section 2A)—
(a) in subsection (2), for "Mayor of London" substitute "relevant mayor";
(b) in subsection (3), for "Mayor of London" substitute "relevant mayor".

(6) In section 2E (section 2A and planning obligations under section 106)—
(a) in subsection (1), for "Mayor of London" substitute "relevant mayor";
(b) in subsection (2), for "Mayor of London" substitute "relevant mayor";
(c) in subsection (4), for "Mayor of London" substitute "relevant mayor";
(d) in subsection (5), in paragraph (a), for "Mayor of London" substitute "relevant mayor".

(7) In section 2F (representation hearings)—
(a) in subsection (2), for "Mayor of London" substitute "relevant mayor";
(b) in subsection (3), for "Mayor of London" substitute "relevant mayor";
(c) in subsection (5), in paragraph (b), for "Mayor of London" substitute "relevant mayor".

SCHEDULE 12

Section 32

DEVELOPMENT ORDERS

1 (1) The Town and Country Planning Act 1990 is amended as follows.

(2) In section 61DA (mayoral development orders)—
(a) in subsection (1), for "The Mayor of London" substitute "A relevant mayor";
(b) after subsection (1) insert—

"(1A) For the purposes of this section and sections 61DB to 61DE a "relevant mayor" is—
(a) the Mayor of London,
(b) the mayor of a mayoral combined authority, or
(c) the mayor of a mayoral combined county authority.";

(c) In subsection (2), for paragraphs (a) and (b) substitute—

"(a) if the relevant mayor is the Mayor of London—

(i) the area of a local planning authority in Greater London, or

(ii) the areas of two or more local planning authorities in Greater London;

(b) if the relevant mayor is the mayor of a mayoral combined authority, the area of that authority;

(c) if the relevant mayor is the mayor of a mayoral combined county authority, the area of that authority."

(3) In section 61DB (permission granted by mayoral development order)—

(a) in subsection (3) for "Mayor of London" substitute "the mayor who made the order";

(b) omit subsections (6) and (7);

(c) in subsection (8)—

(i) in paragraph (a), for "the Mayor of London" substitute "a relevant mayor";

(ii) in the closing words, for "Mayor" substitute "relevant mayor";

(d) in subsection (9)—

(i) the words from "a site" to the end become paragraph (a);

(ii) after that paragraph insert—", and

(b) the authority has the function of determining applications for planning permission in relation that area."

(4) In section 61DC (preparation and making of mayoral development order)—

(a) omit subsection (3);

(b) omit subsection (4);

(c) for subsection (5) substitute—

"(5) A Mayoral development order may not be made unless—

(a) the order has been approved, in the form in which it is made, by each relevant local planning authority, or

(b) the Secretary of State has approved the order under section 61DCA and any modifications which that approval is subject to have been made to the order.";

(d) in subsection (6)—

(i) for "the Mayor of London" substitute "a relevant mayor";

(ii) for "Mayor", in the second place it occurs, substitute "mayor".

(5) After section 61DC insert—

"61DCA Secretary of State power to approve Mayoral development order

(1) This section applies where a relevant local planning authority has not approved a Mayoral development order for the purposes of section 61DC(5)(a) before the end of the specified period.

(2) The relevant mayor may submit the order to the Secretary of State for approval.

(3) Where an order is submitted under subsection (2), the Secretary of State may—

(a) approve the order (with or without modifications), or

(b) refuse to approve the order.

(4) The Secretary of State must give the relevant mayor notice of the decision under subsection (3).

(5) The notice must—

(a) include the reasons for the decision,

(b) specify any modifications to the order which that approval is subject to.

(6) Before determining whether or not to approve an order submitted under subsection (2), the Secretary of State must offer the relevant mayor and any relevant local planning authority the opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(7) In this section, "specified" means specified by the Secretary of State in regulations."

(6) In section 61DD (revision or revocation of mayoral development order)—

(a) in subsection (1), for "The Mayor of London" substitute "A relevant mayor";

(b) in subsection (2)—

(i) for "The Mayor of London" substitute "A relevant mayor";

(ii) for "Mayor", in the second place it occurs, substitute "relevant mayor".

(7) In section 61DE (effect of revision or revocation on incomplete development)—

(a) in subsection (4)—

(i) for "the Mayor of London" substitute "a relevant mayor";

(ii) for "Mayor", in the second place it occurs, substitute "mayor";

(b) in subsection (5), for "the Mayor of London" substitute "the relevant mayor".

(8) In section 74 (directions etc as to method of dealing with applications)—

(a) in subsection (1B)—

(i) after paragraph (a) insert—

"(aa) for enabling the mayor of a relevant authority in prescribed circumstances, and subject to such conditions as may be prescribed, to direct the local planning authority for an area which falls within the area of the authority—

(i) to consult with the mayor before granting or refusing an application for planning permission, or permission in principle, that is an application of a prescribed description, or

(ii) to refuse an application for planning permission, or permission in principle, of a prescribed description in any particular case;";

(ii) in paragraph (b), for "such direction" substitute "direction under paragraph (a) or (aa)";

(iii) in paragraph (c), after "(a)(ii)" insert "or (aa)(ii)";

(b) in subsection (1BA), in paragraph (b), for "or the Mayor of London" substitute ", the Mayor of London or the mayor of a relevant authority";

(c) in subsection (1BB), for "the spatial development strategy" substitute "a spatial development strategy";

(d) after subsection (1C) insert—

"(1D) In determining whether to exercise any power under subsection (1B) to direct a local planning authority to refuse an application, the mayor of a relevant authority shall have regard to—

(a) the development plan,

(b) any national development management policies, and

(c) the spatial development strategy relating to the area of the relevant authority as prepared and adopted under Part 1A of the Planning and Compulsory Purchase Act 2004,

so far as material to the application."

(e) after subsection (2) insert—

"(3) In this section, "relevant authority" means a mayoral combined authority or a mayoral combined county authority."

(9) In section 284 (validity of development plans and certain orders, decisions and directions), in subsection (3), before paragraph (ya) insert—

"(xa) any decision to approve (with or without modifications) or not approve a mayoral development order under section 61DCA;". 5

(10) In section 319A (determination of procedure for certain proceedings: England), in subsection (7) before paragraph (za) insert—

"(zza) an application made to the Secretary of State under section 61DCA;".

(11) In section 336 (interpretation)— 10

(a) in the appropriate place, insert each of the following definitions—

""combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;";

""combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;"; 15

""mayoral combined authority" means a combined authority for an area for which provision is made in an order under section 107A of the Local Democracy, Economic Development and Construction Act 2009 for there to be a mayor;"; 20

""mayoral combined county authority" means a combined county authority for an area for which provision is made in regulations under section 27(1) of the Levelling-up and Regeneration Act 2023 for there to be a mayor;"; 25

(b) for the definition of "spatial development strategy" substitute "—

"(a) in relation to the Mayor of London, has the meaning given by section 334 of the Greater London Authority Act 1999;

(b) in relation to a combined authority or combined county authority, has the meaning given by section 12A of the Planning and Compulsory Purchase Act 2004;". 30

SCHEDULE 13

Section 32

AMENDMENTS RELATING TO CHANGES TO MAYORAL PLANNING POWERS 35

Planning (Hazardous Substances) Act 1990

1 In section 1 of the Planning (Hazardous Substances) Act 1990—

(a) the existing words become subsection (1);

(b) in that subsection, for the words from "But" to the end, substitute "But in the case of a London Borough, or where the land is situated in the area of a mayoral combined authority or a mayoral combined county authority, see also section 2B(5) of the principal Act (relevant mayor to be the hazardous substances authority in certain circumstances);

(c) after subsection (1) insert—

"(2) In this section, "mayoral combined authority" and "mayoral combined county authority" have the same meaning as in the Town and Country Planning Act 1990 (see section 336 of that Act)."

Town and Country Planning Act 1990

2 The Town and Country Planning Act 1990 is amended as follows.

3 In section 58B (duty of regard to certain heritage assets in granting permission), as inserted by section 102(1) of the Levelling-Up and Regeneration Act 2023, in subsection (4), after "London" insert "or the mayor of a mayoral combined authority or mayoral combined county authority".

4 In section 70 (determination of applications: general considerations), in subsection (4), in the definition of "relevant authority", after paragraph (b) insert—

"(ba) the mayor of a mayoral combined authority;

(bb) the mayor of a mayoral combined county authority;".

5 In section 106 (planning obligations)—

(a) in subsection (1)(d), after "Authority" insert "or, as the case may be, the mayoral combined authority or mayoral combined county authority";

(b) in subsection (9)(d), after "London" insert "or, as the case may be, the mayor of a specified mayoral combined authority or specified mayoral combined county authority";

(c) in subsection (10), after "London" insert "or, as the case may be, the mayor of a specified mayoral combined authority or specified mayoral combined county authority";

(d) in subsection (12)(b), for "or the Mayor of London" substitute ", the Mayor of London or the mayor of a combined authority or combined county authority".

6 In section 106A (modification and discharge of planning obligations)—

(a) in subsection (11)(a), after "London" insert "or the mayor of a combined authority or combined county authority";

(b) in subsection (12), after "London" insert "or the mayor of a combined authority or combined county authority".

7 In section 106B (appeals in relation to applications under section 106A), in subsection (8)—

(a) after "London", in the first place it occurs, insert "or the mayor of a combined authority or combined county authority";

(b) after "London, in the second place it occurs, insert "or, as the case may be, the mayor of the combined authority or combined county authority". 5

8 In section 108 (compensation for refusal or conditional grant of planning permission etc), in subsection (1A), as inserted by paragraph 15(4) of Schedule 4 to the Infrastructure Act 2015— 10

(a) in paragraph (a), after "London" insert "or the mayor of the combined authority or combined county authority who made the order";

(b) in paragraph (b)—

(i) after "London", in the first place it occurs, insert "or a mayor of a combined authority or combined county authority"; 15

(ii) after "London", in the second place it occurs, insert "or, as the case may be, the mayor of the combined authority or combined county authority".

9 In section 303 (fees for planning applications etc)— 20

(a) in subsection (1ZA)(a), after "London" insert "or the mayor of a combined authority or combined county authority";

(b) in subsection (10A), as inserted by paragraph 19(3) of Schedule 4 to the Infrastructure Act 2015—

(i) after "London", in the first place it occurs, insert ", the mayor of a combined authority or combined county authority,"; 25

(ii) after "Mayor of London", in the second place it occurs, insert ",the mayor,".

10 In section 305 (contributions by Ministers towards compensation paid by local authorities), in subsection (1)(a) as amended by paragraph 20 of Schedule 4 to the Infrastructure Act 2015, after "London" insert ", the mayor of a combined authority or combined county authority". 30

11 In section 322B (local inquiries in London: special provision as to costs in certain cases)—

(a) in the heading, omit "in London"; 35

(b) in subsection (1)(a), for "London borough" substitute "relevant area";

(c) in subsection (1)(b), for "Mayor of London" substitute "relevant mayor";

(d) in subsection (5), in the substituted subsection—

(i) in paragraph (a), for "Mayor of London" substitute "relevant mayor"; 40

(ii) in paragraph (a), for "Mayor", the second time it occurs, substitute "relevant mayor";

(iii) in paragraph (b), for "Mayor" substitute "relevant mayor";

(iv) in the closing words, for each reference to "Mayor" substitute "relevant mayor";

(e) in subsection (6), in paragraph (a) of the substituted subsection—

(i) for "Mayor of London" substitute "relevant mayor";

(ii) for "Mayor", the second time it occurs, substitute "relevant mayor";

(f) After subsection (6) insert—

"(6A) In this section—

"relevant area" means a London borough or the area (or part of the area) of a mayoral combined authority or mayoral combined county authority;

"relevant mayor" means—

(a) where planning permission or permission in principle is refused by the local planning authority for a London borough, the Mayor of London,

(b) where planning permission or permission in principle is refused by the local planning authority for the area, or part of the area, of a mayoral combined authority, the mayor of that authority, or

(c) where planning permission or permission in principle is refused by the local planning authority for the area, or part of the area, of a mayoral combined county authority, the mayor of that authority."

12 In section 324 (rights of entry)—

(a) in subsection (1B), as inserted by paragraph 21 of Schedule 4 to the Infrastructure Act 2015—

(i) in the opening words, for "Mayor of London" substitute "relevant mayor";

(ii) in paragraph (a), for "Mayor of London" substitute "relevant mayor";

(iii) in paragraph (a), for "for the Mayor" substitute "the mayor";

(iv) in paragraph (b) for "Mayor of London" substitute "the relevant mayor";

(b) after subsection (1B), as inserted by paragraph 21 of Schedule 4 to the Infrastructure Act 2015, insert—

"(1BZA) For the purposes of subsection (1B), the "relevant mayor"—

(a) where the proposal is for a Mayoral development order to be made by the Mayor of London, the Mayor of London,

(b) where the proposal is for a Mayoral development order to be made by the mayor of a mayoral combined authority, that mayor, or

(c) where the proposal is for a Mayoral development order to be made by the mayor of a mayoral combined county authority, that mayor."

13 (1) Schedule 7A (biodiversity gain in England) is amended as follows.

(2) In paragraph 12D—

(a) in sub-paragraph (1), after "London" insert "or the mayor of a mayoral combined authority or mayoral combined county authority";

(b) in sub-paragraph (2)(a), after "London" insert "or the mayor of the mayoral combined authority or mayoral combined county authority";

(c) in sub-paragraph (2)(b), after "London" insert "or, as the case may be, the mayor of the mayoral combined authority or mayoral combined county authority".

(3) In paragraph 12E—

(a) in sub-paragraph (1)(a), after "London" insert "or the mayor of a mayoral combined authority or mayoral combined county authority";

(b) in sub-paragraph (2)(a), after "London" insert "or, as the case may be, the mayor of the mayoral combined authority or mayoral combined county authority".

(4) in paragraph 12F—

(a) in sub-paragraph (1)(a), after "London" insert "or the mayor of a mayoral combined authority or mayoral combined county authority";

(b) in sub-paragraph (2)(a), after "London" insert "or, as the case may be, the mayor of the mayoral combined authority or mayoral combined county authority".

Self-build and Custom Housebuilding Act 2015

14 In section 2A of the Self-build and Custom Housebuilding Act 2015 (duty to grant planning permission etc)—

(a) in subsection (6)(b)(ii), for "or the Mayor of London" substitute ", the Mayor of London or the mayor of a mayoral combined authority or mayoral combined county authority";

(b) after subsection (9) insert—

"(10) In this section—

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"mayoral combined authority" means a combined authority for an area for which provision is made in an order under section 107A of the Local Democracy, Economic Development and Construction Act 2009 for there to be a mayor;

"mayoral combined county authority" means a combined county authority for an area for which provision is made in regulations under section 27(1) of the Levelling-up and Regeneration Act 2023 for there to be a mayor."

Housing and Planning Act 2016

15 In section 162 of the Housing and Planning Act 2016 (regulations under section 161: general)—

(a) in subsection (5), after "London" insert ", a mayor of a mayoral combined authorities or a mayoral combined county authority";

(b) after subsection (5) insert—

"(6) In this section, "mayoral combined authority" and "mayoral combined county authority" have the same meaning as in the Town and Country Planning Act 1990 (see section 336 of that Act)."

Levelling-Up and Regeneration Act 2023

16 In section 91 (interpretation of chapter), in the definition of "relevant planning authority", after paragraph (e) insert—

"(ea) the mayor (if any) of a combined authority,

(eb) the mayor (if any) of a combined county authority,".

SCHEDULE 14

Section 33

COMMUNITY INFRASTRUCTURE LEVY

1 (1) The Planning Act 2008 is amended as follows.

(2) In section 206 (the charge), before its amendment by section 139 of the Levelling-up and Regeneration Act 2023—

(a) *in subsection (3), before paragraph (a) insert*—

"(aa) *the mayor (if any) for the area of a combined authority is the charging authority for that area (in addition to the local planning authorities),*

(ab) *the mayor (if any) for the area of a combined county authority is the charging authority for that area (in addition to the local planning authorities),*";

(b) after subsection (3) insert—

"(3A) A mayor may only be a charging authority under subsection (3)(aa) or (ab) if—

(a) the mayor satisfies such conditions or requirements (if any) as may be specified in CIL regulations, or

(b) the authority in relation to whose area that person is the mayor satisfies any such conditions or requirements.";

(c) in subsection (4), after "case" insert "of the area of a combined authority, the area of a combined county authority or";

(d) after subsection (6) insert—

"(7) A mayor who is the charging authority under subsection (3)(aa) or (ab) may not make arrangements for any other person to exercise the mayor's functions as a charging authority.

(8) In this section—

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023."

(3) In section 213 (charging schedule: approval)—

(a) in subsection (2), after "London" insert "or a relevant mayor";

(b) in subsection (3), after "London" insert "or a relevant mayor";

(c) after subsection (3) insert—

"(3ZA) If the charging authority is a relevant mayor, the mayor may approve the charging schedule only if the relevant authority has by a resolution approved the charging schedule.

(3ZB) The following requirements must be met in relation to the resolution mentioned in subsection (3ZA)—

(a) the resolution must be considered at a meeting of the relevant authority that is convened only for that purpose,

(b) particulars of the resolution must be included in the notice of the meeting,

(c) the resolution must be passed at the meeting by a simple majority of the members of the relevant authority who vote on it,

(d) in the event of a tied vote on whether to approve the charging schedule, the relevant mayor has a casting

vote (in addition to any other vote the mayor may have).";

(d) in subsection (5), after the definition of "examiner" insert—

""relevant authority", in relation to a relevant mayor, means the combined authority or combined county authority in relation to whose area that person is the mayor;

"relevant mayor" means—

(a) the mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009, or

(b) the mayor for the area of a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023."

(4) In section 214 (charging schedule: effect)—

(a) in subsection (5), after "London" insert "or a relevant mayor";

(b) in subsection (6), after "London" insert "or a relevant mayor";

(c) after subsection (6) insert—

"(6A) If the charging authority is a relevant mayor, the mayor may make a determination under subsection (3) only if the relevant authority has by a resolution approved the proposed determination.

(6B) The following requirements must be met in relation to the resolution mentioned in subsection (6A)—

(a) the resolution must be considered at a meeting of the relevant authority that is convened only for that purpose,

(b) particulars of the resolution must be included in the notice of the meeting,

(c) the resolution must be passed at the meeting by a simple majority of the members of the relevant authority who vote on it,

(d) in the event of a tied vote on whether to approve the proposed determination, the relevant mayor has a casting vote (in addition to any other vote the mayor may have).

(6C) In this section, "relevant authority" and "relevant mayor" have the meaning given by section 213(5)."

SCHEDULE 15

Section 34

ACQUISITION AND DEVELOPMENT OF LAND

PART 1

FUNCTIONS OF THE HOMES AND COMMUNITIES AGENCY (KNOWN AS HOMES ENGLAND)

Introduction

1 The Housing and Regeneration Act 2008 is amended in accordance with this Part of this Schedule.

Exercise of functions by strategic authorities outside London

2 In Chapter 2 of Part 1, before the italic cross-heading before section 5, insert—

"Exercise of functions by strategic authorities

4A Purpose of exercise of functions

(1) A strategic authority outside London or mayor for the area of a strategic authority outside London, or the Mayor London, may only exercise the functions conferred by this Chapter for the purposes of, or for purposes incidental to the objectives of—

(a) improving the supply and quality of housing in the area of the strategic authority;

(b) securing the regeneration or development of land or infrastructure in that area;

(c) supporting in other ways the creation, regeneration or development of communities in that area or their continued well-being;

(d) contributing to the achievement of sustainable development and good design in that area,

with a view to meeting the needs of people living in that area.

(2) In this section—

(a) "good design" and "needs" have the same meanings as in section 2 (see section 2(2));

(b) the reference to improving the supply of housing includes a reference to improving the supply of particular kinds of housing."

Various powers

3 In the following provisions, after "HCA" insert "or a strategic authority outside London"—

(a) section 5(1) and (2) (powers to provide housing or other land);

(b) section 6(1), (2) and (3) (powers for regeneration, development or effective use of land);

(c) section 7(1) and (2) (powers in relation to infrastructure);

(d) section 8 (powers to deal with land etc).

Acquisition of land

4 In section 9—

(a) in subsections (1) and (2), after "HCA" insert "or a strategic authority";

(b) after subsection (5) insert—

"(5A) Section 9A makes provision about the exercise of the function conferred by subsection (2) on the Greater London Authority and combined authorities and CCAs.";

(c) in subsection (6), after "HCA" insert "or a strategic authority".

5 After section 9 insert—

"9A Compulsory acquisition of land by strategic authorities outside London

(1) This section applies to the compulsory acquisition function of strategic authorities.

(2) In the case of the Greater London Authority, the compulsory acquisition function is a function of the Authority exercisable only by the Mayor of the London acting on behalf of the Authority.

(3) In the case of a mayoral combined authority or mayoral CCA, the compulsory acquisition function is a function of the combined authority or CAA that is exercisable only by the mayor on behalf of the combined authority or CCA.

(4) In the case of a mayoral combined authority, before exercising the compulsory acquisition function the mayor must consult of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any National Park authority.

(5) In the case of a mayoral CCA, before exercising the compulsory acquisition function the mayor must consult of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any district council with the area of the CCA that is not a constituent authority;

(c) any National Park authority.

(6) In the case of a non-mayoral combined authority, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any National Park authority.

(7) In the case of a non-mayoral CCA, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any district council within the area of the CCA that is not a constituent authority;

(c) any National Park authority.

(8) In the case of a county council, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) any district council within the area of the county council;

(b) any National Park authority.

(9) In the case of a district council, the exercise of the compulsory acquisition function requires the consent of any National Park authority whose area contains any part of the land subject to the proposed compulsory acquisition.

(10) In this section "compulsory acquisition function" means the function conferred by section 9(2)."

Restrictions on disposal of land

6 In section 10, in subsections (1), (3) and (4), after "HCA" insert "or a strategic authority outside London".

Financial assistance

7 (1) Section 19 is amended in accordance with this paragraph.

(2) In subsections (1), (1A) and (4), after "HCA" insert "or a strategic authority outside London".

(3) After subsection (5) insert—

"(5A) A strategic authority outside London may only exercise the functions conferred by this section for the purposes of, or for purposes incidental to the objectives of—

(a) improving the supply and quality of housing in the area of the strategic authority;

(b) securing the regeneration or development of land or infrastructure in that area;

(c) supporting in other ways the creation, regeneration or development of communities in that area or their continued well-being;

(d) contributing to the achievement of sustainable development and good design in that area,

with a view to meeting the needs of people living in that area.

(5B) In subsection (5A)—

(a) "good design" and "needs" have the same meanings as in section 2 (see section 2(2));

(b) the reference to improving the supply of housing includes a reference to improving the supply of particular kinds of housing."

Interpretation

8 In section 57, in subsection (1)—

(a) at the appropriate place insert—

""CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a CCA—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means the council for a district for which there is no county council;";

(b) at the appropriate place insert—

""mayoral CCA" has the same meaning as in the Levelling-up and Regeneration Act 2023 (see section 57 of that Act);

"mayoral combined authority" has the same meaning as in the Local Democracy, Economic Development and Construction Act 2009 (see section 120 of that Act);";

(c) at the appropriate place insert—

""non-mayoral CCA" has the same meaning as in the Levelling-up and Regeneration Act 2023 (see section 57 of that Act);

"non-mayoral combined authority" has the same meaning as in the Local Democracy, Economic Development and Construction Act 2009 (see section 120 of that Act);";

(d) at the appropriate place insert—

""strategic authority" means—

(a) a district council or county council that is designated as a single foundation strategic authority under section 3 of the English Devolution and Community Empowerment Act 2025,

(b) a combined authority,

(c) a CCA, or

(d) the Greater London Authority;

"strategic authority outside London" means a strategic authority other than the Greater London Authority."

Acquisition of land

9 (1) Schedule 2 is amended in accordance with this paragraph.

(2) In paragraphs 1(2) and 2(2) (application of Acquisition of Land Act 1981), after "HCA" insert "and a strategic authority outside London (whether the power of compulsory acquisition is being exercised by the strategic authority or a mayor for its area)".

(3) In paragraph 3 (extinguishment of private rights of way etc)—

(a) in sub-paragraph (1), after "HCA" insert ", a strategic authority outside London, or the mayor for the area of a strategic authority outside London";

(b) in sub-paragraph (2)(c), after "HCA" insert "or in the strategic authority outside London (whether the power of compulsory acquisition is being exercised by the strategic authority or a mayor for its area)".

(4) In paragraphs 4 and 5(a), after "HCA" insert ", strategic authority outside London, or mayor".

(5) In paragraph 7, in sub-paragraph (1), after "HCA" insert "(where it completes the compulsory acquisition) or the strategic authority outside London (where it, or the mayor for its area, completes the compulsory acquisition).

(6) In paragraph 17 (acquisition by agreement), in sub-paragraph (1), after "HCA" insert "or a strategic authority".

Main powers in relation to land acquired

10 (1) Schedule 3 is amended in accordance with this paragraph.

(2) In the heading, omit "by the HCA". 5

(3) In paragraph 3 (powers of Secretary of State to extinguish public rights of way by order), after "HCA" insert "or a strategic authority outside London".

(4) In paragraph 7 (duty to give opportunity to appear), in sub-paragraph (3)(a), after "HCA" insert "or strategic authority outside London".

(5) In paragraphs 12(2), 13(1), 14(1) and 15(a) (orders relating to electronic communications apparatus: removal or abandonment of apparatus), after "HCA" insert "or strategic authority outside London". 10

(6) In paragraph 19 (burial grounds)—

(a) in sub-paragraph (1), after "HCA" insert "or a strategic authority outside London"; 15

(b) in sub-paragraph (2), after "HCA" insert " or strategic authority outside London".

(7) In paragraph 20 (consecrated land other than burial grounds)—

(a) in sub-paragraph (1), after "HCA" insert "or a strategic authority outside London"; 20

(b) in sub-paragraph (2), after "HCA" insert "or strategic authority outside London".

Powers in relation to, and for, statutory undertakers

11 (1) Schedule 4 is amended in accordance with this paragraph.

(2) In paragraph 1 (notice for extinguishment of rights of undertakers or for removal of their apparatus)— 25

(a) in sub-paragraph (1)(a) and (b), after "HCA" insert "or a strategic authority outside London";

(b) in sub-paragraph (2), after "HCA" insert "or strategic authority outside London". 30

(3) In paragraph 2 (counter-notices)—

(a) in sub-paragraph (1), after "HCA" insert "or a strategic authority outside London";

(b) in sub-paragraph (2), after "HCA" insert "or strategic authority outside London". 35

(4) In paragraph 3 (effect of unopposed notice), in sub-paragraph (3), after "HCA" insert "or strategic authority outside London".

(5) In paragraph 4 (opposed notices and Ministerial orders), in sub-paragraph (2), after "HCA" insert "or strategic authority outside London".

(6) In paragraph 5 (opposed notices and Ministerial orders), in sub-paragraph (2)(b)(ii), after "HCA" insert "or strategic authority outside London".

(7) In paragraph 6 (opposed notices and Ministerial orders), in sub-paragraph (3), after "HCA" insert "or strategic authority outside London".

(8) In paragraph 7 (compensation), in sub-paragraph (1)—
- (a) in the words before paragraph (a), after "HCA" insert "or strategic authority outside London";
- (b) in the words after paragraph (b), after "by virtue of" insert "a notice served by that agency or authority under".

(9) In paragraph 9 (notices by undertakers to carry out works)—
- (a) in sub-paragraph (1)(a), after "HCA" insert "or a strategic authority outside London";
- (b) in sub-paragraph (2), after "HCA" insert "or strategic authority outside London".

(10) In paragraph 10 (counter-notices)—
- (a) in sub-paragraph (1), after "HCA" insert "or a strategic authority outside London";
- (b) in sub-paragraphs (2) and (3), after "HCA" insert "or strategic authority outside London";
- (c) in sub-paragraph (4), for "HCA's objection" substitute "objection by the HCA or strategic authority outside London".

(11) In paragraph 13 (power to arrange for works to be done by the HCA)—
- (a) in the heading, omit "by the HCA";
- (b) in sub-paragraph (2), for "arrange with the HCA for the works to be carried out by the HCA" substitute "arrange with the HCA or strategic authority outside London for the works to be carried out that agency or authority".

(12) In paragraph 14 (compensation), in sub-paragraph (1)—
- (a) after "HCA" insert "or strategic authority outside London";
- (b) after "by virtue of" insert "a notice served on that agency or authority under".

(13) In paragraph 16 (ministerial order following representations by statutory undertakers)—
- (a) in sub-paragraph (4)(a), after "HCA" insert "or a strategic authority outside London";
- (b) in sub-paragraph (5), after "HCA" insert "or a strategic authority outside London".

(14) In paragraph 17 (ministerial order following representations by the HCA)—

(a) in the heading, after "HCA" insert "or a strategic authority outside London";

(b) in sub-paragraph (2), after "HCA" insert "or a strategic authority outside London".

(15) In paragraph 18 (examples of contents of orders), in sub-paragraph (2)(a), after "HCA" insert "or a strategic authority outside London".

(16) In paragraph 20 (notification of proposal to make order)—

(a) in sub-paragraph (1), after "HCA" insert "or a strategic authority outside London";

(b) in sub-paragraph (3), after "HCA" insert "or strategic authority outside London".

(17) In paragraph 23 (duty to give opportunity to appear), in sub-paragraph (2)(a), after "HCA" insert "or strategic authority outside London".

(18) In paragraph 28 (orders to relieve obligations), in sub-paragraph (4)(a), after "HCA" insert "or a strategic authority outside London".

PART 2

FUNCTIONS OF LOCAL AUTHORITIES

Introduction

12 The Town and Country Planning Act 1990 is amended in accordance with this Part of this Schedule.

Compulsory acquisition of land for development and other planning purposes

13 (1) Section 226 is amended in accordance with this paragraph.

(2) In subsections (1) and (1A), after "local authority" insert "or strategic authority".

(3) After subsection (1B) insert—

"(1C) Section 226A makes provision about the exercise of the function conferred by subsection (1) on combined authorities and CCAs.".

(4) In subsections (3) and (4) (in both places), after "local authority" insert "or strategic authority".

(5) In subsection (5)—

(a) after the first "local authority" insert "or strategic authority";

(b) after "Act" insert "or strategic authority to whom this section applies".

(6) In subsection (6), after paragraph (c) insert—

"but paragraph (a) or (b) does not apply if the land is in the area of a strategic authority to whom this section applies (instead see subsection (6A))."

(7) After subsection (6) insert—

"(6A) Before giving an authorisation under subsection (5) if the land is in the area of a strategic authority to whom this section applies, the Secretary of State must consult the strategic authority."

(8) After subsection (8) insert— 5

"(8A) In this section "strategic authority to whom this section applies" means a combined authority or CCA."

14 After section 226 insert—

"226A Compulsory acquisition of land by combined authorities and CCAs

(1) In the case of a mayoral combined authority or mayoral CCA, the compulsory acquisition function is a function of the combined authority or CCA that is exercisable only by the mayor on behalf of the combined authority or CCA. 10

(2) In the case of a mayoral combined authority, before exercising the compulsory acquisition function the combined authority must consult of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition— 15

(a) the constituent authorities;

(b) any National Park authority.

(3) In the case of a mayoral CCA, before exercising the compulsory acquisition function the CCA must consult of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition— 20

(a) the constituent authorities;

(b) any district council with the area of the CCA that is not a constituent authority; 25

(c) any National Park authority.

(4) In the case of a non-mayoral combined authority, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition— 30

(a) the constituent authorities;

(b) any National Park authority.

(5) In the case of a non-mayoral CCA, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition— 35

(a) the constituent authorities;

(b) any district council within the area of the CCA that is not a constituent authority; 40

(c) any National Park authority.

(6) In this section "compulsory acquisition function" means the function conferred by section 226(1)."

Acquisition of land by agreement

15 In section 227—

(a) after "London borough" insert "or any combined authority or CCA";

(b) after "local authority" insert " or combined authority or CCA".

Appropriation of land forming part of common, etc

16 (1) Section 229 is amended in accordance with this paragraph.

(2) In subsection (1), after "local authority" insert "or combined authority or CCA".

(3) In subsection (5), in the words before paragraph (a), after "local authority" insert "or combined authority or CCA".

Acquisition of land for purposes of exchange

17 In section 230, after subsection (1) insert—

"(1A) Without prejudice to the generality of the powers conferred by sections 226 and 227, any power of a combined authority or CCA to acquire land under those sections, whether compulsorily or by agreement, shall include power to acquire land required for giving in exchange for land appropriated under section 229."

Appropriation of land held for planning purposes

18 In section 232, in subsections (1), (2) and (4), after "local authority" insert "or a combined authority or CCA".

Disposal by local authorities of land held for planning purposes

19 (1) Section 233 is amended in accordance with this paragraph.

(2) In the heading, after "local" insert "or strategic".

(3) In subsections (1) and (2), after "local authority" insert "or a combined authority or CCA".

(4) In subsection (3A)—

(a) in paragraph (b), omit "and";

(b) after paragraph (b) insert—

"(ba) in relation to combined authorities or CCAs generally, or combined authorities or CCAs of a particular class,

or to any particular combined authority or authorities or CCA or CCAs, and".

(5) In subsections (4) and (5), after "local authority" insert "or a combined authority or CCA".

(6) In subsection (9), after "England" insert "or by a combined authority or CCA".

Development of land held for planning purposes

20 (1) Section 235 is amended in accordance with this paragraph.

(2) In subsection (1)—

(a) in the words before paragraph (a), after "local authority" insert "or a combined authority or CCA";

(b) in paragraph (a), for "that local authority" substitute "that authority".

(3) In subsections (2)(a) and (3), after "local authority" insert "or a combined authority or CCA".

(4) In subsection (4)—

(a) after "A local authority" insert "or a combined authority or CCA";

(b) for "the local authority" substitute "the authority".

(5) In subsection (5)(a), after "local authority" insert "or a combined authority or CCA".

Use and development of consecrated land and burial grounds

21 In section 240 (provisions supplemental to sections 238 and 239 (which provide for the use and development of consecrated land and burial grounds)), after subsection (3) insert—

"(4) In section 239 "relevant acquisition or appropriation" also includes an acquisition made by a combined authority or CCA under this Part or Chapter V of Part I of the Planning (Listed Buildings and Conservation Areas) Act 1990 or compulsorily under any other enactment, or an appropriation by a combined authority or CCA for planning purposes."

Use and development of open spaces

22 In section 241, in subsection (1)—

(a) after the first "local authority" insert ", a combined authority or CCA";

(b) after the second "local authority" insert "or a combined authority or CCA".

Interpretation of Part 9

23 In section 246, in subsection (2), after "local authority" insert ", a combined authority or CCA".

Interpretation

24 In section 336, in subsection (1)—

(a) at the appropriate place insert—

""CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;";

(b) at the appropriate place insert—

""combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;";

(c) at the appropriate place insert—

""constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a CCA—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means the council for a district for which there is no county council;";

(d) at the appropriate place insert—

""mayoral CCA" has the same meaning as in the Levelling-up and Regeneration Act 2023 (see section 57 of that Act);

"mayoral combined authority" has the same meaning as in the Local Democracy, Economic Development and Construction Act 2009 (see section 120 of that Act);";

(e) at the appropriate place insert—

""non-mayoral CCA" has the same meaning as in the Levelling-up and Regeneration Act 2023 (see section 57 of that Act);

"non-mayoral combined authority" has the same meaning as in the Local Democracy, Economic Development and Construction Act 2009 (see section 120 of that Act);".

SCHEDULE 16

Section 35

HOUSING ACCOMMODATION

Introduction

1 The Housing Act 1985 is amended in accordance with this Schedule.

Periodical review of housing needs

2 (1) Section 8 is amended in accordance with this paragraph.

(2) After subsection (1) insert—

"(1A) Every—

(a) combined authority,

(b) CCA, and

(c) two-tier county council that is a strategic authority,

must consider housing conditions in its area and the needs of its area with respect to the provision of further housing accommodation."

(3) In subsection (2) for "that purpose the authority" substitute "the purpose of subsection (1) or (1A), a local housing authority or combined authority, CCA or county council".

(4) In subsection (3)—

(a) after "England," insert "or a combined authority, CCA or county council,";

(b) after "district" insert ", or area,".

Provision of board and laundry facilities

3 (1) Section 11 is amended in accordance with this paragraph.

(2) After subsection (1) insert—

"(1A) A combined authority or CCA, or two-tier county council that is a strategic authority, may provide in connection with the provision of housing accommodation by a local housing authority under this Part—

(a) facilities for obtaining meals and refreshments, and

(b) facilities for doing laundry and laundry services,

such as accord with the needs of the persons for whom the housing accommodation is provided."

(3) In subsection (2), for "The authority" substitute "A local housing authority, combined authority, CCA or county council".

(4) In subsection (3), after "(1)(a)" insert "or (1A)(a)".

(5) In subsection (4), after "local housing authority" insert ", combined authority, CCA or county council". 5

Provision of shops, recreation grounds, etc

4 (1) Section 12 is amended in accordance with this paragraph.

(2) After subsection (1) insert—

"(1A) A combined authority or CCA, or two-tier county council that is a strategic authority, may, with the consent of the Secretary of State, provide and maintain in connection with housing accommodation provided by a local housing authority under this Part— 10

(a) buildings adapted for use as shops,

(b) recreation grounds, and

(c) other buildings or land which, in the opinion of the Secretary of State, will serve a beneficial purpose in connection with the requirements of the persons for whom the housing accommodation is provided." 15

(3) After subsection (3) insert—

"(3A) The power conferred by subsection (1A) may be exercised either by the combined authority or CCA or county council itself or jointly with another person." 20

Acquisition of land for housing purposes

5 (1) Section 17 is amended in accordance with this paragraph.

(2) In subsection (1), after "local housing authority" insert ", a combined authority or CCA, or a two-tier county council that is a strategic authority". 25

(3) In subsection (3), after "local housing authority" insert ", combined authority or CCA, or two-tier county council that is a strategic authority".

(4) In subsection (4)—

(a) after "local housing authority" insert ", combined authority or CCA, or two-tier county council that is a strategic authority"; 30

(b) for "an authority" substitute "a local housing authority, combined authority or CCA, or two-tier county council that is a strategic authority".

(5) After subsection (4) insert— 35

"(5) Section 17A makes provision about the exercise of the function of acquiring land compulsorily under an authorisation under section

17(3) conferred on a combined authority or CCA or two-tier county council that is a strategic authority."

(6) After section 17 insert—

"17A Compulsory acquisition of land by strategic authorities

(1) This section applies to the exercise of the compulsory acquisition function of combined authorities, CCAs and two-tier county councils that are strategic authorities.

(2) In the case of a mayoral combined authority or mayoral CCA, the compulsory acquisition function is a function of the combined authority or CCA that is exercisable only by the mayor on behalf of the combined authority or CCA.

(3) In the case of a mayoral combined authority, before exercising the compulsory acquisition function the mayor must consult of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any National Park authority.

(4) In the case of a mayoral CCA, before exercising the compulsory acquisition function the mayor must consult of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any district council with the area of the CCA that is not a constituent authority;

(c) any National Park authority.

(5) In the case of a non-mayoral combined authority, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any National Park authority.

(6) In the case of a non-mayoral CCA, the exercise of the compulsory acquisition function requires the consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) the constituent authorities;

(b) any district council within the area of the CCA that is not a constituent authority;

(c) any National Park authority.

(7) In the case of a two-tier county council that is a strategic authority, the exercise of the compulsory acquisition function requires the

consent of any of the following bodies whose area contains any part of the land subject to the proposed compulsory acquisition—

(a) any district council within the area of the county council;

(b) any National Park authority.

(8) In this section "compulsory acquisition function" means the function of acquiring land compulsorily under an authorisation under section 17(3)." 5

Duties with respect to buildings acquired for housing purposes

6 (1) Section 18 is amended in accordance with this paragraph.

(2) In subsection (1), after "local housing authority" insert ", a combined authority or CCA, or a two-tier county council that is a strategic authority". 10

(3) In subsection (1), after "local housing authority" insert ", a combined authority or CCA, or a two-tier county council that is a strategic authority".

Interpretation

7 In section 56 (minor definitions), in subsection (1)— 15

(a) at the appropriate place insert—

""CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009; 20

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or 25

(ii) a district council whose area is within the area of the authority;

(b) in relation to a CCA— 30

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means the council for a district for which there is no county council;"; 35

(b) at the appropriate place insert—

""mayoral CCA" has the same meaning as in the Levelling-up and Regeneration Act 2023 (see section 57 of that Act);

"mayoral combined authority" has the same meaning as in the Local Democracy, Economic Development and Construction Act 2009 (see section 120 of that Act);";

(c) at the appropriate place insert—

""non-mayoral CCA" has the same meaning as in the Levelling-up and Regeneration Act 2023 (see section 57 of that Act);

"non-mayoral combined authority" has the same meaning as in the Local Democracy, Economic Development and Construction Act 2009 (see section 120 of that Act);";

(d) at the appropriate place insert—

""two-tier county council that is a strategic authority" means a county council whose area includes the areas of district councils that is designated as a single foundation strategic authority under section 3 of the English Devolution and Community Empowerment Act 2025.".

8 In section 57 (index of defined expressions)—

(a) at the appropriate place insert—

"CCA	section 56
combined authority	section 56";

(b) at the appropriate place insert—

"constituent council	section 56";

(c) at the appropriate place insert—

"mayoral CCA	section 56
mayoral combined authority	section 56";

(d) at the appropriate place insert—

"non-mayoral CCA	section 56
non-mayoral combined authority	section 56";

(e) at the appropriate place insert—

""two-tier county council that is a strategic authority"	section 56".

SCHEDULE 17

Section 36

MAYORAL DEVELOPMENT CORPORATIONS

PART 1

AMENDMENT OF THE LOCALISM ACT 2011

Introduction

1 The Localism Act 2011 is amended in accordance with this Part of this Schedule.

Part 8

2 In the heading of Part 8, after "London" insert "and areas of other mayoral strategic authorities"

Interpretation

3 In section 196—

(a) before the definition of "the Mayor" insert—

""CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a CCA—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here "unitary district council" means the council for a district for which there is no county council;";

(b) for the definition of "the Mayor" substitute—

""the Mayor" means—

(a) the Mayor of London,

(b) the mayor for the area of a combined authority, or

(c) the mayor for the area of a CCA;";

(c) after the definition of "MDC" insert—

""strategic authority area" means—

(a) in relation to the Mayor of London or a mayoral development area designated by that Mayor, Greater London;

(b) in relation to the mayor for the area of a combined authority or a mayoral development area designated by the mayor for such an area, the area of the combined authority, or

(c) in relation to the mayor for the area of a CCA or a mayoral development area designated by the mayor for such an area, the area of the CCA;".

Designation of Mayoral development areas

4 (1) Section 197 is amended in accordance with this paragraph.

(2) In subsection (1), for "Greater London" substitute "a strategic authority area".

(3) In subsection (3), in the words before paragraph (a), for "the Mayor" substitute "the Mayor of London".

(4) After subsection (5) insert—

"(5A) The mayor for the area of a combined authority or CCA may designate a Mayoral development area only if—

(a) the Mayor considers that designation of the area is expedient for furthering economic development and regeneration in the strategic authority area,

(b) the Mayor has consulted the persons specified by subsection (5B) and, if applicable, subsection (5C),

(c) the Mayor has had regard to any comments made in response by the consultees,

(d) in the event that those comments include comments made by a constituent council or a district council consulted under subsection (5C) that are comments that the Mayor does not accept, the Mayor has published a statement giving the reasons for the non-acceptance,

(e) the Mayor has laid before the combined authority or CCA, in accordance with its standing orders, a document stating that the Mayor is proposing to designate the area, and

(f) the combined authority or CCA approves the proposal.

(5B) The persons who have to be consulted before an area may be designated are—

(a) the constituent councils,

(b) each Member of Parliament whose parliamentary constituency contains any part of the area, and

(c) any other person whom the Mayor considers it appropriate to consult.

(5C) In the case of a combined county authority, any district council whose local authority area contains any part of the area also has to be consulted before the area may be designated.

(5D) For the purposes of subsection (5A)(f) the combined authority or CCA approves a proposal if it resolves to do so on a motion considered at a meeting of the combined authority or CCA throughout which members of the public are entitled to be present."

Exclusion of land from Mayoral development areas

5 (1) Section 199 is amended in accordance with this paragraph.

(2) In subsection (2), for "the Mayor" substitute "the Mayor of London".

(3) After subsection (2) insert—

"(2A) Before making an alteration, the mayor for the area of a combined authority or CCA must consult—

(a) the constituent councils, and

(b) any other person whom the Mayor considers it appropriate to consult."

Transfers of property etc to a Mayoral development corporation

6 (1) Section 200 is amended in accordance with this paragraph.

(2) In subsection (1), for "a person within subsection (3)" substitute "an eligible transferor".

(3) After subsection (1) insert—

"(1A) In the case of an MDC for an area in Greater London, "eligible transferor" means—

(a) a London borough council,

(b) the Common Council of the City of London in its capacity as a local authority,

(c) any company whose members—

(i) include the Mayor of London and a Minister of the Crown, and

(ii) do not include anyone who is neither the Mayor or London nor a Minister of the Crown, or

(d) a person within subsection (3).

(1B) In the case of an MDC for an area in the area of a combined authority, "eligible transferor" means a person within subsection (3).

(1C) In the case of an MDC for an area in the area of a CCA, "eligible transferor" means—

(a) any district council whose local authority area is within the area of the CCA, or

(b) a person within subsection (3).".

(4) In subsection (3)—

(a) omit paragraphs (a) and (b);

(b) in paragraphs (d) and (e), for "Greater London" substitute "the strategic authority area";

(c) omit paragraph (k).

(5) In subsection (4), for "liabilities of—" substitute "liabilities of an eligible transferee.

(4A) In the case of an MDC for an area in Greater London, "eligible transferee" means—".

(6) Before subsection (5) insert—

"(4A) In the case of an MDC for an area in the area of a combined authority or CCA, "eligible transferee" means—

(a) the combined authority or CCA, or

(b) a company that is a subsidiary of the combined authority or CCA."

(7) In subsection (9), after "(4)(c)" insert "or (4A)(b)".

Functions in relation to Town and Country Planning

7 (1) Section 202 is amended in accordance with this paragraph.

(2) In subsection (7), for "the Mayor" substitute "the Mayor of London".

(3) After subsection (7) insert—

"(7A) The mayor for the area of a combined authority or CCA may make a decision under any of subsections (2) to (6) only if—

(a) the Mayor has consulted the persons specified by section 197(5B) and, if applicable, section 197(5C), in relation to the area,

(b) the Mayor has had regard to any comments made in response by the consultees, and

(c) in the event that those comments include comments made by the constituent council or a district council specified by section 197(5C) that are comments that the Mayor does not

accept, the Mayor has published a statement giving the reasons for the non-acceptance."

Arrangements for discharge of, or assistance with, planning functions

8 In section 203, in subsections (1) and (4), after "City of London" insert ", or a county council or district council". 5

Acquisition of land

9 (1) Section 207 is amended in accordance with this paragraph.

(2) In subsection (2), for "Greater London" substitute "the strategic authority area".

(3) For subsection (3) substitute— 10

"(3) Before submitting a compulsory purchase order authorising an acquisition under subsection (2) to the Secretary of State for confirmation—

(a) an MDC for an area in Greater London must obtain the consent of the Mayor of London; 15

(b) an MDC for an area in the area of a combined authority or CCA must obtain the consent of the mayor for that area."

Powers in relation to discretionary relief from non-domestic rates

10 (1) Section 214 is amended in accordance with this paragraph.

(2) In subsection (4), for "the Mayor" substitute "the Mayor of London". 20

(3) After subsection (4) insert—

"(4A) The mayor for the area of a combined authority or CCA may make a decision under any of subsection (2) or (3) only if—

(a) the Mayor has consulted the persons specified by section 197(5B) and, if applicable, section 197(5C), in relation to the area, 25

(b) the Mayor has had regard to any comments made in response by the consultees, and

(c) in the event that those comments include comments made by the constituent council or a district council specified by section 197(5C) that are comments that the Mayor does not accept, the Mayor has published a statement giving the reasons for the non-acceptance." 30

Transfers of property, rights and liabilities

11 (1) Section 216 is amended in accordance with this paragraph. 35

(2) For subsection (2) substitute—

"(2) A transfer scheme may provide for a transfer to a person only if the person consents; but this does not apply to a transfer to any of the following—

(a) the Greater London Authority;
(b) a functional body other than the MDC concerned;
(c) a company that is a subsidiary of the Greater London Authority;
(d) a combined authority;
(e) a company that is a subsidiary of a combined authority;
(f) a CCA;
(g) a company that is a subsidiary of a CCA."

(3) In subsection (4), in the definition of "permitted recipient"—

(a) after ""permitted recipient"" insert ", in relation to an MDC for an area in Greater London,";
(b) after paragraph (f) insert—

"in relation to an MDC for an area in the area of a combined authority, means—

(a) the combined authority,
(b) a company that is a subsidiary of the combined authority, or
(c) any other person;

in relation to an MDC for an area in the area of a CCA, means—

(a) the CCA,
(b) a company that is a subsidiary of the CCA,
(c) any district council whose local authority area is within the area of the CCA or
(d) any other person;"

Miscellaneous provisions

12 After section 217 insert—

"MDCs outside London

217A Political activities of officers and staff etc

(1) Section 1 of the LGHA 1989 (disqualification and political restriction of certain officers and staff), and sections 2 and 3A of that Act so far as they have effect for the purposes of section 1, apply in relation to an MDC outside London as if it were a local authority.

(2) Section 5 of the LGHA 1989 (designation and reports of monitoring officer) applies in relation to a combined authority or CCA as if an

MDA for an area in the area of the combined authority or CCA were a committee of the combined authority or CCA.

(3) In this section—

"LGHA 1989" means the Local Government and Housing Act 1989;

"MDA outside London" means an MDC for an area in the area of a combined authority or CCA."

Schedule 21

13 Schedule 21 is amended in accordance with paragraphs 14 to 18.

14 (1) Paragraph 1 (membership) is amended in accordance with this paragraph.

(2) In sub-paragraph (1)—

(a) for "A Mayoral development corporation ("MDC")" substitute "An MDC for an area in Greater London";

(b) omit "("the Mayor")".

(3) In sub-paragraph (2), for "The Mayor" substitute "The Mayor of London".

(4) After sub-paragraph (3) insert—

"(3A) An MDC for an area in the area of a combined authority or CCA is to consist of such number of members (being not less than six) as the mayor for the area of the combined authority or CCA may from time to time appoint.

(3B) The mayor for the area of a combined authority or CCA must, subject to sub-paragraph (5), exercise the mayor's power under sub-paragraph (3A) so as to secure that the members of an MDC include at least one elected member of each relevant council.

(3C) For the purposes of this Schedule a council is "relevant" in relation to an MDC if—

(a) any part of the MDC's area is within the council's area, and

(b) the council is—

(i) the council for a county in which there are no district councils, or

(ii) a district council."

15 In paragraph 2 (terms of appointment of members), in sub-paragraph (5)(d), after "relevant London council" insert "or relevant council".

16 In paragraph 4 (remuneration etc: members and staff), in sub-paragraph (4), after "London Assembly" insert ", or the combined authority or CCA,".

17 In paragraph 9 (proceedings), in paragraph (c), after "each relevant London council" insert "or each relevant council".

18 In paragraph 10 (annual report), in sub-paragraph (1)(c), after "and" insert ", in the case of an MDC for an area in London,".

PART 2

AMENDMENT OF OTHER LEGISLATION

Channel Tunnel Rail Link Act 1996

19 In Schedule 2 to the Channel Tunnel Rail Link Act 1996 (works: further and supplementary provisions), in paragraph 9(8)(a), after "Mayoral development corporation" insert "for an area in Greater London".

Greater London Authority Act 1999

20 (1) The Greater London Authority Act 1999 is amended in accordance with this paragraph.

(2) In section 31 (limits of the general power), in subsection (1A), after "Mayoral development corporation" insert "for an area in Greater London".

(3) In section 38 (delegation), in subsection (2)(da), after "Mayoral development corporation" insert "for an area in Greater London".

(4) In section 60A (confirmation hearings etc for certain appointments by the Mayor), in subsection (3), after "Mayoral development corporation" insert "for an area in Greater London".

(5) In section 68 (disqualification and political restriction), in subsection (6)(aa), after "Mayoral development corporation" insert "for an area in Greater London".

(6) In section 403B (acquisition of land by MDC and TfL for shared purposes), after subsection (9) insert—

"(10) In this section "Mayoral development corporation" means a Mayoral development corporation for an area in Greater London."

(7) In section 424 (interpretation), in subsection (1), in the definition of "functional body", in paragraph (aa), after "Mayoral development corporation" insert "for an area in Greater London".

Local Government Act 2003

21 In the Local Government Act 2003, after section 32A (inserted by section 39 of this Act) insert—

"32B Application to Mayoral development corporations outside London

(1) For the purposes of section 31, expenditure of a Mayoral development corporation for an area in the area of a combined authority or CCA shall be treated as expenditure of the combined authority or CCA.

(2) The conditions on which grant under section 31 may be paid include, in the case of a grant to a combined authority or CCA, a condition requiring the combined authority or CCA to transfer the grant to the Mayoral development corporation.

(3) A decision to pay a grant under section 31 subject to such a condition as is mentioned in subsection (2) above shall be notified to the Mayoral development corporation as well as to the combined authority or CCA.

(4) Where a grant paid under section 31 to a combined authority or CCA is paid subject to such a condition as is mentioned in subsection (2) above, the combined authority or CCA must transfer the grant to the Mayoral development corporation forthwith.

(5) Where a grant paid under section 31 to a combined authority or CCA is not paid subject to such a condition as is mentioned in subsection (2) above, the Mayor may transfer the grant to a Mayoral development corporation.

(6) Where grant under section 31 is transferred under this section to a Mayoral development corporation, any conditions to which the grant is subject shall apply to the transferee instead of the transferor.

(7) In this section—

"CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009."

Planning and Compulsory Purchase Act 2004

22 In section 24 of the Planning and Compulsory Purchase Act 2004 (conformity with regional strategy), in subsection (1)(b) and subsection (4), after "Mayoral development corporation" insert "for an area in Greater London".

Crossrail Act 2008

23 In Schedule 2 to the Channel Tunnel Rail Link Act 1996 (works: further and supplementary provisions), in paragraph 8(8)(a), after "Mayoral development corporation" insert "for an area in Greater London".

SCHEDULE 18

Section 37

ASSESSMENT OF ECONOMIC CONDITIONS

1 (1) Part 4 of LDEDCA 2009 (local authority economic assessments) is amended in accordance with this Schedule.

(2) In the heading of Part 4, after "local authority" insert "and strategic authority".

(3) Section 69 (local authority economic assessments) is amended as follows.

(4) In the heading, after "local authority" insert "and strategic authority".

(5) In subsections (1) and (2), for "principal local authority" substitute "relevant authority".

(6) In subsection (3)—

(a) in the words before paragraph (a), for "principal local authority" substitute "relevant authority";

(b) after paragraph (e) insert—

"(f) a combined authority;

(g) a combined county authority.".

(7) In subsections (4) and (5), for "principal local authority" substitute "relevant authority".

(8) After subsection (5) insert—

"(5A) Where a relevant authority is a combined authority or combined county authority, the following duties also apply in relation to the discharge by the authority of its functions under this section—

(a) the combined authority or combined county authority must consult and seek the participation of the constituent councils and any other local district council;

(b) the combined authority or combined county authority must have regard to any material produced by a constituent council or any other local district council in the discharge of the council's functions under section 13 of the Planning and Compulsory Purchase Act 2004;

(c) the constituent councils and any other local district council must co-operate with the combined authority or combined county authority."

(9) In subsection (6), for "principal local authority" substitute "relevant authority".

(10) In subsection (7)(a), after "local government" insert "(including combined authorities and combined county authorities)".

(11) After subsection (7) insert—

"(7A) Where a relevant authority is a constituent council of a combined authority or combined county authority, any requirement in any legislation for the relevant authority to exercise a function under this section may be fulfilled by the exercise of that function by the combined authority or combined county authority."

(12) For subsection (8), substitute—

(8) In this section—

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009);

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a combined county authority—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

"other local district council" means a district council—

(a) whose area is within the area of a combined authority or combined county authority, but

(b) which is not a constituent council;

"unitary district council" means a district council whose area is not part of the area of a county council.".

SCHEDULE 19

Section 38

LOCAL GROWTH PLANS

Local growth plans

1 (1) After section 107K of LDEDCA 2009 insert—

"Mayoral combined authorities: local growth plans

107L Local growth plans

(1) A mayoral combined authority must prepare and publish a local growth plan for its area.

(2) A local growth plan must—

(a) include an overview of the economic conditions of the area (including the main economic characteristics which are likely to influence current and future economic growth),

(b) identify priorities for the economic growth of the area that are agreed with the Secretary of State ("shared local growth priorities"), and

(c) identify key projects for achieving economic growth in the area through private or public investment.

(3) A mayoral combined authority may revise or replace a local growth plan published under this section.

(4) The authority must arrange for any local growth plan that is revised or replaced to be published.

(5) The requirement under subsection (1) may be met by the publication of a local growth plan before this section comes into force.

107M Secretary of State guidance on local growth plans

(1) The Secretary of State may issue guidance to mayoral combined authorities in relation to local growth plans under section 107L.

(2) A mayoral combined authority must have regard to any such guidance in exercising their functions.

(3) The guidance may include (but is not limited to) guidance about—

(a) who the authority might consult when preparing or revising the plan;

(b) information to be included in the plan under section 107L(2) or the plan as revised;

(c) the process for agreeing priorities for the economic growth of the area with the Secretary of State for the purposes of section 107L(2)(b);

(d) the circumstances in which the authority may revise or replace the plan;

(e) the ways in which the authority may have regard to the plan when exercising its other functions."

(2) After section 107M of LDEDCA 2009 (as inserted by sub-paragraph (1)) insert—

"107N Public bodies: duty to have regard to shared local growth priorities

(1) A relevant non-departmental public body must have regard to a shared local growth priority of a mayoral combined authority when—

(a) exercising, at the request of the authority, a function which could reasonably be expected to have an effect on that priority;

(b) preparing a bid for public funding for an activity the objectives of which align with that priority;

(c) preparing a statutory plan or strategy which relates to that priority.

(2) A "relevant non-departmental public body" means a non-departmental public body specified in regulations made by the Secretary of State.

(3) In this section—

"enactment" includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978;

"Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975;

"non-departmental public body" means any public authority other than—

(a) a Minister of the Crown or government department;

(b) the Welsh Ministers;

(c) a devolved Welsh authority within the meaning of section 157A of the Government of Wales Act 2006;

"public funding" means funding from a Minister of the Crown or government department;

"shared local growth priorities" has the meaning given by section 107L(2)(b);

"statutory plan or strategy" means a plan or strategy that a non-departmental public body is required by an enactment to issue or publish.

(4) References in this section to an enactment or to provision made under an enactment are to an enactment whenever passed or (as the case may be) to provision whenever the instrument containing it is made."

(3) After section 32 of LURA 2023 insert—

"Mayoral CCAs: local growth plans

32A Local growth plans

(1) A mayoral CCA must prepare and publish a local growth plan for its area.

(2) A local growth plan must—

(a) include an overview of the economic conditions of the area (including the main economic characteristics which are likely to influence current and future economic growth),

(b) identify priorities for the economic growth of the area that are agreed with the Secretary of State ("shared local growth priorities"), and

(c) identify key projects for achieving economic growth in the area through private or public investment.

(3) A mayoral CCA may revise or replace a local growth plan published under this section.

(4) The CCA must arrange for any local growth plan that is revised or replaced to be published.

(5) The requirement under subsection (1) may be met by the publication of a local growth plan before this section comes into force.

32B Secretary of State guidance on local growth plans

(1) The Secretary of State may issue guidance to mayoral CCAs in relation to local growth plans under section 32A.

(2) A mayoral CCA must have regard to any such guidance in exercising their functions.

(3) The guidance may include (but is not limited to) guidance about—

(a) who the CCA might consult when preparing or revising the plan;

(b) information to be included in the plan under section 32A(2) or the plan as revised;

(c) the process for agreeing priorities for the economic growth of the area with the Secretary of State for the purposes of section 32A(2)(b);

(d) the circumstances in which the CCA may revise or replace the plan;

(e) the ways in which the CCA may have regard to the plan when exercising its other functions."

(4) After section 32B of LURA 2023 (as inserted by sub-paragraph (3)) insert—

"32C Public bodies: duty to have regard to shared local growth priorities

(1) A relevant non-departmental public body must have regard to a shared local growth priority of a mayoral CCA when—

(a) exercising, at the request of the CCA, a function which could reasonably be expected to have an effect on that priority;

(b) preparing a bid for public funding for an activity the objectives of which align with that priority;

(c) preparing a statutory plan or strategy which relates to the priority.

(2) A "relevant non-departmental public body" means a non-departmental public body specified in regulations made by the Secretary of State.

(3) In this section—

"enactment" includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978;

"Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975;

"non-departmental public body" means any public authority other than—

(a) a Minister of the Crown or government department;

(b) the Welsh Ministers;

(c) a devolved Welsh authority within the meaning of section 157A of the Government of Wales Act 2006;

"public funding" means funding from a Minister of the Crown or government department;

"shared local growth priorities" has the meaning given by section 32A(2)(b);

"statutory plan or strategy" means a plan or strategy that a non-departmental public body is required by an enactment to issue or publish.

(4) References in this section to an enactment or to provision made under an enactment are to an enactment whenever passed or (as the case may be) to provision whenever the instrument containing it is made."

(5) After section 333F of the Greater London Authority Act 1999 insert—

"333G Public bodies: duty to have regard to shared local growth priorities for London

(1) A relevant non-departmental public body must have regard to a shared local growth priority for Greater London when—

(a) exercising, at the request of the Mayor, a function which could reasonably be expected to have an effect on that priority;

(b) preparing a bid for public funding for an activity the objectives of which align with that priority;

(c) preparing a statutory plan or strategy which relates to the priority.

(2) A "shared local growth priority for Greater London" is a priority for the economic growth of Greater London that is—

(a) agreed between the Mayor and the Secretary of State, and

(b) published by the Mayor of London.

(3) A "relevant non-departmental public body" means a non-departmental public body specified in regulations made by the Secretary of State.

(4) In this section—

"enactment" includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978;

"Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975;

"non-departmental public body" means any public authority other than—

(a) a Minister of the Crown or government department;

(b) the Welsh Ministers;

(c) a devolved Welsh authority within the meaning of section 157A of the Government of Wales Act 2006;

"public funding" means funding from a Minister of the Crown or government department;

"statutory plan or strategy" means a plan or strategy that a person is required by an enactment to issue or publish.

(5) References in this section to an enactment or to provision made under an enactment are to an enactment whenever passed or (as the case may be) to provision whenever the instrument containing it is made."

(6) In section 420 (regulations and orders), in subsection (7), in the appropriate place, insert "section 333G;".

SCHEDULE 20

Section 42

MISCELLANEOUS LOCAL AUTHORITY FUNCTIONS

Placing of staff of local authorities at disposal of other local authorities

1 In section 113 of LGA 1972, after subsection (4) insert—

"(5) In this section "local authority" includes the Greater London Authority, a combined authority and a combined county authority."

Provision of information, etc, relating to matters affecting local government

2 In section 142 of LGA 1972, in subsection (2), in the words before paragraph (a), after "local authority" insert "or a combined authority or combined county authority".

Power of local authorities to prosecute or defend legal proceedings

3 In section 222 of LGA 1972, in subsection (1), in the words before paragraph (a), after "local authority" insert "or a combined authority or combined county authority".

Research and collection of information

4 (1) Section 88 of LGA 1985 is amended in accordance with this paragraph.

(2) After subsection (13A) insert—

"(13B) Whether or not a scheme is made under this section, a combined authority or CCA have power to exercise any of the functions described in subsection (1)(a) and (b).

(13C) In the application of subsection (13B) in relation to a combined authority or CCA, paragraphs (a) and (b) of subsection (1) have effect with the substitution of "the area of the combined authority or CCA" for "that area"."

(3) In subsection (14), after "subsection (13) above" insert ", or a combined authority or CCA,".

5 In section 105 of LGA 1985 (interpretation), in subsection (1), at the appropriate place insert—

""CCA" means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

"combined authority" means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;".

SCHEDULE 21

Section 45

FUNCTIONS OF POLICE AND CRIME COMMISSIONERS

1 This is Schedule 10A to be inserted after Schedule 10 to PRSRA 2011—

"SCHEDULE 10A

Section 76A

EXERCISE OF PCC FUNCTIONS BY ELECTED MAYORS

5

PART 1

INTERPRETATION

1 In this Schedule—

"the Area", in relation the Mayor, means the area in relation to which the Mayor is to exercise functions of a police and crime commissioner;

10

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

15

"constituent council" means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

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(ii) a district council whose area is within the area of the authority;

(b) in relation to a combined county authority—

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(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

"the Mayor" means a mayor for the area of a combined authority or combined county authority who is to exercise functions of a police and crime commissioner in relation to an area by virtue of—

30

(a) section 107F(1A). of the Local Democracy, Economic Development and Construction Act 2009, or

35

(b) section 33(1A) of the Levelling-up and Regeneration Act 2023;

"the PCC functions" means the functions of a police and crime commissioner which the Mayor is to exercise by virtue of this Schedule;

"police and crime commissioner enactment" means any of the following enactments (whenever passed or made)—

(a) any enactment that is contained in, or is made under, Part 1 of this Act;

(b) any other enactment that has effect in relation to police and crime commissioners;

"the Strategic Authority" means the combined authority or combined county authority for whose area the Mayor is the mayor;

"the transfer time" means the time specified in—

(a) the order under section 107F(5)(a) of the Local Democracy, Economic Development and Construction Act 2009, or

(b) the regulations under section 33(5)(a) of the Levelling-up and Regeneration Act 2023,

at which the Mayor is to begin exercising functions of a police and crime commissioner in relation to the Area.

PART 2

THE AREA'S PCC

2 (1) There is to be no police and crime commissioner for the Area from the transfer time.

(2) The term of office of the police and crime commissioner for the Area is to continue until the transfer time.

(3) Any election of a police and crime commissioner for the Area that would otherwise take place by virtue of section 50(1)(b)—

(a) during the period of six months ending with the transfer day, or

(b) after the transfer day,

is not to take place.

(4) Any election to fill a vacancy in the office of police and crime commissioner for the Area which would otherwise take place under section 51 is not to take place if the vacancy occurs within the period of six months ending with the transfer day.

(5) In this paragraph "transfer day" means the day on which the transfer time falls.

PART 3

THE MAYOR'S PCC FUNCTIONS

3 (1) The Mayor—

(a) is to exercise functions of a police and crime commissioner in relation to the Area, and

(b) is to be treated, in relation to the Mayor's PCC functions, as a police and crime commissioner for the purposes of all police and crime commissioner enactments.

(2) That is subject to the following provisions of this paragraph.

(3) In their application to the Mayor, a police and crime commissioner enactment set out in Part 4 or 5 of this Schedule applies with the modifications set out in that Part.

(4) Sub-paragraph (1) does not apply to the enactments set out in Part 6 of this Schedule.

(5) Sub-paragraph (1) is subject to regulations made under Part 7 of the Schedule (which enables regulations to modify or disapply police and crime commissioner enactments not contained in Acts).

(6) Any PCC function exercisable by the Mayor is to be taken to be a function of the Strategic Authority exercisable—

(a) by the Mayor acting individually, or

(b) by a person acting under arrangements with the mayor made in accordance with this Act as it has effect in accordance with this Schedule.

PART 4

MODIFICATIONS OF ENACTMENTS IN THIS ACT

4 The following police and crime commissioner enactments contained in this Act have effect subject to the following modifications.

5 Section 5 (police and crime commissioners to issue police and crime plans) has effect as if—

(a) in subsection (1), for "ordinary election" there were substituted "election for the return of a Mayor";

(b) in subsection (13)—

(i) in the definition of "financial year", for "the police and crime commissioner" there were substituted "the Strategic Authority";

(ii) the definition of "ordinary election" were omitted.

6 Section 7(7) (police and crime plans) has effect as if—

(a) in the definition of "financial year", for "the elected local policing body" there were substituted "the Strategic Authority";

(b) the definition of "ordinary election" were omitted;

(c) in the definitions of "planning period" and "qualifying day", for "ordinary election" there were substituted "election for the return of a Mayor".

7 Section 16 (appointment of persons not employed by elected local policing bodies) has effect as if—

(a) for subsection (1) there were substituted—

"(1) This section applies where the Mayor, in connection with the exercise of the Mayor's PCC functions, is required or authorised by any Act—

(a) to appoint a person to a specified post in the Strategic Authority; or

(b) to designate a person as having specified duties or responsibilities.";

(b) in subsection (2), for "the body" there were substituted "the Strategic Authority".

8 Section 18 (delegation of functions by police and crime commissioners) has effect as if—

(a) for each reference to "deputy police and crime commissioner" there were substituted "deputy mayor for policing and crime";

(b) for subsection (1) there were substituted—

"(1) The Mayor must—

(a) appoint a person as the deputy mayor for policing and crime for the Area, and

(b) arrange for the deputy mayor for policing and crime to exercise one or more of the Mayor's PCC functions."

(c) in subsection (6)—

(i) after paragraph (d) there were inserted—

"(da) a deputy mayor under section 107C of the Local Democracy, Economic Development and Construction Act 2009 or section 29 of the Levelling-up and Regeneration Act 2023;";

(ii) after paragraph (h), there were inserted—

"(i) the Strategic Authority.";

(d) in subsection (7)—

(i) for paragraph (f) there were substituted—

"(f) calculating the PCC component council tax requirement.";

(ii) paragraphs (g) and (h) were omitted;

(e) for subsection (10) there were substituted—

"(10) The deputy mayor for policing and crime is a member of staff of the Strategic Authority, unless they are a member of the Strategic Authority.".

9 Section 21 (police fund) has effect as if after subsection (3) there were inserted—

"(3A) Expenditure may be paid out of the police fund only if, and to the extent that, it is incurred in or otherwise relates to the exercise of the Mayor's PCC functions.

(3B) Where—

(a) the Mayor—

(i) has PCC functions in relation to the Area, and

(ii) also has functions of a police and crime commissioner in relation to another police area, and

(b) the police force for the Area ("police force A") is provided with assistance by the police force for the other police area ("police force B"),

the Mayor must ensure that such amount in respect of the assistance as the mayor thinks appropriate is paid from the police fund of police force A to the police fund of police force B.".

10 Section 28 (police and crime panels outside London) has effect as if—

(a) subsections (1A) and (1B) were omitted;

(b) in subsection (6)(a), after "police and crime commissioner" there were inserted ", the deputy mayor for policing and crime and any other person who exercises any function of the Mayor pursuant to arrangements made under section 18".

11 Section 29 (power to require attendance and information) has effect as if—

(a) for subsection (1) there were substituted—

"(1) A police and crime panel may require—

(a) the Mayor,

(b) the deputy mayor for policing and crime,

(c) members of staff of the Strategic Authority deployed wholly or partly in relation to the Mayor's PCC functions, and

(d) any members of the Strategic Authority who exercise any function of the Mayor pursuant to arrangements made under section 18,

to attend before the panel (at reasonable notice) to answer any question which appears to the panel to be necessary in order for it to carry out its functions.";

(b) for subsection (2) there were substituted—

"(2) Nothing in subsection (1) requires a person to give any evidence, or produce any document, which discloses advice given by that person to—

(a) the Mayor in relation to the Mayor's PCC functions,

(b) the deputy mayor for policing and crime, or

(c) a member of the Strategic Authority who exercises any function of the Mayor pursuant to arrangements made under section 18.";

(c) for subsection (5) there were substituted—

"(5) Any person referred to in subsection (1)(b), (c) or (d) must comply with any requirement imposed on them under that subsection.";

(d) in subsection (6), after "commissioner" there were inserted "or the deputy mayor for policing and crime".

12 Section 30 (suspension of police and crime commissioner) has effect as if—

(a) in subsection (1), for "relevant police and crime commissioner" there were substituted "Mayor so far as acting in the exercise of PCC functions";

(b) for subsection (3) there were substituted—

"(3) For the purposes of salary, pensions and allowances in respect of times during a period of suspension, the Mayor is to be treated as holding that office during that suspension.".

13 Section 31(3) (conduct) has effect as if for paragraphs (b) to (d) there were substituted—

"(b) deputy mayor for policing and crime.".

14 Section 62 (appointment of acting commissioner) has effect as if—

(a) for subsection (1) there were substituted—

"(1) The police and crime panel must appoint a person to exercise the Mayor's PCC functions (the "acting commissioner") if the Mayor is suspended from the exercise of PCC functions in accordance with section 30.";

(b) in subsection (2), for "member of the police and crime commissioner's staff" there were substituted "member of staff of the Strategic Authority deployed wholly or partly in relation to the Mayor's PCC functions or the deputy mayor for policing and crime";

(c) after subsection (2), there were inserted—

"(2A) The police and crime panel may not appoint as acting commissioner any person appointed as a deputy mayor under section 107C of the Local Democracy, Economic Development and Construction Act 2009 or section 29 of the Levelling-up and Regeneration Act 2023.";

(d) subsection (3) were omitted;

(e) for subsection (5) there were substituted—

"(5) Any property or rights vested in the Strategic Authority in relation to the Mayor's PCC functions can be dealt with by the acting commissioner.";

(f) subsection (6)(c) were omitted;

(g) in subsection (7) the following were omitted—

(i) "incapacitated or";

(ii) "(c) or";

(h) subsection (8) were omitted.

15 This Act has effect as if for section 63 (vacancy where acting commissioner acts for 6 months) there were substituted—

"63 Vacancy where deputy mayor acts for 6 months

(1) This section applies where—

(a) the deputy mayor is appointed under section 107C of the Local Democracy, Economic Development and Construction Act 2009 or section 29 of the Levelling-up and Regeneration Act 2023 to act for the Mayor because the Mayor is unable to act; and

(b) the Mayor does not cease to be unable to act during the period of 6 months beginning with the day on which the acting mayor was appointed.

(2) At the end of that 6 month period—

(a) the Mayor ceases to be the Mayor, and

(b) accordingly, the office of Mayor becomes vacant."

16 Section 64 has effect as if for subsections (3) to (4A) (disqualification from election as police and crime commissioner) there were substituted—

"(3) A person is disqualified from being elected as the Mayor if—

(a) the person has been nominated as a candidate for election as police and crime commissioner for any other police area at an ordinary election, and

(b) the ordinary election is held on the same day as the election to return the Mayor.

(4) A person is disqualified from being elected as the Mayor at an election held to fill a casual vacancy if—

(a) the person is the police and crime commissioner for any other police area; or

(b) the person has been nominated as a candidate for election as police and crime commissioner for any other police area for which an election is held on the same day.".

17 Section 65 (disqualification from election or holding office as police and crime commissioner: police grounds) has effect as if—

(a) in subsection (1)(e), there were inserted after paragraph (ii)—

"(iii) the Strategic Authority;";

(b) for subsection (1A) there were substituted—

"(1A) Subsection (1)(e)(i) does not prevent a deputy mayor for policing and crime from being elected as mayor of the strategic authority—

(a) at an election other than an election to fill a casual vacancy;

(b) at an election to fill a casual vacancy if, on the day on which the person is nominated as a candidate at the election and at all times between that day and the declaration of the result of the election, the deputy is acting as acting commissioner under section 62.".

18 Section 70 (declaration of acceptance of office of police and crime commissioner) has effect as if—

(a) for subsection (1), there were substituted—

"(1) A person elected to the office of Mayor may not exercise police and crime commissioner functions unless that person has made a declaration in a form specified in an order made by the Secretary of State to the appropriate officer.";

(b) subsection (2) were omitted;

(c) in subsection (5), for the first reference to "office" there were substituted "the duty of exercising police and crime commissioner functions as Mayor";

(d) subsections (6) and (7) were omitted;

(e) at the end there were inserted—

"(8) In this section "appropriate officer" means the person designated as the head of paid service by the Strategic Authority under section 4(1)(a) of the Local Government and Housing Act 1989."

19 Schedule 1 (police and crime commissioners) has effect as if—

(a) for paragraph 1 there were substituted—

"1 This Schedule applies in relation to the Mayor in the exercise of PCC functions.";

(b) for paragraph 4 there were substituted—

"4 (1) The Mayor must make authorised pension payments.

(2) In this paragraph "authorised pension payments" means—

(a) pensions to, or in respect of, persons who have been the police and crime commissioner for the Area, and

(b) amounts for or towards provision of pensions to, or in respect of, persons who have been the police and crime commissioner for the Area,

which are of the kinds and amounts determined by the Secretary of State as payable in accordance with this paragraph."

(c) in paragraph 5(2), for "any of paragraphs 2 to" there were substituted "paragraph";

(d) in paragraph 8—

(i) for each reference to "deputy police and crime commissioner" there were substituted "deputy mayor for policing and crime";

(ii) for sub-paragraphs (3) and (3A) there were substituted—

"(3) The terms and conditions of a person appointed as the deputy mayor for policing and crime must ensure that the person's term of office ends no later than the third day after the day of the poll at an election for the return of a Mayor.

(4) The terms and conditions must also provide for the deputy mayor for policing and crime's appointment to end when, following an election held to fill a vacancy in the office of the appointing Mayor, the person elected makes and delivers a declaration under section 70.";

(e) for paragraph 9(1) there were substituted—

"(1) The Mayor must notify the police and crime panel of each proposed appointment by the Mayor of a deputy mayor for policing and crime.";

(f) in paragraph 10(9)(a), for "ordinary election of a police and crime commissioner under section 50" there were substituted "election for the return of a Mayor";

(g) for paragraph 13 there were substituted—

"13 (1) The Mayor may pay—

(a) remuneration, allowances and gratuities to members of the Strategic Authority's staff deployed wholly or partly in relation to the Mayor's PCC functions; and

(b) allowances and gratuities to the deputy mayor for policing and crime where that person is not a member of staff of the Strategic Authority.

(2) The Mayor may pay—

(a) pensions to, or in respect of, persons who have been members of the Strategic Authority's staff deployed wholly or partly in relation to the Mayor's PCC functions; and

(b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Strategic Authority's staff deployed wholly or

partly in relation to the Mayor's PCC functions.

(3) In this paragraph "allowances"—

(a) in relation to a member of the Strategic Authority's staff deployed wholly or partly in relation to the Mayor's PCC functions, means allowances in respect of expenses incurred by the member of staff in the course of employment as such a member of staff in relation to such functions; and

(b) in relation to a deputy mayor for policing and crime who is not a member of the Strategic Authority's staff, means allowances in respect of expenses incurred by the deputy mayor for policing and crime in the course of that person's duties as deputy mayor for policing and crime."

(h) for paragraph 15(2) there were substituted—

"(2) A person who is—

(a) a member of staff of the Strategic Authority deployed wholly or partly in relation to the Mayor's PCC functions, or

(b) a member of the Strategic Authority exercising the Mayor's PCC functions,

has no personal liability for an act or omission done by the person, in the carrying out of duties relating to the Mayor's PCC functions as a member of staff or as a member of the Strategic Authority, unless it is shown to have been done otherwise than in good faith.";

(i) for paragraph 16 there were substituted—

"16 References to the financial year of the Mayor are to be read as if they were references to the financial year of the Strategic Authority.".

20 Schedule 5 (issuing precepts) has effect as if—

(a) in paragraph 1—

(i) for sub-paragraph (1) there were substituted—

"(1) The Mayor may not determine the final amount of the PCC component for a financial year until the end of the scrutiny process is reached.";

(ii) for sub-paragraph (3) there were substituted—

"(3) References in this Schedule to the determining of the final amount of the PCC component include references to the determining of the amount of the PCC component of a substitute precept.";

(b) in paragraph 2, for "the precept which the commissioner is proposing to issue" there were substituted "the proposed amount of the PCC component";

(c) in paragraph 3(3), for "the precept that should be issued" there were substituted "the amount of the PCC component";

(d) in paragraph 4(3), for "precept for the financial year" there were substituted "PCC component for the financial year";

(e) in paragraph 5(3)—

(i) in paragraph (a), for "issue the proposed precept as the precept" there were substituted "determine that the proposed amount of the PCC component is the final amount of the PCC component";

(ii) in paragraph (b), for "issue a different precept" there were substituted "determine a different PCC component";

(f) in paragraph 6(2), for "issue the proposed precept as the precept" there were substituted "determine that the proposed PCC component is to be the PCC component";

(g) in paragraph 8—

(i) in sub-paragraph (1), for "the issuing of precepts" there were substituted "determining the amount of the PCC component";

(ii) in sub-paragraph (4), for "precept that may be issued" there were substituted "amount of the PCC component".

21 Schedule 6 (police and crime panels) has effect as if—

(a) for paragraph 21 there were substituted—

"21 The Mayor, a member of the Strategic Authority appointed by the constituent councils, or a substitute member acting in place of such a member may not be a member of the police and crime panel for the area.";

(b) in paragraph 22(1)(a), for the words "police and crime commissioner for that police area" there were substituted "Strategic Authority";

(c) in paragraph 33, after sub-paragraph (1) there were inserted—

"(1A) But this paragraph does not apply if the elected Mayor of that executive is a member of the Strategic Authority appointed by the constituent councils.";

(d) in paragraph 34, after sub-paragraph (1) there were inserted—

"(1A) But this paragraph does not apply if the current Mayor of that executive is a member of the Strategic Authority appointed by the constituent councils.".

22 Schedule 7 (regulations about complaints and conduct matters) has effect as if—

(a) in paragraph 3(1)(a)(ii), for "deputy police and crime commissioner" there were substituted "deputy mayor for policing and crime (unless the holder of that office is a member of the Strategic Authority)";

(b) for paragraph 4 there were substituted—

"4 (1) This paragraph applies in relation to qualifying complaints which—

(a) relate to a holder of the office of—

(i) Mayor; or

(ii) deputy mayor for policing and crime, if the holder of that office is a member of the Strategic Authority, and

(b) are not, or cease to be, investigated by the Director General of the Independent Office for Police Conduct or a police force.

(2) Regulations must secure that such complaints are dealt with in accordance with the Strategic Authority's code of conduct adopted under section 27(2) of the Localism Act 2011."

23 Schedule 8 (appointment, suspension and removal of senior police officers) has effect as if—

(a) for paragraph 4(10) there were substituted—

"(10) For that purpose, "relevant post-election period" means the period that—

(a) begins with the day of the poll at an election for the return of the Mayor; and

(b) ends with the day on which the person elected as Mayor delivers a declaration under section 70.";

(b) for paragraph 15(8) there were substituted—

"(8) For that purpose, "relevant post-election period" means the period that—

(a) begins with the day of the poll at an election for the return of the Mayor; and

(b) ends with the day on which the person elected as Mayor delivers a declaration under section 70.".

PART 5

MODIFICATIONS OF ENACTMENTS IN OTHER ACTS

Police (Property) Act 1897

24 (1) The Police (Property) Act 1897 is modified as follows.

(2) Section 2(2A) (regulations with respect to unclaimed property in possession of police), has effect as if for the last reference to "relevant body" there were substituted "Combined Authority".

Trustee Investments Act 1961

25 (1) The Trustee Investments Act 1961 is modified as follows.

(2) Paragraph 9 of Part 2 of the First Schedule (manner of investment), has effect as if for "similar officer of the authority" there were substituted "similar officer of the Combined Authority deployed wholly or partly in relation to the PCC functions of the Mayor".

Pensions (Increase) Act 1971

26 (1) The Pensions (Increase) Act 1971 is modified as follows.

(2) Paragraph 51(aa) of Schedule 2 (official pensions: court and police staff), has effect as if for "a police and crime commissioner" there were substituted "the police and crime commissioner for South Yorkshire or of the Combined Authority deployed wholly or partly in relation to the PCC functions of the Mayor".

Local Government (Miscellaneous Provisions) Act 1976

27 (1) The Local Government (Miscellaneous Provisions) Act 1976 is modified as follows.

(2) Section 29(1) (repayment of unclaimed compensation etc. paid into court), has effect as if for "or transferred to the authority" there were substituted "to the Mayor, or transferred to the Combined Authority in relation to the Mayor's PCC functions".

(3) Section 30(3)(a) (power to forgo repayment of advances of renumeration paid to deceased employees), has effect as if for "maintained by a local authority" there were substituted "maintained by the Mayor of the Combined Authority".

(4) Section 44(1) (interpretation etc. of Part I), has effect as if in paragraph (a) of the definition of "local authority", for "13 to 16, 29, 30, 38, 39 and 41" there were substituted "13, 14, 16, 29 and 38".

Local Government, Planning and Land Act 1980

28 (1) The Local Government, Planning and Land Act 1980 is modified as follows.

(2) Section 99 (directions to dispose of land – supplementary) has effect as if—

(a) after subsection (2) there were inserted—

"(2A) Where a notice under subsection (1) is received by the Combined Authority which relates to land used wholly or partly in relation to the Mayor's PCC functions, the Mayor is to make any representations under subsection (2) on behalf of the Combined Authority to the Secretary of State.";

(b) in subsection (4)—

(i) in paragraph (dbzb) at the end there were inserted "or, as the case may be, the Mayor";

(ii) paragraph (dc) were omitted.

Dartford-Thurrock Crossing Act 1988

29 (1) The Dartford-Thurrock Crossing Act 1988 is modified as follows.

(2) Section 19(a)(i) (exemption from tolls) has effect as if for "a local policing body" there were substituted "the Combined Authority for use in relation to the exercise of the Mayor's PCC functions".

Local Government Finance Act 1988

30 (1) The Local Government Finance Act 1988 is modified as follows.

(2) Section 114 (functions of responsible officer as regards reports) has effect as if—

(a) for subsection (4)(b)(i) there were substituted—

"(i) the Mayor exercising PCC functions, each member of the Combined Authority, including the Mayor, and each member of the police and crime panel for the Mayor's area;";

(b) in subsection (8A)(b), for "relevant authority" there were substituted "Mayor".

(3) Section 115 (authority's duties as regards reports) has effect as if—

(a) for subsection (1B) there were substituted—

"(1B) In the case of a report made by the chief finance officer of the Combined Authority in relation to the Mayor's PCC functions, the Mayor must consider the report and decide whether the Mayor agrees or disagrees with the views contained in the report and what action (if any) the Mayor proposes to take in consequence of it.";

(b) in subsection (1E)—

(i) for "the elected local policing body" there were substituted "the Mayor";

(ii) for "that body", in each place it occurs, there were substituted "the Mayor";

(c) in subsection (1F)(b), for "elected local policing body's" there were substituted "Combined Authority's";

(d) in subsection (2), for "an elected local policing body" there were substituted "a Combined Authority in relation to a Mayor exercising PCC functions".

(4) Section 116 has effect as if for subsection (2B) (information about consideration of reports etc.) there were substituted—

"(2B) In the case of the Mayor, the chief finance officer of the Combined Authority must notify the auditor of the Combined Authority of any decision taken by the Mayor in accordance with section 115.".

Road Traffic Act 1988

31 (1) The Road Traffic Act 1988 is modified as follows.

(2) Section 144(2)(b) (exceptions from requirement of third-party insurance) has effect as if—

(a) for "a local policing body" there were substituted "the Combined Authority for use in relation to the Mayor's PCC functions";

(b) for "a police and crime commissioner's staff (within the meaning of Part 1 of the Police Reform and Social Responsibility Act 2011)" there were substituted "the Combined Authority's staff deployed wholly or partly in relation to the Mayor's PCC functions". 5

Local Government and Housing Act 1989

32 (1) The Local Government and Housing Act 1989 is modified as follows.

(2) Section 1 (disqualification and political restriction of certain officers and staff) has effect as if— 10

(a) in subsection (9), for "an elected local policing body" there were substituted "the Combined Authority deployed predominantly in relation to the Mayor's PCC functions";

(b) in subsection (10), for "an elected local policing body does not include a deputy police and crime commissioner" there were substituted "the Combined Authority deployed predominantly in relation to the Mayor's PCC functions does not include the deputy mayor for policing and crime". 15

(3) Section 4 (designations and reports of head of paid service) has effect as if— 20

(a) subsections (1) and (1A) were omitted;

(b) for subsection (4) there were substituted—

"(4) It shall be the duty of the head of the Combined Authority's paid service, as soon as practicable after he has prepared a report relating to the Mayor's PCC functions under this section, to arrange for a copy of it to be sent to the members of the Combined Authority, including the Mayor, and to the police and crime panel."; 25 30

(c) in subsection (5), "(other than an elected local policing body)" were omitted;

(d) in subsection (5A), for "by the head of the body's paid service" there were substituted "that relates to the Mayor's PCC functions". 35

(4) Section 5 (designation and reports of monitoring officer) has effect as if—

(a) subsection (1C) were omitted;

(b) for subsection (3)(b)(a) there were substituted—

"(a) in the case of a report relating to the Mayor's PCC functions, to the members of the Combined Authority, including the 40

Mayor, and to the police and crime panel; and";

(c) in subsection (5)—

(i) for "a relevant authority" there were substituted "the Mayor";

(ii) in paragraph (a) in sub-paragraph (i), "in the case of an elected local policing body" were omitted;

(A) omit sub-paragraph (ii);

(d) in subsection (8), in the definition of "relevant authority" omit "an elected local policing body".

(5) Omit section 7(1)(aa) (all staff to be appointed on merit).

(6) Omit section 13(5ZA) (voting rights of members of certain committees: England and Wales).

Police Act 1996

33 (1) The Police Act 1996 is modified as follows.

(2) Section 22A(9)(a) (collaboration agreements) has effect as if for "that body" there were substituted "the Combined Authority deployed wholly or partly in relation to the Mayor's PCC functions".

(3) Section 41 (directions as to minimum budget) has effect as if—

(a) in subsection (1), for "commissioner's council tax requirement (under section 42A of the Local Government Finance Act 1992) or budget requirement (under section 43 of that Act)" there were substituted "PCC component council tax requirement";

(b) in subsection (4), for "precept issued or calculation made by the commissioner under Part 1 of the Local Government Finance Act 1992" there were substituted "determination by the Mayor of the final amount of the PCC component".

(4) Section 53E (guidance about civilian staff employed by local policing bodies and chief officers) has effect as if—

(a) in subsection (1)(a), for "a local policing body" there were substituted "the Combined Authority and are deployed wholly or partly in relation to the Mayor's PCC functions";

(b) in subsection (1)(b), for "the body" there were substituted "the Combined Authority".

(5) Section 88 (liability for wrongful acts of constables) has effect as if—

(a) in subsection (5A), for the first reference to "local policing body" there were substituted "Combined Authority deployed wholly or partly in relation to the Mayor's PCC functions";

(b) in subsection (6)(a), for "local policing body" there were substituted "Combined Authority deployed wholly or partly in relation to the Mayor's PCC functions".

(6) Section 92(1) (grants by local authorities) has effect as if for "parish or community" there were substituted "parish, community or Combined Authority". 5

(7) Section 96(1B) (arrangements for obtaining the views of the community on policing), has effect as if for "precept for a financial year is issued by the police and crime commissioner under section 40 of the Local Government Finance Act 1992" there were substituted "PCC component is determined by the Mayor". 10

Proceeds of Crime Act 2002

34 (1) The Proceeds of Crime Act 2002 is modified as follows.

(2) Section 55(8) has effect as if for paragraph (aa) (sums received by designated officer) there were substituted— 15

"(aa) a member of the Combined Authority's staff deployed wholly or partly in relation to the Mayor's PCC functions,".

Police Reform Act 2002

35 (1) The Police Reform Act 2002 is modified as follows. 20

(2) Section 40(7)(d) (community safety accreditation schemes) has effect as if for "local policing body" there were substituted "Combined Authority and who are deployed wholly or partly in relation to the Mayor's PCC functions".

(3) Section 42(7) (supplementary provisions relating to designations and accreditations) has effect as if— 25

(a) for the first reference to "local policing body" there were substituted "Combined Authority deployed wholly or partly in relation to the Mayor's PCC functions";

(b) for the second reference to "local policing body" there were substituted "Combined Authority"; 30

(c) for "or body" there were substituted "or Combined Authority".

Local Government Act 2003

36 (1) The Local Government Act 2003 is modified as follows. 35

(2) Section 7 (credit arrangements) has effect as if—

(a) in subsection (1)(a), for "its part" there were substituted "the part of the Combined Authority";

(b) in subsection (2), for "on the part of the authority" there were substituted "on the part of the Combined Authority".

Railways and Transport Safety Act 2003

37 (1) The Railways and Transport Safety Act 2003 is modified as follows.

(2) Paragraph 7(2) of Schedule 4 (British Transport Police Authority) has effect as if for paragraph (c) there were substituted—

"(c) a member of staff of the Combined Authority deployed wholly or partly in relation to the Mayor's PCC functions,".

Local Government and Public Involvement in Health Act 2007

38 (1) The Local Government and Public Involvement in Health Act 2007 is modified as follows.

(2) Section 15(1) (incidental etc provision in orders or regulations) has effect as if for paragraph (a) there were substituted—

"(a) for the transfer of functions, property, rights or liabilities from a local authority, Combined Authority in relation to the Mayor's PCC functions, or local policing body for any area to another local authority, Combined Authority in relation to the Mayor's PCC functions, or local policing body whose area consists of or includes the whole or part of that area;".

Local Democracy, Economic Development and Construction Act 2009

39 (1) The 2009 Act is modified as follows.

(2) Paragraph 9(1)(a) of Schedule 5B (mayors for combined authority areas: further provision about elections) has effect as if for "or deputy mayor" there were substituted ", deputy mayor or deputy mayor for policing and crime".

Local Audit and Accountability Act 2014

40 (1) The Local Audit and Accountability Act 2014 is modified as follows.

(2) Schedule 4 (further provisions about auditor panels) has effect as if—

(a) for paragraph 2(4)(a) there were substituted—

"(a) cases where the relevant authority referred to in the opening words of sub-paragraph

(2) ("the relevant authority concerned") is a Combined Authority where the Mayor exercises PCC functions;";

(b) for paragraph 2(5) there were substituted—

"(5) Where the relevant authority concerned is a Combined Authority where the Mayor exercises PCC functions, references to "the authority" include the chief constable for the area.".

PART 6

ENACTMENTS WHICH DO NOT APPLY

41 Section 28 of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes).

42 The following provisions of the Local Government Act 1972—

(a) section 102(6) to (11) (appointment of committees);

(b) section 223(2) (appearance of local authorities in legal proceedings);

(c) paragraph 6ZA of Part 1 of Schedule 12 (meetings and proceedings of local authorities).

43 Section 5(3)(baa) of the Rent (Agriculture) Act 1976 (no statutory tenancy where landlord's interest belongs to Crown or to local authority etc.).

44 Section 14(1)(caa) of the Rent Act 1977 (landlord's interest belonging to local authority, etc.).

45 Sections 95, 96A, 97 and 98 of the Local Government, Planning and Land Act 1980 (land held by public bodies).

46 Sections 33 (enforceability by local authorities of certain covenants relating to land) and 41 (lost and uncollected property) of the Local Government (Miscellaneous Provisions) Act 1982.

47 Sections 13AB(8)(f) and 13B(4)(g) of the Representation of the People Act 1983 (alteration of registers).

48 Section 60 of the County Courts Act 1984 (right of audience).

49 The following provisions of the Housing Act 1985—

(a) section 80(1) (the landlord condition);

(b) section 157(1) (restriction on disposal of dwelling-houses in National Parks);

(c) section 171(2) (power to extend right to buy);

(d) section 573(1) (meaning of public sector authority);

(e) paragraph 2(1) of Schedule 1 (tenancies which are not secure tenancies);

(f) grounds 7 and 12 in Schedule 2 (grounds for possession of dwelling-houses let under secure tenancies);

(g) ground 5 in Schedule 3 (grounds for withholding consent to assignment by way of exchange);

(h) paragraph 7(1) of Schedule 4 (qualifying period for right to buy and discount);

(i) paragraph 5(1)(b) of Schedule 5 (exceptions to the right to buy).

50 Section 38 of the Landlord and Tenant Act 1985 (minor definitions).

51 Section 7 of the Local Government Act 1986 (transfer requires mortgagor's consent).

52 Section 58 of the Landlord and Tenant Act 1987 (exempt landlords and resident landlords).

53 Sections 111, 113, 114 and 114A of the Local Government Finance Act 1988 (financial administration).

54 Paragraph 12(2)(g) of Schedule 1 to the Housing Act 1988 (tenancies which cannot be assured tenancies).

55 Section 39 of the Local Government Finance Act 1992 (precepting and precepted authorities).

56 Section 33 of the Value Added Tax Act 1994 (refunds of VAT in certain cases).

57 Section 94 of the Police Act 1996 (financing of new police and crime commissioners).

58 Paragraph 57 of Schedule 1 to the Freedom of Information Act 2000 (public authorities).

59 Sections 21 and 22 of the Local Government Act 2003 (accounts).

60 The following provisions of the Fire and Rescue Services Act 2004—

(a) section 3(7) and (9) (creation of combined fire and rescue authorities: supplementary);

(b) section 4A (power to provide for police and crime commissioner to be fire and rescue authority);

(c) Schedule A1 (procedure for orders under section 4A);

(d) Schedule A2 (application of legislation relating to police and crime commissioners).

61 The following provisions of the PRSR Act—

(a) section 1(1) to (4) (police and crime commissioners);

(b) sections 50 to 61 (elections and vacancies);

(c) section 69 (validity of acts);

(d) sections 71 to 75 (elections: further provision);

(e) section 102(3) (interpretation: police and crime commissioner's staff);

(f) Schedule 1, paragraphs 2, 3, 5(1), 6(1), (2), and (4), and 7 (police and crime commissioners);

(g) Schedule 6, paragraphs 33 to 35 (duty to nominate elected mayor to be a member of police and crime panel);

(h) Schedule 10 (elections: consequential amendments).

62 Paragraph 19 of Schedule 2 to the Local Audit and Accountability Act 2014 (relevant authorities).

63 The following provisions of the Policing and Crime Act 2017—

(a) section 5(7)(a) and (9)(a) (collaboration agreements: definitions);

(b) paragraph 92 of Schedule 1 (amendments to Schedule 6 to the Police Reform and Social Responsibility Act 2011).

PART 7

ENACTMENTS NOT CONTAINED IN ACTS

Power to modify or disapply enactments

64 (1) This section applies to any police and crime commissioner enactment that is not contained in an Act of Parliament.

(2) The Secretary of State may, by regulations—

(a) modify the enactment in its application in relation to the mayors of combined authorities and combined county authorities exercising functions of a police and crime commissioner;

(b) provide that the enactment does not apply in relation to the mayors of combined authorities and combined county authorities exercising functions of a police and crime commissioner.

PART 8

APPLICATION AND MODIFICATION OF ENACTMENTS OTHER THAN POLICE AND CRIME COMMISSIONER ENACTMENTS

Local Government Act 1972

65 Section 86 of the Local Government Act 1972 (declaration by local authority of vacancy in office in certain cases) applies in relation to the Mayor as if, after section 86(1)(c), there were inserted "or

(d) ceases to be the Mayor by virtue of section 63 (vacancy where acting commissioner acts for 6

months) of the Police Reform and Social Responsibility Act 2011,".""

SCHEDULE 22

Section 46

FIRE AND RESCUE AUTHORITIES

PART 1

AMENDMENT OF FRSA 2004

Introduction

1 FRSA 2004 is amended in accordance with this Part of this Schedule.

Power to create combined fire and rescue authorities

2 (1) Section 2 is amended in accordance with this paragraph.

(2) In subsection (2) for "only if it appears" substitute "only if condition A or B is met.

(2A) *Condition A*: it appears".

(3) After subsection (2A) (created by sub-paragraph (2) above) insert—

"(2B) *Condition B*: the scheme is made in connection with the transfer of fire and rescue functions to a mayoral combined authority or mayoral CCA.

(2C) Subsections (3) to (5), (8)(a), (9)(a), (c) and (d) do not apply to a scheme made where condition B is met."

(4) After subsection (9) insert—

"(9A) Subsections (6), (8)(b), (9)(b), (c) and (d) do not apply to a scheme which is varied in connection with the transfer of fire and rescue functions to a mayoral combined authority or mayoral CCA."

(5) After subsection (11) insert—

"(12) This section is subject to section 1(2A).

(13) For the purposes of this section, a scheme is made or varied "in connection with the transfer of fire and rescue functions to a mayoral combined authority or mayoral CCA" if—

(a) the areas concerned are all in England, and

(b) the Secretary of State's purpose in making or varying the scheme is to—

(i) cause a mayoral combined authority or mayoral CCA to meet the eligibility condition (see section 1A) in relation to the combined area, and

(ii) enable the Secretary of State to specify a transfer time (see section 1A(5)(a)) in relation to that mayoral combined authority or mayoral CCA and combined area that will result in that authority or CCA becoming the fire and rescue authority for that area."

Combined authorities under the Fire Services Act 1947

3 In section 4, after subsection (7) insert—

"(8) Subsections (5) to (7) do not apply to a scheme which is varied in connection with the transfer of fire and rescue functions to a mayoral combined authority or mayoral CCA (which has the same meaning as in section 2 — see subsection (13) of that section).

(9) This section is subject to section 1(2A)."

Provision about mayoral combined authorities or CCAs that are fire and rescue authorities

4 (1) In section 1 (fire and rescue authorities), after subsection (2B) (inserted by section 46 of this Act) insert—

"(2C) Schedule ZA1 makes provision about mayoral combined authorities or CCAs that are fire and rescue authorities."

(2) Before Schedule A1 insert—

"SCHEDULE ZA1 Section 1

MAYORAL COMBINED AUTHORITIES OR CCAS AS FIRE AND RESCUE AUTHORITIES

Interpretation

1 (1) In this Schedule—

"community risk management plan" means a document issued by an FRA's mayor which—

(a) is prepared and published in accordance with the Fire and Rescue National Framework, and

(b) sets out for the period covered by the document—

(i) the mayoral FRA's priorities and objectives in connection with the discharge of its functions as a fire and rescue authority, and

(ii) an assessment of all foreseeable fire and rescue related risks that could affect the mayoral FRA's area;

"FRA's mayor" means the mayor for the area of a mayoral FRA;

"mayoral FRA" means a mayoral combined authority or mayoral CCA which is a fire and rescue authority by virtue of section 1(2)(f);

"priorities and objectives" means a mayoral FRA's priorities and objectives in connection with the discharge of its functions as a fire and rescue authority which it is required to set out in the community risk management plan;

"relevant scrutiny body", in relation to a mayoral FRA, has the meaning determined in accordance with sub-paragraphs (2) to (5).

(2) The "relevant scrutiny body" is the overview and scrutiny committee of the mayoral combined authority or mayoral CCA which is the fire and rescue authority.

(3) Where the authority or CCA has more than one overview and scrutiny committee, the authority or CCA must decide which of the committees is to exercise the functions of the relevant scrutiny body.

(4) But sub-paragraphs (2) and (3) do not apply in a case where—

(a) the FRA's mayor also exercises functions of police and crime commissioner in relation to the area for which the mayoral FRA is the fire and rescue authority, and

(b) immediately before the mayoral FRA became the fire and rescue authority for that area, an authority created by an order under section 4A was the fire and rescue authority for that area.

(5) In that case, the "relevant scrutiny body" is the police and crime panel for that area (see, in particular, section 28 of the Police Reform and Social Responsibility Act 2011 has it has effect in accordance with paragraph 10 of Schedule 10A to that Act).

Oversight of the community risk management plan

2 (1) This paragraph applies to—

(a) the issuing of a community risk management plan, and

(b) the variation of priorities and objectives set out in a community risk management plan.

(2) The FRA's mayor must—

(a) consult the chief fire officer in preparing a draft of the plan or variation;

(b) send the priorities and objectives in the draft plan or draft variation to the relevant scrutiny body;

(c) have regard to any report or recommendations made by the relevant scrutiny body in relation to those priorities and objectives; and

(d) as soon as reasonably practicable—

(i) give the relevant scrutiny body a response to any such report or recommendations, and

(ii) publish the response in such manner as the FRA's mayor considers appropriate.

(3) The FRA's mayor must ensure that the relevant scrutiny body has a reasonable amount of time to—

(a) consider the priorities and objectives sent to it in accordance with sub-paragraph (2)(b), and

(b) produce a report or recommendations.

(4) The FRA's mayor must consult the chief fire officer before issuing or varying a community risk management plan if, and to the extent that, the priorities and objectives in the plan or variation are different from those in the draft on which the chief fire officer was consulted in accordance with sub-paragraph (2)(a).

(5) If the FRA's mayor issues or varies a community risk management plan, the mayor must—

(a) send a copy of the plan or variation to the chief fire officer; and

(b) publish a copy of the plan or variation in such manner as the mayor considers appropriate.

(6) The duty under sub-paragraph (5) to send or publish a copy of a variation may instead be satisfied by sending or publishing a copy of the plan as varied.

Duty to keep community risk management plan under review

3 The FRA's mayor must—

(a) keep the priorities and objectives in the community risk management plan under review, and

(b) in particular, review them in the light of any report or recommendations made to the mayor by the relevant scrutiny body.

Notification of proposed allocation of budget for fire and rescue functions

4 (1) In each financial year, an FRA's mayor must notify the relevant scrutiny body of the mayor's proposed allocation of the draft budget for fire and rescue functions in relation to the following financial year.

(2) The notification must include the proposed allocation of the element of the general precept that is attributable to fire and rescue functions.

(3) The notification must be given—

(a) before the date on which the mayoral combined authority or mayoral CCA determines whether to approve the mayor's annual budget in relation to the following financial year; and

(b) at a time which permits the relevant scrutiny body a reasonable amount of time to review the proposed allocation of budget before that determination is made.

Review of proposed budget

5 (1) The relevant scrutiny body must review any proposed allocation of budget notified to it under paragraph 4.

(2) The relevant scrutiny body must make a report to the FRA's mayor in relation to the proposed allocation of budget.

(3) The FRA's mayor must—

(a) have regard to any report made under sub-paragraph (2) and to any recommendations made in it;

(b) provide the relevant scrutiny body with a response to the report and any recommendations made in it;

(c) notify the relevant scrutiny body of any material changes to the budget for fire and rescue functions after it has been finalised; and

(d) publish the response given under paragraph (b), and any notification given under paragraph (c)—

(i) in such manner as is required by the relevant scrutiny body; and

(ii) in any event, in a prominent place on the website of the mayoral combined authority or mayoral CCA."

PART 2

AMENDMENTS OF OTHER LEGISLATION

Local Government Act 1972

5 In section 38 LGA 1972 (powers of principal councils with respect to emergencies or disaster)—

(a) in subsection (5), after "London Fire Commissioner" insert "and a mayoral fire and rescue authority";

(b) after subsection (5) insert—

"(5A) For that purpose "mayoral fire and rescue authority" means—

(a) a mayoral combined authority (which has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 — see section 107A(8) of that Act), or

(b) a mayoral CCA (which has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 — see section 27(8) of that Act),

in its capacity as a fire and rescue authority by virtue of section 1(2)(f) of the Fire and Rescue Services Act 2004."

SCHEDULE 23

Section 50

POWERS TO MAKE REGULATIONS IN RELATION TO FUNCTIONS OF STRATEGIC AUTHORITIES AND MAYORS

PART 1

CONFERRAL AND MODIFICATION OF FUNCTIONS

Strategic authorities outside London

1 (1) Regulations may make provision conferring an eligible function on the strategic authorities within a class specified in sub-paragraph (3).

(2) Regulations may make provision modifying a function as it is exercisable by the strategic authorities within a class specified in sub-paragraph (3).

(3) These are the classes referred to in sub-paragraphs (1) and (2)—

(a) the single foundation strategic authorities;

(b) the single foundation strategic authorities that are district councils;

(c) the single foundation strategic authorities that are county councils;

(d) the combined foundation strategic authorities;

(e) the mayoral strategic authorities other than the established mayoral strategic authorities;

(f) the established mayoral strategic authorities other than the GLA.

(4) Regulations may not be made under this section unless the Secretary of State is satisfied that it is appropriate to do so having regard to the need to secure the effective exercise of the function concerned.

(5) See also section 18 of the Cities and Local Government Devolution Act 2016 (devolving health service functions) which contains further limitations.

(6) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the affected strategic authorities;
  (b) the mayors of any of the affected strategic authorities that are mayoral strategic authorities;
  (c) the constituent councils of any affected strategic authorities that are combined authorities or CCAs;
  (d) any other person who exercises the function to which the regulations relate;
  (e) any other persons that the Secretary of State considers it appropriate to consult.

(7) In this paragraph "affected strategic authorities" means the strategic authorities—
  (a) on which a function would be conferred by regulations under sub-paragraph (1), or
  (b) whose exercise of a function would be affected by regulations under sub-paragraph (2).

Mayors outside London

2 (1) Regulations may make provision conferring an eligible function on the mayors within a class specified sub-paragraph (3).

(2) Regulations may make provisions modifying a function as it is exercisable by the mayors within a class specified in sub-paragraph (3).

(3) These are the classes referred to in sub-paragraphs (1) and (2)—
  (a) mayors for the areas of mayoral strategic authorities other than the established mayoral strategic authorities;
  (b) mayors for the areas of established mayoral strategic authorities other than the Mayor of London.

(4) Regulations may not be made under this section unless the Secretary of State is satisfied that it is appropriate to do so having regard to the need to secure the effective exercise of the function concerned.

(5) See also section 18 of the Cities and Local Government Devolution Act 2016 (devolving health service functions) which contains further limitations.

(6) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the affected mayors;
  (b) the strategic authorities for whose areas the affected mayors are the mayor;
  (c) the constituent councils of those strategic authorities;
  (d) any other person who exercises the function to which the regulations relate;

(e) any other persons that the Secretary of State considers it appropriate to consult.

(7) In this paragraph "affected mayors" means the mayors—

(a) on which a function would be conferred by regulations under sub-paragraph (1), or

(b) whose exercise of a function would be affected by regulations under sub-paragraph (2).

GLA

3 (1) Regulations may make provision conferring an eligible function on the GLA, the Mayor of London or a GLA functional body.

(2) Regulations may make provision modifying a function as it is exercisable by the GLA, the Mayor of London or a GLA functional body.

(3) Regulations may not be made under this section unless the Secretary of State is satisfied that it is appropriate to do so having regard to the need to secure the effective exercise of the function concerned.

(4) See also section 18 of the Cities and Local Government Devolution Act 2016 (devolving health service functions) which contains further limitations.

(5) Before making regulations under this paragraph the Secretary must consult the following—

(a) the Mayor of London,

(b) the London Assembly,

(c) in the case of regulations conferring a function on, or modifying a function of, a GLA functional body, that functional body;

(d) the London Borough councils;

(e) the Common Council of the City of London;

(f) any other person who exercises the function to which the regulations relate;

(g) any other persons that the Secretary of State considers it appropriate to consult.

Interpretation

4 In this Part of this Schedule—

"eligible function" means a function which—

(a) is a function of a public authority, and

(b) relates to any aspect of any area of competence;

"function"—

(a) includes a power to make byelaws;

(b) but does not include a power to make any other instruments of a legislative character (including regulations);

"public authority" includes a Minister of the Crown or a government department.

PART 2

MOVEMENT OF FUNCTIONS BETWEEN MAYORS AND STRATEGIC AUTHORITIES

Functions moving from strategic authorities to mayors outside London

5 (1) Regulations may provide for a function of—
(a) the mayoral strategic authorities other than the established mayoral strategic authorities, or
(b) the established mayoral strategic authorities other than the GLA,
to be exercisable by the mayors for the areas of those authorities.

(2) Regulations under this paragraph may provide for the function to be exercisable by the mayors—
(a) solely;
(b) concurrently or jointly with another person by which the function is already exercisable.

(3) Regulations under this paragraph which provide for a function to be exercisable jointly with another person may provide for the function to also be exercisable by the other person alone.

(4) Before making regulations under this paragraph the Secretary must consult the following—
(a) the affected strategic authorities;
(b) the mayors of the affected strategic authorities;
(c) the constituent councils of the affected strategic authorities;
(d) any other person who exercises the function to which the regulations relate, if their power to exercise it would be affected by the regulations;
(e) any other persons that the Secretary of State considers it appropriate to consult.

(5) In this paragraph "affected strategic authorities" means the strategic authorities to whose function regulations under this paragraph relate.

Functions moving from mayors to strategic authorities outside London

6 (1) Regulations may provide for a function of the mayors for the areas of —
(a) the mayoral strategic authorities other than the established mayoral strategic authorities, or
(b) the established mayoral strategic authorities other than the Mayor of London,
to be exercisable by those authorities.

(2) Regulations under this paragraph may provide for the function to be exercisable by the authorities—
  (a) solely;
  (b) concurrently or jointly with another person by which the function is already exercisable.

(3) Regulations under this paragraph which provide for a function to be exercisable jointly with another person may provide for the function to also be exercisable by the other person alone.

(4) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the affected mayors;
  (b) the strategic authorities for whose areas the affected mayors are the mayor;
  (c) the constituent councils of those strategic authorities;
  (d) any other person who exercises the function to which the regulations relate;
  (e) any other persons that the Secretary of State considers it appropriate to consult.

(5) In this paragraph "affected mayors" means the mayors to whose function regulations under this paragraph relate.

GLA functions

7 (1) Regulations may provide for a function of any of the following (the "current GLA holder")—
  (a) the GLA;
  (b) the Mayor of London;
  (c) a GLA functional body;

to be exercisable by another of them (the "new GLA holder").

(2) Regulations under this paragraph may provide for the function to be exercisable by the new GLA holder—
  (a) solely;
  (b) concurrently or jointly with another person by which the function is already exercisable.

(3) Regulations under this paragraph which provide for a function to be exercisable jointly with another person may provide for the function to also be exercisable by the current GLA holder or other person alone.

(4) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the Mayor of London;
  (b) the London Assembly;
  (c) in a case where the current GLA holder or new GLA holder is a GLA functional body, that functional body;

(d) the London Borough councils;
(e) the Common Council of the City of London;
(f) any other person who exercises the function to which the regulations relate, if their power to exercise it would be affected by the regulations;
(g) any other persons that the Secretary of State considers it appropriate to consult.

PART 3

EXERCISE OF FUNCTIONS

Strategic authorities outside London

8 (1) Regulations may make provision about the exercise of a function by any of these classes of strategic authorities (except for provision about voting on decisions to exercise the function — see Part 4 of this Schedule)—
(a) the single foundation strategic authorities;
(b) the single foundation strategic authorities that are district councils;
(c) the single foundation strategic authorities that are county councils;
(d) the combined foundation strategic authorities;
(e) the mayoral strategic authorities other than the established mayoral strategic authorities;
(f) the established mayoral strategic authorities other than the GLA.

(2) Before making regulations under this paragraph the Secretary must consult the following—
(a) the affected strategic authorities;
(b) the constituent councils of any affected strategic authorities that are combined authorities or CCAs;
(c) any other person who exercises the function to which the regulations relate, if their power to exercise it would be affected by the regulations;
(d) any other persons that the Secretary of State considers it appropriate to consult.

(3) In this paragraph "affected strategic authorities" means the strategic authorities to whose function regulations under this paragraph relate.

Mayors outside London

9 (1) Regulations may make provision about the exercise of a function by the mayors of any of these classes of strategic authorities—
(a) the mayoral strategic authorities other than the established mayoral strategic authorities;
(b) the established mayoral strategic authorities other than the GLA.

(2) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the affected mayors;
  (b) the strategic authorities for whose areas the affected mayors are the mayor;
  (c) the constituent councils of those strategic authorities;
  (d) any other person who exercises the function to which the regulations relate, if their power to exercise it would be affected by the regulations;
  (e) any other persons that the Secretary of State considers it appropriate to consult.

(3) In this paragraph "affected mayors" means the mayors to whose function regulations under this paragraph relate.

London

10 (1) Regulations may make provision about the exercise of a function by—
  (a) the GLA,
  (b) the Mayor of London, or
  (c) a GLA functional body,
except for provision about voting on decisions to exercise the function.

(2) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the Mayor of London;
  (b) the London Assembly;
  (c) in the case of a function of a GLA functional body, that functional body;
  (d) the London Borough councils;
  (e) the Common Council of the City of London;
  (f) any other person who exercises the function to which the regulations relate, if their power to exercise it would be affected by the regulations;
  (g) any other persons that the Secretary of State considers it appropriate to consult.

Particular provision

11 (1) The provision that may be made under this Part of this Schedule includes provision for—
  (a) consent to be obtained before the function can be exercised;
  (b) consultation to take place before the function can be exercised;
  (c) conditions to be met before the function can be exercised;
  (d) the function to be exercisable subject to conditions or limitations specified in the regulations;

(e) a function to be exercisable—
  (i) solely;
  (ii) concurrently or jointly with another person by which the function is already exercisable;

(f) joint working arrangements in connection with the function (for example, provision for the function to be exercised by a joint committee).

(2) Regulations under this Part of this Schedule which provide for a function to be exercisable jointly with another person may provide for the function to also be exercisable by that other person alone.

PART 4

VOTING ON DECISIONS

Strategic authorities outside London

12 (1) Regulations may make provision about voting, by any of these classes of strategic authorities, on decisions to exercise a particular function—
  (a) the combined foundation strategic authorities;
  (b) the mayoral strategic authorities other than the established mayoral strategic authorities;
  (c) the established mayoral strategic authorities other than the GLA.

(2) The provision that may be made under this paragraph includes provision for—
  (a) a decision to be made by a CCA or CCAs otherwise than in accordance with section 13A of LURA 2023;
  (b) a decision to be made by a combined authority or combined authorities otherwise than in accordance with section 104CA of LDEDCA 2009;
  (c) a decision to require a particular kind of majority (including a majority which includes a vote or votes of a particular kind of person).

(3) Before making regulations under this paragraph the Secretary must consult the following—
  (a) the affected strategic authorities;
  (b) the constituent councils of any affected strategic authorities that are combined authorities or CCAs;
  (c) any other person who exercises the function to which the regulations relate, if their power to exercise it would be affected by the regulations;
  (d) any other persons that the Secretary of State considers it appropriate to consult.

(4) In this paragraph "affected strategic authorities" means the strategic authorities to whose decision-making regulations under this paragraph relate.

PART 5

PARTICULAR PROVISION THAT MAY OR MAY NOT BE MADE BY REGULATIONS

Consequential abolition of public body

13 Regulations under this Schedule may, in particular, include provision to abolish the public authority in a case where, as a result of the regulations, it will no longer have any functions.

Prohibition of self-regulation

14 (1) Regulations under this Schedule may not provide for a regulatory function that is exercisable by a public authority in relation to the whole of England to be exercisable by the recipients if the regulated function is itself exercisable by any or all of the recipients.

(2) In this paragraph—

"recipient" means an authority, mayor or body on which a function would be or has been conferred by regulations under this Schedule;

"regulated function" means the function of carrying out an activity to which a regulatory function relates;

"regulatory function" has the meaning given by section 32 of the Legislative and Regulatory Reform Act 2006.

References to documents

15 (1) This paragraph applies where regulations under this Schedule contain a reference to a document specified or described in the regulations (for example, in imposing a condition by virtue of paragraph 11(1)(d) for recipients to have regard to, or to comply with, a statement of policy or standards set out in the document).

(2) If it appears to the Secretary of State necessary or expedient for the reference to the document to be construed—

(a) as a reference to that document as amended from time to time, or

(b) as including a reference to a subsequent document that replaces that document,

the regulations may make express provision to that effect.

Functions which cannot be exercised by all strategic authorities or mayors in a class

16 (1) This paragraph applies to a power under this Schedule to make provision in relation to a function and a class of strategic authorities or mayors (the "relevant class").

(2) The power must be read as enabling regulations to make the provision in relation to the function and relevant class even if that function is not, or would not be, capable of exercise by some of the strategic authorities or mayors within that class for any reason.

(3) Those reasons include the function being exercisable in relation to a thing or location which does not exist in the area of a strategic authority.

Amendment of legislation

17 Regulations under this Schedule may amend, apply (with or without modifications), disapply, repeal or revoke any legislation whenever passed or made.

PART 6

PILOT SCHEMES

Power to establish pilot scheme

18 (1) Regulations may make permitted provision for a period specified in the regulations (the "piloting period").

(2) The piloting period must initially be a period of three years or shorter.

(3) But—

(a) Secretary of State may by regulations provide that the piloting period is to continue after the time when it would otherwise expire for a period not exceeding two years (and may make such regulations more than once);

(b) a pilot scheme may be replaced by a further pilot scheme making the same or similar provision.

Consent to pilot scheme

19 A pilot scheme may not make provision which relates to a strategic authority, mayor or GLA functional body unless that authority, mayor or body consents to the provision.

Pilot scheme for some strategic authorities or mayors in a class

20 (1) This paragraph applies to permitted provision that may be made under another Part of this Schedule only in relation to a class of strategic authorities or mayors (the "relevant class").

(2) A pilot scheme may make that permitted provision in relation to one or some of the strategic authorities or mayors in that class (despite the fact that such provision could not be made under the other Part of this Schedule).

(3) For that purpose—

(a) where the relevant class consists of combined authorities and CCAs, the constituent councils of those authorities are "linked to" those authorities;

(b) where the relevant class consists of mayoral strategic authorities, the mayors for the areas of those authorities are "linked to" those authorities;

(c) where the relevant class consists of the mayors of combined authorities and CCAs, those authorities are "linked to" those mayors.

Impact report

21 (1) A pilot scheme must include provision requiring the or each strategic authority, mayor or GLA functional body to which the pilot scheme relates—

(a) to produce an impact report, and

(b) to provide it to the Secretary of State.

(2) The pilot scheme must specify when the impact report is to be provided to the Secretary of State.

(3) An "impact report" produced by a strategic authority, mayor or GLA functional body is a report on whether, in the opinion of that authority, mayor or body, the pilot scheme has been successful.

(4) An impact report may include a request for the Secretary of State to extend the piloting period by regulations under paragraph 18(3)(a).

Response to a pilot scheme

22 (1) This paragraph applies if the time for producing the impact report in relation to a pilot scheme has passed.

(2) The Secretary of State must decide whether the pilot scheme has been successful.

(3) If the Secretary of State decides that the function pilot scheme has been successful, the Secretary of State must also decide whether or not the changes made by the pilot scheme should be given effect after the end of the piloting period by the making of any of the following (the "resulting secondary legislation")—

(a) regulations under any other Part of this Schedule;

(b) an order under Chapter 2 of Part 6 of LDEDCA 2009;

(c) regulations under Chapter 1 of Part of LURA 2023;

(d) regulations under section 16 of the Cities and Local Government Devolution Act 2016.

(4) In making those decisions, the Secretary of State must—

(a) take into account any impact report or reports produced in relation to the pilot scheme;

(b) consult—

(i) the or each strategic authority, mayor or GLA functional body to which the pilot scheme relates,

(ii) each strategic authority, mayor and GLA functional body to which the resulting secondary legislation would relate (if it were made), and

(iii) any other person which the Secretary of State considers it appropriate to consult.

Interpretation

23 (1) In this Part of this Schedule—

"permitted provision" means provision that may be made under any other Part of this Schedule;

"pilot scheme" means regulations under paragraph 18;

"piloting period" has the meaning given in paragraph 18(1);

"successful" has the meaning given in sub-paragraph (2).

(2) For the purposes of this Part of this Schedule, a pilot scheme is "successful" if the changes made by it secured, or contributed to securing, the effective exercise of functions in relation to the areas of competence.

PART 7

MAKING OF REGULATIONS

Powers to be exercisable by the Secretary of State

24 In this Schedule "regulations" means regulations made by the Secretary of State.

Parliamentary scrutiny

25 (1) Regulations under paragraph 18(3)(a) are subject to negative resolution procedure.

(2) Any other regulations under this Schedule are subject to affirmative resolution procedure.

SCHEDULE 24

Section 55

ARRANGEMENT RELATING TO SINGLE TIERS OF LOCAL GOVERNMENT

Merger of single tiers of local government etc

1 (1) The Local Government and Public Involvement in Health Act 2007 is amended as follows.

(2) After section 2 insert—

"2A Proposals for merger of single tiers of local government

(1) The Secretary of State may invite or direct a relevant principal authority to make a proposal that there should be one or more single tiers of local government for an area which currently consists of—

(a) the area of that authority, and

(b) one or more other eligible areas.

(2) A principal authority is a "relevant principal authority" for the purposes of subsection (1) if it is the district or county council for an area for which there is currently a single tier of local government.

(3) An "eligible area" is an area for which there is a single tier of local government.

(4) An invitation or direction may—

(a) be such that the authority may choose which eligible areas (other than the area of that authority) should form the proposed area for the new single tier of local government;

(b) specify which eligible areas (other than the area of that authority) should form the proposed area for the new single tier of local government."

(3) In section 3 (invitations, directions and proposals: supplementary)—

(a) for subsection (1) substitute—

"(1) A direction under section 2 or 2A may be given on or after the day on which this subsection comes into force.

(1A) A direction under section 2 or 2A may only be given where the Secretary of State believes that giving the direction would be in the interests of effective and convenient local government.";

(b) in subsection (2), after "2" insert "or 2A";

(c) in subsection (3), after "2" insert "or 2A";

(d) in subsection (5)—

(i) after "2" insert "or 2A";

(ii) for "that section" substitute "either of those sections";

(e) in subsection (6), after "2" insert "or 2A";

(f) in subsection (7), after "2" insert "or 2A";

(g) omit subsection (8).

(4) In section 4 (request for Local Government Boundary Commission's advice), in subsection (1), after "2" insert "or 2A".

(5) In section 5 (Local Government Boundary Commission's powers)—

(a) in subsection (4), for the words from "the Type" to the end substitute—

"(a) in relation to a proposal in response to an invitation or direction under section 2, the Type A, Type B, Type C or combined proposal to which the request for advice related, or

(b) in relation to a proposal in response to an invitation or direction under section 2A, the proposal to which the request for advice related.";

(b) in subsection (5), for paragraphs (a) and (b) substitute—

"(a) in relation to a proposal in response to an invitation or direction under section 2—

(i) a proposal that there should be a single tier of local government for an area that is, or includes, the whole or part of the county concerned, and is specified in the alternative proposal, or

(ii) a proposal consisting of two or more proposals that are within paragraph (i) (and are not alternatives to one another);

(b) in relation to a proposal in response to an invitation or direction under section 2A, a proposal that there should be one or more single tiers of local government for an area that—

(i) includes the relevant area and one or more other areas for which there is a single tier of local government, and

(ii) is specified in the alternative proposal.";

(c) in subsection (6)(a), after "(4)" insert "(a)";

(d) after subsection (6) insert—

"(6A) In this section the "relevant area" means—

(a) the area of the relevant principal authority which made the proposal referred to in subsection (4)(b), or

(b) where that proposal was made by more than one relevant principal authority, the area of any of those authorities."

(6) In section 7 (implementation of proposals by order)—

(a) in subsection (1), after "2" insert "or 2A";

(b) in subsection (4), after "a proposal" insert "in response to an invitation or direction under section 2";

(c) after subsection (4) insert—

"(4A) For the purposes of this section an authority is "affected by" a proposal in response to an invitation or direction under section 2A if—

(a) it is the district or county council for an area for which there is currently a single tier of local government, and

(b) that area would fall within the proposed new single tier of local government."

(7) In section 11 (implementation orders: provision that may be included)—

(a) after subsection (4)(e) insert—

"(ea) where the order makes provision for a single tier of local government for an area that comprises or includes the area of a combined authority or combined county authority, for the abolition of the combined authority or combined county authority;";

(b) after subsection (7) insert—

"(8) In this section, "combined authority" and "combined county authority" have the same meaning as in section 11A (see subsection (10) of that section)."

(8) After section 11 insert—

"11A Implementation orders: conversion of combined county authorities

(1) This section applies where the implementation of a proposal in response to an invitation or direction under section 2 or 2A means that the area of a combined county authority—

(a) will no longer meet condition A in section 9(2) of the Levelling-Up and Regeneration Act 2023 (area of combined county authority), but

(b) will meet condition A in section 103(2) of the Local Democracy, Economic Development and Construction Act 2009 (area of combined authority).

(2) The Secretary of State may by regulations make provision that the relevant body corporate is to continue in existence but—

(a) is no longer a combined county authority, and

(b) is instead a combined authority.

(3) Accordingly, where regulations make provision under subsection (2), the combined authority and the combined county authority are the same person in law.

(4) The Secretary of State may by regulations make provision that the relevant office of mayor (if any) is to continue in existence but—

(a) is no longer the office of mayor for the area of the combined county authority, and

(b) is instead the office of mayor for the area of the combined authority.

(5) Accordingly, where regulations make provision under subsection (4)—

(a) the office of mayor for the area of the combined authority and the office of mayor for the area of the combined county authority is the same office in law;

(b) the person who holds the relevant office of mayor continues to hold that office.

(6) The power to make regulations under this section includes power to make incidental, consequential, transitional or supplementary provision.

(7) The power to make provision under subsection (6) includes (but is not limited to) provision—

(a) for the combined authority to be treated for some or all purposes as if it is a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

(b) for the office of mayor for the area of the combined county authority to be treated for some or all purposes as if it is provided for under section 107A of the Local Democracy, Economic Development and Construction Act 2009.

(8) Provision made under this section may—

(a) modify, disapply or apply (with or without modifications) any enactment;

(b) repeal or revoke any enactment with or without savings.

(9) In this section "enactment" includes—

(a) this Act (other than a provision of this Part);

(b) any other Act whenever passed or made;

(c) an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978 (whenever passed or made).

(10) In this section—

"combined authority" means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

"combined county authority" means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

"modify" includes amend;

"relevant body corporate" means the body corporate which the combined county authority was established as;

"relevant office of mayor" means the office of mayor for the area of the combined county authority."

(9) In section 240 (orders, regulations and guidance), in subsection (6), in the opening words, after "regulations under section" insert "11A,". 5

SCHEDULE 25

Section 57

LOCAL AUTHORITY GOVERNANCE AND EXECUTIVES

Requirements to have and retain leader and cabinet executive

1 (1) LGA 2000 is amended in accordance with this paragraph. 10

(2) In section 9B (permitted forms of governance for local authorities in England)—

(a) after subsection (1) insert—

"(1A) But a new local authority must operate executive arrangements which provide for a leader and cabinet executive (England).";

(b) in subsection (4), after the definition of "executive arrangements" insert—

""new local authority" means a local authority established on or after the day on which section 57 of the English Devolution and Community Empowerment Act 2025 comes into force by an order made under section 7 or 10 of the Local Government and Public Involvement in Health Act 2007;".

(3) In section 9C (local authority executives), after subsection (3) insert— 25

"(3A) Subsections (1) to (3) are subject to section 9B(1A) (new local authority must have a leader and cabinet executive (England))."

(4) After section 9KA insert—

"9KAA Duty to retain leader and cabinet executive

(1) A local authority which is operating a leader and cabinet executive (England) must not cease to operate— 30

(a) executive arrangements, or

(b) a leader and cabinet executive (England).

(2) That duty applies to a local authority whenever it began to operate the leader and cabinet executive (England)." 35

Duty to move from committee system to leader and cabinet executive (England)

2 (1) The LGA 2000 is amended in accordance with this paragraph.

(2) In section 9K LGA 2000 (changing from one form of governance to another)—

(a) for the heading substitute "Committee system: duty to adopt leader and cabinet executive";

(b) for subsection (1) substitute—

"(A1) This section applies to a local authority if it is operating a committee system (unless subsection (1C) applies).

(1) The local authority must—

(a) cease to operate the committee system, and

(b) start to operate a leader and cabinet executive (England).

(1A) The local authority must comply with that duty so that it starts to operate a leader and cabinet executive (England) before the end of the period of one year beginning with the commencement day.

(1B) Section 9L makes provision about the day and time when the change required by this section is to take effect.

(1C) This section does not apply to a local authority if an order under section 7 or 10 of the Local Government and Public Involvement in Health Act 2007 providing for the dissolution of the local authority—

(a) has been made before the commencement day, or

(b) is made—

(i) on or after commencement day, and

(ii) before the end of the one year period mentioned in subsection (1A).

(1D) In this section "commencement day" means the day on which section 57 of the English Devolution and Community Empowerment Act 2025 comes into force.";

(c) omit subsection (2).

(3) In section 9L (implementation: change in form of governance or change in form of executive)—

(a) in subsection (1)(a), for "(change from one form of governance to another)" substitute "(committee system: duty to adopt leader and cabinet executive)";

(b) for subsection (4) substitute—

"(4) If the local authority is—

(a) ceasing to operate the committee system, and

(b) starting to operate a leader and cabinet executive (England),

in compliance with section 9K, a "relevant change time" for the purposes of subsection (2) is a time during the day that is specified in the resolution making the change in governance arrangements as the day on which that change is to take place.". 5

No new mayor and cabinet executives

3 (1) This paragraph applies to a change to governance arrangements under Chapter 4 of Part 1A LGA 2000 if— 10

(a) under the change, the local authority would begin to operate a mayor and cabinet executive, and

(b) the local authority has not started to operate the mayor and cabinet executive before this section comes into force.

(2) The local authority— 15

(a) must not cease operating the old form of governance or (as the case may be) old form of executive, and

(b) must not start operating the mayor and cabinet executive,

in accordance with the change to governance arrangements.

(3) In a case where the old form of governance is the committee system, this paragraph does not limit the duty under section 9K LGA 2000 (as amended by paragraph 2) to— 20

(a) cease to operate the committee system, and

(b) start to operate a leader and cabinet executive (England).

4 (1) LGA 2000 is amended as follows— 25

(2) in section 9KA (executive arrangements: different form of executive)—

(a) for the heading substitute "Mayor and cabinet executive: adoption of leader and cabinet executive";

(b) for subsection (1) substitute—

"(A1) This section applies to a local authority if it is operating a mayor and cabinet executive. 30

(1) The local authority—

(a) may vary its executive arrangements so that they provide for a leader and cabinet executive (England), and 35

(b) may vary its executive arrangements in such other respects (if any) as it considers appropriate.";

(c) omit subsection (2).

(3) in section 9KC (resolution of local authority), omit subsection (5).

(4) In section 9L (implementation: change in form of governance or change in form of executive)—
  (a) in subsection (1)(b), for "(change to a different form of executive)" substitute "(mayor and cabinet executive: adoption of leader and cabinet executive)";
  (b) omit subsection (5).

(5) In section 9MC (referendum following petition)—
  (a) in subsection (1), for "relevant type of governance arrangement" substitute "leader and cabinet executive (England)";
  (b) omit subsection (5).

(6) In section 9MD (referendum following direction)—
  (a) in subsection (1), for "relevant type of governance arrangements specified in the direction" substitute "leader and cabinet executive (England)";
  (b) omit subsection (4).

(7) In section 9ME (referendum following order)—
  (a) in subsection (1), for "relevant type of governance arrangements specified in the order" substitute "leader and cabinet executive (England)";
  (b) omit subsection (4).

(8) In section 9MF (further provision with respect to referendums)—
  (a) in subsection (1), omit paragraph (a);
  (b) omit subsections (2) and (3).

(9) Omit section 9N (requiring referendum on change to mayor and cabinet executive).

Abolition of permitted arrangements

5 (1) LGA 2000 is amended in accordance with this paragraph.

(2) In section 9B (permitted forms of governance for local authorities in England)—
  (a) in subsection (1)(a), after "arrangements" insert "or";
  (b) omit subsection (1)(c) (and the word "or" preceding it);
  (c) in subsection (4), omit the definition of "prescribed arrangements".

(3) Omit section 9BA (power of Secretary of State to prescribe additional permitted governance arrangements).

(4) in section 9OA (interpretation)—
  (a) omit subsection (3)(d);
  (b) in subsection (4), omit paragraph (c).

(5) In section 9R (interpretation of Part 1A), in subsection (1), omit the definition of "prescribed arrangements".

Other amendments

6 (1) LGA 2000 is amended in accordance with this paragraph.

(2) In section 9KC (resolution of local authority)—

(a) in subsection (2)(b), for "in one or more newspapers circulating in its area a notice" substitute ", in such manner as the local authority thinks appropriate, information";

(b) in subsection (4), in the words before paragraph (a), for "5 years" substitute "4 years".

(3) In section 9MA (referendum: proposals by local authority), in subsection (7)(b), for "in one or more newspapers circulating in its area a notice" substitute ", in such manner as the local authority thinks appropriate, information".

(4) In section 9MF (further provision with respect to referendums)—

(a) in subsection (1), in the words before paragraph (a), for "ten years" substitute "4 years";

(b) in subsection (3B), for "10 years" substitute "4 years";

(c) in subsection (3E)(a), for "10 years" substitute "4 years".

Abolition of committee system

7 (1) LGA 2000 is amended in accordance with this paragraph.

(2) In section 9B (permitted forms of governance for local authorities in England)—

(a) for the heading substitute "Local authorities in England must operate executive arrangements";

(b) for subsection (1) substitute—

"(1) A local authority must operate executive arrangements.";

(c) omit subsection (3);

(d) in subsection (4), omit the definition of "committee system".

(3) In section 9D (functions which are the responsibility of an executive)—

(a) in subsection (1) omit "that operates executive arrangements";

(b) in subsection (5) omit "that operates executive arrangements".

(4) Omit Chapter 3 of Part 1A (the committee system).

(5) Omit section 9K (committee system: duty to adopt leader and cabinet executive).

(6) In section 9KC (resolution of local authority)—

(a) in subsection (3), omit paragraph (a);

(b) in subsection (4A)(a)—

(i) omit paragraph (i);

(ii) in paragraph (ii), for "mayor" substitute "leader".

(7) In section 9L (implementation: change in form of governance or change in form of executive)—
  (a) in the heading, omit "change in form of governance or";
  (b) in subsection (1), omit paragraph (a);
  (c) in subsection (2)—
    (i) in paragraph (a), omit "old form of governance or (as the case may be)";
    (ii) in paragraph (b), omit "form of governance or (as the case may be)";
  (d) omit subsection (4).

(8) In section 9M (cases in which change is subject to approval in a referendum in accordance with sections 9MA and 9MB), in subsection (2)—
  (a) in paragraph (a), omit paragraph (i);
  (b) in paragraph (b), omit "existing form of governance or".

(9) In section 9MA (referendum: proposals by local authority)—
  (a) in subsection (4), omit paragraph (a);
  (b) in subsection (5), omit "If the proposed change in governance arrangements would result in the local authority having executive arrangements,".

(10) In section 9MF (further provision with respect to referendums), in subsection (3A)—
  (a) omit paragraph (a);
  (b) in paragraph (b), for "mayor" substitute "leader".

(11) In section 9NC (transfer of functions: changes in governance arrangements not subject to a referendum), in subsection (8), in the definition of "relevant change in governance arrangements", omit paragraph (a).

(12) In section 9OA (interpretation)—
  (a) in subsection (2), for "9K to" substitute "9KA and";
  (b) in subsection (3), omit paragraph (c);
  (c) in subsection (4), omit paragraph (b).

(13) In section 9P (local authority constitution), omit subsection (2).

(14) In section 9R (interpretation of Part 1A), in subsection (1)—
  (a) omit the definition of "committee system";
  (b) omit the definition of "committee system local authority".

SCHEDULE 26

Section 59

MAYORS AND PCCS: SUPPLEMENTARY VOTE SYSTEM

Elections for the Mayor of London

1 The Greater London Authority Act 1999 is amended as follows.

2 (1) In section 4 (voting at ordinary elections)—

(a) in subsection (1)(a), after "vote" insert "(referred to in this Part as a mayoral vote)";

(b) in subsection (2), after "system," insert ", unless there are three or more candidates";

(c) after subsection (2) insert—

"(3) If there are three or more candidates to be the Mayor—

(a) the Mayor is to be returned under the supplementary vote system in accordance with Part 1 of Schedule 2 to this Act, and

(b) a voter's mayoral vote is accordingly a vote capable of being given to indicate the voter's first and second preference from among the candidates."

(2) In section 16 (filling a vacancy)—

(a) in subsection (3), after "one" insert "mayoral";

(b) for subsection (4) substitute—

"(4) Section 4(2) and (3) of Part 1 of Schedule 2 to this Act apply in relation to the election as they apply in relation to the election of the Mayor at an ordinary election."

(3) In section 29 (interpretation of Part 1), in the appropriate place insert—

""mayoral vote" has the meaning given by section 4(1)(a) (as read with subsection (3) of that section);".

(4) In Schedule 2 (voting at elections), before Part 2 insert—

"PART 1

ELECTION OF THE MAYOR

Application

1 This Part of this Schedule applies where there are three or more candidates to be the Mayor.

First preference vote and second preference vote

2 In this Schedule—

"first preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's first preference from among the candidates to be the Mayor;

"second preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's second preference from among the candidates to be the Mayor.

Candidate with overall majority of first preference votes

3 If one of the candidates to be the Mayor receives more than half of all the first preference votes given in the Assembly constituencies that candidate is to be returned as the Mayor.

No candidate with overall majority of first preference votes

4 (1) If none of the candidates to be the Mayor receives more than half of all the first preference votes given in the Assembly constituencies, the following provisions of this paragraph apply.

(2) The two candidates who received the greatest number of first preference votes given in the Assembly constituencies remain in the contest.

(3) If, by reason of an equality of first preference votes, three or more candidates are qualified to remain in the contest by virtue of sub-paragraph (2), all of them remain in the contest.

(4) The other candidates are eliminated from the contest.

(5) The number of second preference votes given in the Assembly constituencies for each of the candidates remaining in the contest by voters who did not give their first preference vote to any of those candidates must be ascertained.

(6) That number must be added to the number of first preference votes given for that candidate, to give the total number of preference votes for that candidate.

(7) The person who is to be returned as the Mayor is that one of the candidates remaining in the contest who has the greatest total number of preference votes.

(8) If, by reason of an equality of total number of preference votes, two or more candidates remaining in the contest each have the greatest total number of preference votes, the Greater London returning officer is to decide by lots which of them is to be returned as the Mayor."

(5) In section 165 of the Representation of the People Act 1983 (avoidance of election for employing corrupt agent), after subsection (3) insert—

"(4) In the case of an election of the Mayor of London, a vote deemed in accordance with subsection (3) above to be thrown away is to be

so deemed only to the extent that it is a vote given so as to indicate that the person who was under the incapacity is the voter's first or second preference from among the candidates."

Elections for police and crime commissioners

3 The Police Reform and Social Responsibility Act 2011 is amended as follows.

4 In section 57 (voting at elections of police and crime commissioners)—

(a) in subsection (2), after "system" insert ", unless there are three or more candidates";

(b) after subsection (2) insert—

"(3) If there are three or more candidates—

(a) the commissioner is to be returned under the supplementary vote system, and

(b) any vote in the election is accordingly a vote capable of being given to indicate the voter's first and second preference from among the candidates.

(4) Schedule 9 (the supplementary vote system) has effect."

5 After Schedule 8 insert—

"SCHEDULE 9 section 57

SUPPLEMENTARY VOTE SYSTEM

Application

1 This Schedule applies to an election under Chapter 6 of Part 1 of a police and crime commissioner for a police area at which there are three or more candidates.

First preference vote and second preference vote

2 In this Schedule—

"first preference vote" means a vote to the extent that it is given so as to indicate a first preference from among the candidates to be the police and crime commissioner;

"second preference vote" means a vote to the extent that it is given so as to indicate a second preference from among the candidates to be the police and crime commissioner.

Candidate with overall majority of first preference votes

3 If one of the candidates to be the police and crime commissioner receives more than half of all the first preference votes given in the police area, that candidate is to be returned as the police and crime commissioner.

No candidate with overall majority of first preference votes

4 (1) If none of the candidates to be the police and crime commissioner receives more than half of all the first preference votes given in the police area, the following provisions of this paragraph apply.

(2) The two candidates who received the greatest number of first preference votes given in the police area remain in the contest.

(3) If, by reason of an equality of first preference votes, three or more candidates are qualified to remain in the contest by virtue of sub-paragraph (2), all of them remain in the contest.

(4) The other candidates are eliminated from the contest.

(5) The number of second preference votes given in the police area for each of the candidates remaining in the contest by votes which did not give a first preference vote to any of those candidates must be ascertained.

(6) That number must be added to the number of first preference votes given for that candidate, to give the total number of preference votes for that candidate.

(7) The person who is to be returned as the police and crime commissioner for the police area is that one of the candidates remaining in the contest who has the greatest total number of preference votes.

(8) If, by reason of an equality of total number of preference votes, two or more candidates remaining in the contest each have the greatest total number of preference votes, the police area returning officer must decide by lots which of them is to be returned as the police and crime commissioner."

Elections for local authority mayors in England

6 The Local Government Act 2000 is amended as follows.

7 In section 9HC (voting at elections of elected mayors)—

(a) in subsection (1), for "which may be given for a candidate to be the elected mayor" substitute "(a "mayoral vote")";

(b) in subsection (2), after "system" insert "unless there are three or more candidates";

(c) after subsection (2) insert—

"(3) If there are three or more candidates to be the elected mayor—

(a) the elected mayor is to be returned under the supplementary vote system in accordance with Schedule 1A, and

(b) a voter's mayoral vote is accordingly a vote capable of being given to indicate the voter's first and second preference from among the candidates."

8 In section 9HD (entitlement to vote), in subsection (2), after "one" insert "mayoral".

9 In section 9R (interpretation of Part 1A), in the appropriate place insert—

""mayoral vote" has the meaning given by section 9HC(1) (as read with subsection (3) of that section),".

10 After Schedule 1 insert—

"SCHEDULE 1A section 9HC

ELECTION OF ELECTED MAYOR (ENGLAND)

Application

1 This Schedule applies where there are three or more candidates to be an elected mayor of a local authority in England.

First preference vote and second preference vote

2 In this Schedule—

"first preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's first preference from among the candidates to be the elected mayor;

"second preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's second preference from among the candidates to be the elected mayor.

Candidate with overall majority of first preference votes

3 If one of the candidates to be the elected mayor receives more than half of all the first preference votes given in the election that candidate is to be returned as the elected mayor.

No candidate with overall majority of first preference votes

4 (1) If none of the candidates to be the elected mayor receives more than half of all the first preference votes given in the election, the following provisions of this paragraph apply.

(2) The two candidates who received the greatest number of first preference votes given in the election remain in the contest.

(3) If, by reason of an equality of first preference votes, three or more candidates are qualified to remain in the contest by virtue of sub-paragraph (2), all of them remain in the contest.

(4) The other candidates are eliminated from the contest.

(5) The number of second preference votes given in the election for each of the candidates remaining in the contest by voters who did not give their first preference vote to any of those candidates must be ascertained.

(6) That number must be added to the number of first preference votes given for that candidate, to give the total number of preference votes for that candidate.

(7) The person who is to be returned as the elected mayor is that one of the candidates remaining in the contest who has the greatest total number of preference votes.

(8) If, by reason of an equality of total number of preference votes, two or more candidates remaining in the contest each have the greatest total number of preference votes, the returning officer is to decide by lots which of them is to be returned as the elected mayor."

11 In Schedule 2 (Election of elected mayor), in the heading, after "mayor" insert "(Wales)".

Elections for mayors of combined authorities

12 Schedule 5B to LDEDCA 2009 (mayors for combined authorities: further provision) is amended as follows.

13 In paragraph 4—

(a) in sub-paragraph (1), for "which may be given for a candidate to be the mayor" substitute "(a "mayoral vote")";

(b) in sub-paragraph (2), after "system" insert "unless there are three or more candidates";

(c) after sub-paragraph (2) insert—

"(3) If there are three or more candidates to be the mayor—

(a) the elected mayor is to be returned under the supplementary vote system in accordance with paragraph 5, and

(b) a voter's mayoral vote is accordingly a vote capable of being given to indicate the voter's first and second preference from among the candidates."

14 After paragraph 4 insert—

"5 (1) This paragraph applies where there are three or more candidates to be a mayor.

(2) In this Schedule—

"first preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's first preference from among the candidates to be the mayor;

"second preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's second preference from among the candidates to be the mayor.

(3) If one of the candidates to be the mayor receives more than half of all the first preference votes given in the election that candidate is to be returned as the mayor.

(4) If none of the candidates to be the mayor receives more than half of all the first preference votes given in the election, the following provisions of this paragraph apply.

(5) The two candidates who received the greatest number of first preference votes given in the election remain in the contest.

(6) If, by reason of an equality of first preference votes, three or more candidates are qualified to remain in the contest by virtue of sub-paragraph (5), all of them remain in the contest.

(7) The other candidates are eliminated from the contest.

(8) The number of second preference votes given in the election for each of the candidates remaining in the contest by voters who did not give their first preference vote to any of those candidates must be ascertained.

(9) The person who must be returned as the mayor is that one of the candidates remaining in the contest who has the greatest total number of preference votes.

(10) If, by reason of an equality of total number of preference votes, two or more candidates remaining in the contest each have the greatest total number of preference votes, the returning officer is to decide by lots which of them is to be returned as the mayor.

(11) In this paragraph "mayoral vote" has the meaning given by paragraph 4(1) (as read with sub-paragraph (3) of that paragraph)."

15 In paragraph 6—

(a) in sub-paragraph (2), after "one" insert "mayoral";

(b) in sub-paragraph (3), after the definition of "local government elector" insert—

""mayoral vote" has the meaning given by paragraph 4(1) (as read with sub-paragraph (3) of that paragraph)."

Elections for mayors of combined county authorities

16 Schedule 2 to the Levelling-up and Regeneration Act 2023 (mayors for combined county authority areas: further provisions about elections) is amended as follows.

17 In paragraph 4—

(a) in sub-paragraph (1), for "which may be given for a candidate to be the mayor" substitute "(a "mayoral vote")";

(b) in sub-paragraph (2), after "system" insert ", unless there are three or more candidates";

(c) after sub-paragraph (2) insert—

"(3) If there are three or more candidates to be the mayor—

(a) the mayor is to be returned under the supplementary vote system in accordance with paragraph 4A, and

(b) a voter's mayoral vote is accordingly a vote capable of being given to indicate the voter's first and second preference from among the candidates."

18 After paragraph 4 insert—

"4A (1) This paragraph applies where there are three or more candidates to be a mayor.

(2) In this Schedule—

"first preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's first preference from among the candidates to be the mayor;

"second preference vote" means a mayoral vote to the extent that it is given so as to indicate a voter's second preference from among the candidates to be the mayor.

(3) If one of the candidates to be the mayor receives more than half of all the first preference votes given in the election that candidate is to be returned as the mayor.

(4) If none of the candidates to be the mayor receives more than half of all the first preference votes given in the election, the following provisions of this paragraph apply.

(5) The two candidates who received the greatest number of first preference votes given in the election remain in the contest.

(6) If, by reason of an equality of first preference votes, three or more candidates are qualified to remain in the contest by virtue of sub-paragraph (5), all of them remain in the contest.

(7) The other candidates are eliminated from the contest.

(8) The number of second preference votes given in the election for each of the candidates remaining in the contest by voters who did not give their first preference vote to any of those candidates must be ascertained.

(9) The person who must be returned as the mayor is that one of the candidates remaining in the contest who has the greatest total number of preference votes.

(10) If, by reason of an equality of total number of preference votes, two or more candidates remaining in the contest each have the greatest total number of preference votes, the returning officer is to decide by lots which of them is to be returned as the mayor.

(11) In this paragraph "mayoral vote" has the meaning given by paragraph 4(1) (as read with sub-paragraph (3) of that paragraph)."

19 In paragraph 5—

(a) in sub-paragraph (2), after "one" insert "mayoral";

(b) in sub-paragraph (3), after the definition of "local government elector" insert—

""mayoral vote" has the meaning given by paragraph 4(1) (as read with sub-paragraph (3) of that paragraph)."

SCHEDULE 27

Section 60

ASSETS OF COMMUNITY VALUE

PART 1

COMMUNITY RIGHT TO BUY AND SPORTING ASSETS OF COMMUNITY VALUE (ENGLAND)

1 In Part 5 of the Localism Act 2011 (community empowerment), after Chapter 2 insert—

"CHAPTER 2A

ASSETS OF COMMUNITY VALUE (ENGLAND)

List of assets of community value

86A List of assets of community value

(1) A local authority must maintain a list of land in its area that is land of community value.

(2) The list maintained under subsection (1) by a local authority is to be known as its list of assets of community value.

(3) The list maintained under subsection (1) must set out the following separate categories of the list —

(a) any land of community value that is a sporting asset of community value (see section 86C);

(b) any land of community value that falls within section 86B(3) (assets supporting sporting assets of community value).

(4) Where land is included in a local authority's list of assets of community value and it is not a sporting asset of community value or land falling within section 86B(3), the entry for that land is to be removed from the list with effect from the end of the period of 5 years beginning with the date of that entry.

(5) The Secretary of State may by regulations amend subsection (4) for the purpose of substituting, for the period specified in that subsection for the time being, some other period.

(6) Where land is included in a local authority's list of assets of community value and it is a sporting asset of community value or land falling within section 86B(3), the entry for that land is to remain on the list indefinitely.

(7) Subsections (4) and (6) do not apply where an entry has been removed with effect from some earlier time in accordance with provision in regulations under subsection (8).

(8) The Secretary of State may by regulations make further provision in relation to a local authority's list of assets of community value, including (in particular) provision about—

(a) the form in which the list is to be kept;

(b) contents of an entry in the list (including matters not to be included in an entry);

(c) modification of an entry in the list;

(d) removal of an entry from the list;

(e) cases where land is to be included in the list and—

(i) different parts of the land are in different ownership or occupation, or

(ii) there are multiple estates or interests in the land or any part or parts of it;

(f) combination of the list with the local authority's list of land nominated by unsuccessful community nominations (see section 86I).

(9) Subject to any provision made by or under this Chapter, it is for a local authority to decide the form and contents of its list of assets of community value.

86B Land of community value

(1) For the purposes of this Chapter but subject to regulations under subsection (4), a building or other land in a local authority's area is land of community value if in the opinion of the authority—

(a) an actual current use of the building or other land that is not an ancillary use furthers the economic or social wellbeing or economic or social interests of the local community, and

(b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the economic or social wellbeing or economic or social interests of the local community.

(2) For the purposes of this Chapter but subject to regulations under subsection (4), a building or other land in a local authority's area that is not land of community value as a result of subsection (1) is land of community value if in the opinion of the local authority—

(a) there was a time in the past when an actual use of the building or other land that was not an ancillary use furthered the economic or social wellbeing or economic or social interests of the local community, and

(b) it is realistic to think that there will be a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the economic or social wellbeing or economic or social interests of the local community.

(3) For the purposes of this Chapter but subject to regulations under subsection (4), a building or other land in a local authority's area is land of community value if in the opinion of the authority an actual current use of the building or other land provides support for the use of other land as a sporting asset of community value (see section 86C).

(4) The Secretary of State may by regulations—

(a) provide that a building or other land is not land of community value if the building or other land is specified in the regulations or is of a description specified in the regulations;

(b) provide that a building or other land in a local authority's area is not land of community value if the local authority or some other person specified in the regulations considers that the building or other land is of a description specified in the regulations.

(5) A description specified under subsection (4) may be framed by reference to such matters as the Secretary of State considers appropriate.

(6) In relation to any land, those matters include (in particular)—

(a) the owner of any estate or interest in any of the land or in other land;

(b) any occupier of any of the land or of other land;

(c) the nature of any estate or interest in any of the land or in other land;

(d) any use to which any of the land or other land has been, is being or could be put;

(e) statutory provisions, or things done under statutory provisions, that have effect (or do not have effect) in relation to—

(i) any of the land or other land, or

(ii) any of the matters within paragraphs (a) to (d);

(f) any price, or value for any purpose, of any of the land or other land.

(7) In this section—

"social interests" includes (in particular) each of the following—

(a) cultural interests;

(b) recreational interests;

(c) sporting interests;

"statutory provision" means a provision of—

(a) an Act, or

(b) an instrument made under an Act.

86C Sporting assets of community value

(1) For the purposes of this Chapter land of community value is a sporting asset of community value if in the opinion of the relevant local authority the land comprises a sports ground within the meaning of the Safety of Sports Grounds Act 1975 (see section 17 of that Act).

(2) In this Chapter, the "relevant local authority" in relation to land of community value is the local authority on whose list of assets of community value the land is listed.

86D Procedure for including land in list

(1) Land in a local authority's area which is of community value may be included by a local authority in its list of assets of community value only—

(a) in response to a community nomination,

(b) where permitted by regulations made by the Secretary of State, or

(c) where a local authority is required to do so under section 86G(4)(a).

(2) For the purposes of this Chapter "community nomination", in relation to a local authority, means a nomination which—

(a) nominates land in the local authority's area for inclusion in the local authority's list of assets of community value, and

(b) is made—
(i) by a parish council in respect of land in the parish council's area, or
(ii) a person that is a voluntary or community body with a local connection.

(3) Regulations under subsection (1)(b) may (in particular) permit land to be included in a local authority's list of assets of community value in response to a nomination other than a community nomination.

(4) The Secretary of State may by regulations make provision as to—
(a) the meaning in subsection (2)(b)(ii) of "voluntary or community body";
(b) the conditions that have to be met for a person to have a local connection for the purposes of subsection (2)(b)(ii);
(c) the contents of community nominations;
(d) the contents of any other nominations which, as a result of regulations under subsection (1)(b), may give rise to land being included in a local authority's list of assets of community value.

(5) The Secretary of State may by regulations make provision for, or in connection with, the procedure to be followed where a local authority is considering whether land should be included in its list of assets of community value.

86E Procedure on community nominations

(1) This section applies if a local authority receives a community nomination.

(2) The authority must consider the nomination.

(3) The authority must accept the nomination if the land nominated—
(a) is in the authority's area, and
(b) is of community value.

(4) If the authority is required by subsection (3) to accept the nomination, the authority must cause the land to be included in the authority's list of assets of community value.

(5) The nomination is unsuccessful if subsection (3) does not require the authority to accept the nomination.

(6) If the nomination is unsuccessful, the authority must give, to the person who made the nomination, the authority's written reasons for its decision that the land could not be included in its list of assets of community value.

86F Notice of inclusion or removal

(1) Subsection (2) applies where in accordance with this Chapter land—
  (a) is included in, or
  (b) removed from,
a local authority's list of assets of community value. 5

(2) The authority must if reasonably practicable give written notice of the inclusion or removal to the following persons—
  (a) the owner of the land,
  (b) the occupier of the land if the occupier is not also the owner,
  (c) if the land was included in the list in response to a community nomination, the person who made the nomination, and 10
  (d) any person specified, or of a description specified, in regulations made by the Secretary of State.

(3) A notice under subsection (2) of inclusion of land in the list must describe the provision made by and under this Chapter, drawing particular attention to— 15
  (a) the consequences for the land and its owner of the land's inclusion in the list, and
  (b) the right to ask for review under section 86H. 20

(4) A notice under subsection (2) of removal of land from the list must state the reasons for the removal.

(5) Where land is to be removed from a local authority's list of assets of community value, any notice given under subsection (2) must be given at least six months before the date on which it is to be removed. 25

86G Requirements of local authorities: sporting assets of community value

(1) Where a local authority includes land in its list of assets of community value in accordance with section 86D(1)(a) or (b), the authority must— 30
  (a) consider whether the land is a sporting asset of community value, and
  (b) if it considers it is, include the land in the category of the list for sporting assets of community value. 35

(2) A local authority must—
  (a) by the end of the initial review period, and
  (b) as soon as reasonably practicable after each review date,

consider whether there is any land in its area (whether or not already in its list of assets of community value) which in the opinion of the authority falls within subsection (3).

(3) Land falls within this subsection if it is both—
  (a) land of community value, and
  (b) a sporting asset of community value.

(4) Where land falls within subsection (3), the local authority must—
  (a) include the land in its list of assets of community value (if not already so included), and
  (b) include the land in the category of the list for sporting assets of community value.

(5) A local authority must if reasonably practicable notify each interested person in writing where land is included in the category of the list of assets of community value for sporting assets of community value.

(6) A notice under subsection (5) must draw attention to—
  (a) the consequences for the land and its owner of the land's inclusion in that category of the list for sporting assets of community value,
  (b) the right to ask for a review under section 86H of the inclusion of the land in that category of the list, and
  (c) the ability for land falling within section 86B(3) in relation to a sporting asset of community value to be included in the list of assets of community value.

(7) In this section—
  "initial review period" means the period of six months beginning with the day on which this section comes into force;
  "interested person" in relation to land means—
    (a) the owner of the land,
    (b) the occupier of the land if the occupier is not also the owner, and
    (c) if the land was included in the list of assets of community value in response to a community nomination, the person who made the nomination;
  "review date" means the end of the period of five years beginning with—
    (a) for the purposes of calculating the first review date, the end of the initial review period;
    (b) for the purposes of calculating each subsequent review date, the previous review date.

86H Review of decisions relating to list

(1) The owner of land included in a local authority's list of assets of community value may ask the authority to review the authority's decision to include the land in the list.

(2) The owner of land included in a local authority's list of assets of community value as a sporting asset of community value may ask the authority to review the authority's decision to include the land in that category of the list.

(3) A voluntary or community body who made a community nomination to a local authority in relation to land may ask the authority to review a decision not to include the land in the list.

(4) If a request is made—
  (a) under subsection (1), (2) or (3), and
  (b) in accordance with the time limits (if any) provided for in regulations under subsection (9),

the authority concerned must review its decision.

(5) Where under subsection (4) an authority reviews a decision, the authority must notify the person who asked for the review—
  (a) of the decision on the review, and
  (b) of the reasons for the decision.

(6) If the decision on a review under subsection (4) is that the land concerned should not have been included in the authority's list of assets of community value—
  (a) the authority must remove the entry for the land from the list, and
  (b) where the land was included in the list in response to a community nomination—
    (i) the nomination becomes unsuccessful, and
    (ii) the authority must give a written copy of the reasons mentioned in subsection (5)(b) to the person who made the nomination.

(7) If the decision on a review under subsection (4) is that the land concerned should not have been included in the authority's list of assets of community value as a sporting asset of community value the authority must remove the entry for the land from that category of the list.

(8) If the decision on a review under subsection (4) is that the land concerned should have been included in the authority's list of assets of community value, the authority must cause the land to be included in the list.

(9) The Secretary of State may by regulations make provision as to the procedure to be followed in connection with a review under this section.

(10) Regulations under subsection (9) may (in particular) include provision—
- (a) as to time limits;
- (b) requiring the decision on the review to be made by a person of appropriate seniority who was not involved in the original decision;
- (c) as to the circumstances in which the person asking for the review is entitled to an oral hearing, and whether and by whom that person may be represented at the hearing;
- (d) for appeals against the decision on the review.

List of land nominated by unsuccessful community nominations

86I List of land nominated by unsuccessful community nominations

(1) A local authority must maintain a list of land in its area that has been nominated by an unsuccessful community nomination (see sections section 86E(5) and 86H(6)(b)(i)).

(2) The list maintained under subsection (1) by a local authority is to be known as its list of land nominated by unsuccessful community nominations.

(3) Where land is included in a local authority's list of land nominated by unsuccessful community nominations, the entry in the list for the land—
- (a) may (but need not) be removed from the list by the authority after it has been in the list for 5 years, and
- (b) while it is in the list, is to include the reasons given under section 86E(6) or 86H(5)(b) for not including the land in the authority's list of assets of community value.

(4) Subject to any provision made by or under this Chapter, it is for a local authority to decide the form and contents of its list of land nominated by unsuccessful community nominations.

Provisions common to both lists

86J Publication and inspection of lists

(1) A local authority must publish—
- (a) its list of assets of community value, and

(b) its list of land nominated by unsuccessful community nominations.

(2) A local authority must at a place in its area make available, for free inspection by any person, both—

(a) a copy of its list of assets of community value, and

(b) a copy of its list of land nominated by unsuccessful community nominations.

(3) A local authority must provide a free copy of its list of assets of community value to any person who asks it for a copy, but is not required to provide to any particular person more than one free copy of the same version of the list.

(4) A local authority must provide a free copy of its list of land nominated by unsuccessful community nominations to any person who asks it for a copy, but is not required to provide to any particular person more than one free copy of the same version of the list.

(5) In this section "free" means free of charge.

Community groups: right to buy

86K Effect of inclusion on the list

(1) A person who is an owner of land included in a local authority's list of assets of community value ("the owner of land of community value") must not enter into a relevant disposal of all or part of the land unless the disposal is made in accordance with the provisions of this Chapter.

(2) Subsection (1) does not apply in relation to a relevant disposal of land—

(a) if the disposal is by way of gift (including a gift to trustees of any trusts by way of settlement upon the trusts),

(b) if the disposal is by personal representatives of a deceased person in satisfaction of an entitlement under the will, or on the intestacy, of the deceased person,

(c) if the disposal is by personal representatives of a deceased person in order to raise money to—

(i) pay debts of the deceased person,

(ii) pay taxes,

(iii) pay costs of administering the deceased person's estate, or

(iv) pay pecuniary legacies or satisfy some other entitlement under the will, or on the intestacy, of the deceased person,

(d) if the person, or one of the persons, making the disposal is a member of the family of the person, or one of the persons, to whom the disposal is made,

(e) if the disposal is a part-listed disposal of a description specified in regulations made by the Secretary of State, and for this purpose "part-listed disposal" means a disposal of an estate in land—

(i) part of which is land included in a local authority's list of assets of community value, and

(ii) part of which is land not included in any local authority's list of assets of community value,

(f) if the disposal is of an estate in land on which a business is carried on and is at the same time, and to the same person, as a disposal of that business as a going concern,

(g) if the disposal is occasioned by a person ceasing to be, or becoming, a trustee,

(h) if the disposal is by trustees of any trusts—

(i) in satisfaction of an entitlement under the trusts, or

(ii) in exercise of a power conferred by the trusts to re-settle trust property on other trusts,

(i) if the disposal is occasioned by a person ceasing to be, or becoming, a partner in a partnership, or

(j) in cases of a description specified in regulations made by the Secretary of State.

(3) For the purposes of subsection (2)(d), a person ("M") is a member of the family of another person if M is—

(a) that other person's spouse or civil partner, or

(b) a lineal descendant of a grandparent of that other person.

(4) For the purposes of subsection (3)(b) a relationship by marriage or civil partnership is to be treated as a relationship by blood.

(5) For the meaning of "relevant disposal", and for when a relevant disposal is entered into, see section 86L.

86L Meaning of "relevant disposal" etc

(1) This section applies for the purposes of this Chapter.

(2) A disposal of the freehold estate in land is a relevant disposal of the land if it is a disposal with vacant possession.

(3) A grant or assignment of a qualifying leasehold estate in land is a relevant disposal of the land if it is a grant or assignment with vacant possession.

(4) If a relevant disposal within subsection (2) or (3) is made in pursuance of a binding agreement to make it, the disposal is entered into when the agreement becomes binding.

(5) Subject to subsection (4), a relevant disposal within subsection (2) or (3) is entered into when it takes place.

(6) In this section "qualifying leasehold estate" , in relation to any land, means an estate by virtue of a lease of the land for a term which, when granted, had at least 25 years to run.

(7) The Secretary of State may by regulations amend this section.

86M Notice of proposed sale: community right to buy

(1) The owner of land of community value must give the relevant local authority written notice of the owner's wish to enter into a relevant disposal of the land.

(2) A notice under subsection (1) must identify the estate or estates in land which is or are to be disposed of or granted or assigned by the relevant disposal ("the relevant estate in land").

(3) Where a notice is given under subsection (1), the owner must not enter into a relevant disposal of the land unless the disposal—
  (a) is of the relevant estate in land, and
  (b) is to the preferred community buyer.

(4) Subsection (3) does not apply or ceases to apply if—
  (a) there is no preferred community buyer (see section 86N(2)),
  (b) the preferred community buyer does not meet the progress requirements after the first or second review periods (see section 86U), or
  (c) the preferred community buyer—
    (i) does not offer to buy the relevant estate in land at the price agreed with the owner by the end of the negotiation period (see section 86S(4)), and
    (ii) does not offer to buy the relevant estate in land at the value price by the end of the offer period (see section 86T(8)).

(5) Where a case falls within any of subsections (4)(a) to (c)—
  (a) the owner may enter into a relevant disposal of the land to any person within the permitted sale period;
  (b) if no such disposal is entered into within that period, a new notice must be given in accordance with subsection (1) if the landlord wishes to enter into a relevant disposal of the land after that period.

(6) In this section, "permitted sale period" in relation to a relevant disposal of land, means the period of 18 months beginning with the date on which the notice of a wish to enter into a relevant disposal was given under subsection (1).

86N The "preferred community buyer"

(1) The "preferred community buyer" (if any) for the purposes of this Chapter in relation to land of community value is—
  (a) the nominating community group where—
    (i) there is such a group,
    (ii) the notice requirement is met, and
    (iii) at the time the notice requirement is met the group is a community interest group, or
  (b) where there is no group falling within paragraph (a), the alternative community group determined in accordance with section 86P.

(2) If there is no group falling within subsection (1)(a) or (b) in relation to land of community value, there is no preferred community buyer for the purposes of this Chapter in relation to the land.

(3) The "notice requirement" is met if the nominating community group gives written notice of its intention to buy the land to the relevant local authority within the notification period.

(4) In this section—
  "community interest group" means a person specified, or of a description specified, in regulations made by the Secretary of State;
  "nominating community group" means a voluntary or community body or parish council on the basis of whose community nomination the land was included in a local authority's list of community assets;
  "notification period" is the period of six weeks beginning with the date the nominating community group received the notice given under section 86Q(3).

86P The alternative community group

(1) A community interest group may within the period for expressions of interest relating to land of community value give written notice to the relevant local authority of the group's intention to buy the land.

(2) The "period for expressions of interest", in relation to land of community value, is the period of eight weeks beginning with the

date on which the local authority updates the list for the land to include the matters mentioned in section 86Q(2)(a) to (c).

(3) A notice under subsection (1) must include the reasons why the group wants to buy the land.

(4) Where—
  (a) no community interest group has given notice under subsection (1), there is no alternative community group for the purposes of section 86N(1)(b);
  (b) one community interest group has given notice under subsection (1), that group is the alternative community group for the purposes of section 86N(1)(b);
  (c) more than one community interest group has given notice under subsection (1), the relevant local authority must make a determination as to which group is the alternative community group for the purposes of section 86N(1)(b).

(5) Where subsection (4)(b) applies, the relevant local authority must give written notice to the community interest group which has given notice under subsection (1) that it is the alternative community group for the purposes of section 86N(1)(b).

(6) Where subsection (4)(c) applies, the relevant local authority must give written notice of the determination to each community interest group which has given notice under subsection (1).

(7) A notice under subsection (5) or (6) must be given before the end of the period of 14 days beginning with the end of the period for expressions of interest.

(8) In this section, "community interest group" has the meaning given by section 86N(4).

86Q Publicising receipt of notice under section 86M(1)

(1) This section applies if a local authority receives notice under section 86M(1) in respect of land included in the authority's list of assets of community value.

(2) The authority must cause the entry in the list for the land to reveal—
  (a) that notice under section 86M(1) has been received in respect of the land,
  (b) the date when the authority received the notice, and
  (c) the end of the permitted sale period and the notification period that apply under section 86M or 86N as a result of the notice.

(3) If the land is included in the list in response to a community nomination, the authority must give written notice to the person

who made the nomination of the matters mentioned in subsection (2)(a), (b) and (c).

(4) The authority must also give written notice of those matters to—
  (a) any Member of Parliament whose Parliamentary constituency includes any part of the land;
  (b) the councillor or councillors for any electoral area or areas in which the land or any part of it is situated.

(5) The authority must make arrangements for those matters to be publicised in the area where the land is situated.

(6) Any requirement on a local authority under this section must be met before the end of the period of 14 days beginning with the day of receipt by the local authority of the notice under section 86M(1).

(7) In this section—
  "councillor" means a member of—
    (a) a local authority,
    (b) a county council for an area for which there are district councils, or
    (c) a parish council;
  "electoral area" means any electoral division or ward or (in the case of a parish for which there are no wards) the parish.

86R Further notification requirements

(1) This section applies where the owner of land of community value gives notice under section 86M(1).

(2) If there is a nominating community group in relation to the land who has met the notice requirement, the relevant local authority must—
  (a) give the owner written notice of this information, and
  (b) include this information in the entry in the list for the land.

(3) The notice under subsection (2)(a) must be given before the end of the period of 14 days beginning with the end of the notification period.

(4) In any other case, the relevant local authority must give the owner written notice—
  (a) if there is an alternative community group, of the name and address of that group, or
  (b) that there is no alternative community group.

(5) The notice under subsection (4) must be given before the end of the period of 14 days beginning with the end of the period for expressions of interest.

(6) In this section—

"alternative community group" means the group determined in accordance with section 86P;

"nominating community group" has the meaning given by section 86N(4);

"notice requirement" and "notification period" have the meaning given by section 86N;

"period for expressions of interest" has the meaning given by section 86P.

86S Negotiation of price and agreed offer

(1) This section applies where—

(a) the owner of land of community value gives notice under section 86M(1), and

(b) there is a preferred community buyer in relation to the land.

(2) The relevant local authority must as far as reasonably practicable arrange a joint meeting with the owner of the land and the preferred community buyer.

(3) The Secretary of State may by regulations make further provision about the meeting including provision about—

(a) the circumstances in which the meeting may go ahead without either the owner of the land or the preferred community buyer;

(b) the conduct of the meeting;

(c) information to be provided at the meeting by the relevant local authority (including information about the process and the periods within which any requirements must be met under this Chapter).

(4) Section 86T applies if at the end of the negotiation period the preferred community buyer has not offered to buy the relevant estate in land at a price agreed with the owner.

(5) In this section—

"negotiation period" is the period of eight weeks beginning with the date the notice was given under section 86R(2)(a) or 86R(4);

"relevant estate in land" has the meaning given by section 86M(2).

86T Valuation and offer

(1) If this section applies (see section 86S(4)), the relevant local authority must by the end of the appointment period appoint an authorised officer to assess the value of the land ("the valuer").

(2) The value to be assessed is the market value of the relevant estate in land on the date the notice was given under section 86M(1).

(3) The market value is the amount which the relevant estate in land could have been expected to realise if it had been sold on the open market by a willing seller to a willing buyer on that date.

(4) The Secretary of State may by regulations make further provision about the determination of the market value of an estate in land for the purposes of this section.

(5) Regulations under subsection (4) may include provision—

(a) about the method to be used for determining market value;

(b) about any matters which must or must not be taken into account when determining the market value;

(c) about the circumstances in which the owner of the land and the preferred community buyer may make written representations to the valuer (and requiring the valuer to take those representations into account).

(6) The valuer must by the end of the period of eight weeks beginning with the date of the valuer's appointment determine the market value of the relevant estate in land ("the value price").

(7) The valuer must as soon as reasonably practicable give the owner of the land and the preferred community buyer notice in writing of the determination.

(8) If the preferred community buyer wishes to buy the relevant estate in land in accordance with this Chapter, the buyer must by the end of the offer period offer to buy the relevant estate in land at the value price.

(9) The expense of a valuation under this section is to be met by the relevant local authority.

(10) In this section—

"appointment period" is the period of 14 days beginning with the end of the negotiation period;

"authorised officer", in relation to the valuation of land of community value, means—

(a) a valuation officer appointed under section 61 of the Local Government Finance Act 1988,

(b) a district valuer within the meaning of section 622 of the Housing Act 1985, or

(c) in such circumstances as may be specified in regulations made by the Secretary of State, another person who in the opinion of the relevant local authority is independent of the authority, the owner of the land and the preferred community buyer;

"negotiation period" has the meaning given by section 86S(5);

"offer period" is the period of 12 months beginning with the date notice was given under section 86M(1);

"relevant estate in land" means the estate or estates identified in the notice given under section 86M(1) (see section 86M(2)). 5

86U Progress requirements

(1) This section applies where—

(a) the owner of land of community value gives notice under section 86M(1), and

(b) there is a preferred community buyer in relation to the land. 10

(2) Where the owner makes a request in writing, the relevant local authority must—

(a) determine whether at the end of the first review period the preferred community buyer has met the progress requirements, and 15

(b) as soon as reasonably practicable give written notice of the determination to the owner and buyer.

(3) A request under subsection (2) must be made no less than two weeks before the end of the first review period.

(4) The relevant local authority must— 20

(a) determine whether at the end of the second review period the preferred community buyer has met the progress requirements, and

(b) as soon as reasonably practicable give written notice of the determination to the owner of the land and the preferred community buyer. 25

(5) "Progress requirements" means such requirements relating to the first and second review periods as are specified in regulations made by the Secretary of State for that purpose.

(6) Regulations under subsection (5) may make provision about the evidence that a preferred community buyer must provide to a local authority for the purpose of demonstrating that they have met the progress requirements. 30

(7) In this section—

"first review period" is the period of six months beginning with the date on which the notice of a wish to enter into a relevant disposal was given under section 86M(1); 35

"second review period" is the period of 12 months beginning with that date.

86V Validity of acts

The validity of anything done under this Chapter is not affected by any failure by a local authority or a valuer appointed in accordance with section 86T to comply with a time limit specified by or under this Chapter. 5

86W Compensation

(1) The Secretary of State may by regulations make provision for the payment of compensation in connection with the operation of this Chapter.

(2) Regulations under subsection (1) may (in particular)— 10
  (a) provide for any entitlement conferred by the regulations to apply only in cases specified in the regulations;
  (b) provide for any entitlement conferred by the regulations to be subject to conditions, including conditions as to time limits; 15
  (c) make provision about—
    (i) who is to pay compensation payable under the regulations;
    (ii) who is to be entitled to compensation under the regulations; 20
    (iii) what compensation under the regulations is to be paid in respect of;
    (iv) the amount, or calculation, of compensation under the regulations;
    (v) the procedure to be followed in connection with claiming compensation under the regulations; 25
    (vi) the review of decisions made under the regulations;
    (vii) appeals against decisions made under the regulations.

Miscellaneous

86X Guidance 30

(1) The Secretary of State may issue guidance to local authorities about the exercise of any functions under this Chapter.

(2) A local authority must take into account any such guidance in exercising those functions.

(3) The guidance may include (but is not limited to) guidance about— 35
  (a) the types of use that may further the social or economic wellbeing or social or economic interests of a local community;

(b) communicating with specified persons in connection with the carrying out of any of the local authority's functions;

(c) matters relating to the indefinite listing of land as land of community value under section 86A(6);

(d) applying the test under section 86B(3) to identify land supporting sporting assets of community value;

(e) meeting the obligations under section 86G in relation to sporting assets of community value.

(4) Before issuing guidance under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(5) The requirement in subsection (4) may be met by consultation carried out before this section comes into force.

(6) The Secretary of State may revise any guidance issued under this section.

(7) The Secretary of State must arrange for any guidance issued under this section to be published.

86Y Local land charge

If land is included in a local authority's list of assets of community value—

(a) inclusion in the list is a local land charge, and

(b) that authority is the originating authority for the purposes of the Local Land Charges Act 1975.

86Z Enforcement

(1) The Secretary of State may by regulations make provision—

(a) with a view to preventing, or reducing the likelihood of, contraventions of section 86K(1) (restriction on relevant disposals of land);

(b) as to the consequences applicable in the event of contraventions of section 86K(1).

(2) The provision that may be made under subsection (1) includes (in particular)—

(a) provision for transactions entered into in breach of section 86K(1)to be set aside or to be ineffective;

(b) provision about entries on registers relating to land.

(3) The provision that may be made under subsection (1) includes provision amending—

(a) an Act, or

(b) an instrument made under an Act.

86Z1 Co-operation

If different parts of any land are in different local authority areas, the local authorities concerned must co-operate with each other in carrying out functions under this Chapter in relation to the land or any part of it.

86Z2 Advice and assistance in relation to land of community value

(1) The Secretary of State may do anything that the Secretary of State considers appropriate for the purpose of giving advice or assistance—

(a) to anyone in relation to doing any of the following—

(i) taking steps under or for the purposes of provision contained in, or made under, this Chapter, or

(ii) preparing to, or considering or deciding whether to, take steps within sub-paragraph (i), or

(b) to a preferred community buyer in relation to doing any of the following—

(i) negotiating and offering to buy land that is included in a local authority's list of assets of community value,

(ii) preparing to, or considering or deciding whether or how to, bring land within sub-paragraph (i) into effective use.

(2) The things that the Secretary of State may do under this section include, in particular—

(a) the provision of financial assistance to any body or other person;

(b) the making of arrangements with a body or other person, including arrangements for things that may be done by the Secretary of State under this section to be done by that body or other person.

(3) In this section—

(a) the reference to giving advice or assistance includes providing training or education;

(b) the reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).

86Z3 Crown application

This Chapter binds the Crown.

Interpretation of Chapter

86Z4 Meaning of "local authority"

(1) In this Chapter "local authority" means—
  (a) a district council,
  (b) a county council for an area in England for which there are no district councils,
  (c) a London borough council,
  (d) the Common Council of the City of London, or
  (e) the Council of the Isles of Scilly.

(2) The Secretary of State may by regulations amend this section for the purpose of changing the meaning in this Chapter of "local authority" in relation to England.

86Z5 Meaning of "owner"

(1) In this Chapter "owner", in relation to land, is to be read as follows.

(2) The owner of any land is the person in whom the freehold estate in the land is vested, but not if there is a qualifying leasehold estate in the land.

(3) If there is just one qualifying leasehold estate in any land, the owner of the land is the person in whom that estate is vested.

(4) If there are two or more qualifying leasehold estates in the same land, the owner of the land is the person in whom is vested the qualifying leasehold estate that is more or most distant (in terms of the number of intervening leasehold estates) from the freehold estate.

(5) In this section "qualifying leasehold estate", in relation to any land, means an estate by virtue of a lease of the land for a term which, when granted, had at least 25 years to run.

(6) The Secretary of State may by regulations amend this section—
  (a) for the purpose of changing the definition of "owner" for the time being given by this section;
  (b) for the purpose of defining "owner" for the purposes of this Chapter in a case where, for the time being, this section does not define that expression.

86Z6 Interpretation of Chapter: general

(1) In this Chapter—

"building" includes part of a building;

"community nomination" has the meaning given by section 86D(2);

"land" includes—

(a) part of a building,

(b) part of any other structure, and

(c) mines and minerals, whether or not held with the surface;

"land of community value" is to be read in accordance with section 86B;

"local authority" is to be read in accordance with section 86Z4;

"owner", in relation to any land, is to read in accordance with section 86Z5;

"owner of land of community value" has the meaning given by section 86K(1);

"preferred community buyer" has the meaning given by section 86N;

"relevant local authority" has the meaning given by section 86C;

"unsuccessful", in relation to a community nomination, has the meaning given by sections 86E(5) and section 86H(6)(b)(i).

(2) For the meaning of "list of assets of community value" see section 86A(2).

(3) For the meaning of "list of land nominated by unsuccessful community nominations" see section 86I(2)."

PART 2

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 1

2 The Localism Act 2011 is amended as follows.

3 In Part 5 (community empowerment), at the end of the heading for Chapter 3, insert "(Wales)".

4 In section 87 (list of assets of community value)—

(a) in subsection (4), for "appropriate authority" substitute "Welsh Ministers";

(b) in subsection (5), for "appropriate authority" substitute "Welsh Ministers".

5 In section 88 (land of community value)—

(a) in subsection (3), for "appropriate authority" substitute "Welsh Ministers";

(b) in subsection (4), for "appropriate authority considers" substitute "Welsh Ministers consider".

6 In section 89 (Procedure for including land in list)—

(a) in subsection (1)(b), for "appropriate authority" substitute "Welsh Ministers";

(b) in subsection (2)(b)—

(i) omit sub-paragraph (i);

(ii) in sub-paragraph (ii), omit "in Wales";

(c) in subsection (4), for "appropriate authority" substitute "Welsh Ministers";

(d) in subsection (5), for "appropriate authority" substitute "Welsh Ministers".

7 In section 91 (notice of inclusion or removal), in subsection (2)(d) for "appropriate authority" substitute "Welsh Ministers".

8 In section 92 (review of decision to include land in list), in subsection (5), for "appropriate authority" substitute "Welsh Ministers".

9 In section 95 (moratorium)—

(a) in subsection (5)—

(i) in paragraph (e), for "appropriate authority" substitute "Welsh Ministers";

(ii) in paragraph (j), for "appropriate authority" substitute "Welsh Ministers";

(b) in subsection (6), in the definition of "community interest group" for "appropriate authority" substitute "Welsh Ministers".

10 In section 96 (meaning of "relevant disposal" etc in section 95), in subsection (7), for "appropriate authority" substitute "Welsh Ministers".

11 In section 98 (informing owner of request to be treated as bidder), in subsection (3), for "appropriate authority" substitute "Welsh Ministers".

12 In section 99 (compensation), in subsection (1), for "appropriate authority" substitute "Welsh Ministers".

13 In section 101 (enforcement)—

(a) in subsection (1), for "appropriate authority" substitute "Welsh Ministers";

(b) in subsection (3), for paragraphs (a) and (b) substitute—

"(a) a Measure or Act of Synedd Cyrmru, or

(b) an instrument made under such a Measure or Act.";

(c) omit subsection (4).

14 Omit section 103.

15 In section 104 (Advice and assistance in relation to land of community value in Wales)—
(a) in the heading, omit "in Wales";
(b) in subsection (1)(a), omit "so far as applying to Wales";
(c) in subsection (1)(b)(i), omit "in Wales".

16 In section 106 (meaning of "local authority")—
(a) omit subsections (1) and (2);
(b) in subsection (3)—
(i) in the opening words, omit "in relation to Wales";
(ii) in paragraph (a), omit "in Wales".

17 In section 107 (meaning of "owner"), in subsection (6), for "appropriate authority" substitute "Welsh Ministers".

18 In section 108 (interpretation), omit the definition of "appropriate authority".

19 In section 235 (orders and regulations), after subsection (7)(g) insert—
"(ga) regulations under section 86A(5), section 86L(7), 86Z, 86Z4(2) or 86Z5(6);".

SCHEDULE 28

Section 61(2)

THE LOCAL AUDIT OFFICE

PART 1

CONSTITUTION, PROCEEDINGS ETC

1 In the Local Audit and Accountability Act 2014, after Schedule 1 insert—

"SCHEDULE 1A

Section 1A(2)

LOCAL AUDIT OFFICE: CONSTITUTION, PROCEEDINGS ETC

Composition

1 (1) The Local Audit Office is to consist of—
(a) the Chair (who is to be a non-executive member),
(b) at least 5 other non-executive members,
(c) the Controller of Local Audit (being an executive member by virtue of paragraph 4), and
(d) any individuals who are executive members by virtue of paragraph 5.

(2) The Secretary of State and the Office must, so far as practicable, exercise their powers so as to ensure that the number of

non-executive members is at all times greater than the number of executive members.

Non-executive members: appointment and tenure

2 (1) The non-executive members (including the Chair) are to be appointed by the Secretary of State.

(2) An employee of the Office may not be appointed.

(3) Appointment is to be for a fixed term not exceeding 5 years.

(4) An individual may be appointed no more than twice.

(5) Subject to the other provisions of this Schedule, an individual is to hold office as a non-executive member in accordance with the terms of the individual's appointment.

(6) A non-executive member may resign by giving written notice to the Secretary of State.

(7) The Secretary of State may by written notice remove a non-executive member from office on the grounds that—

(a) the member has without reasonable excuse failed to carry out the functions of the office, or

(b) in the opinion of the Secretary of State, the member is otherwise unable, unfit or unwilling to carry out those functions.

(8) A non-executive member who becomes an employee of the Office ceases to be a non-executive member.

Non-executive members: remuneration

3 (1) The Local Audit Office must make, or make provision for, such of the following payments (in such amounts and in such circumstances) as the Secretary of State may determine.

(2) The payments are those of—

(a) remuneration, pensions, allowances and gratuities in respect of an individual's service as a non-executive member, and

(b) compensation in respect of an individual's ceasing to be a non-executive member.

(3) The Secretary of State may determine that a payment within sub-paragraph (2)(b) is to be made only in a case where the Secretary of State considers there to be special circumstances.

Controller of Local Audit

4 (1) The Local Audit Office must employ an individual to act as its chief executive officer.

(2) That individual—
  (a) is to have the title of the Controller of Local Audit, and
  (b) is by virtue of the individual's employment an executive member of the Office.

(3) The Office must consult the Secretary of State before appointing the Controller.

Other executive members

5 (1) The Local Audit Office may from time to time—
  (a) designate for the purposes of this paragraph roles in which individuals are or are to be employed by the Office;
  (b) revoke such a designation.

(2) The Office must consult the Secretary of State before making or revoking a designation.

(3) An individual employed by the Office in a designated role is by virtue of that employment an executive member of the Office.

Staff

6 (1) The Local Audit Office may employ staff and make other arrangements for its staffing.

(2) That employment, or those arrangements, may be on whatever terms the Office considers appropriate (including terms as to remuneration, pensions or other financial matters).

(3) The Secretary of State may from time to time—
  (a) designate for the purposes of sub-paragraph (4) roles in which individuals serve or are to serve as staff of the Office;
  (b) revoke such a designation.

(4) The Office may not make a payment in respect of an individual's service in a designated role except in accordance with an agreement whose terms, so far as they relate to such payments, have been approved by the Secretary of State.

Committees

7 (1) The Local Audit Office may appoint committees.

(2) A committee of the Office may appoint sub-committees.

(3) Members of a committee or sub-committee do not have to be members of the Office.

(4) Members of a sub-committee do not have to be members of the appointing committee.

(5) The Office may pay such remuneration and allowances as it may determine to any person who—
  (a) is a member of a committee or a sub-committee, but
  (b) is not a member of the Office or a member of its staff.

Delegation

8 (1) The Local Audit Office may (subject to sub-paragraph (5)) delegate any of its functions to—
  (a) a committee or sub-committee,
  (b) a member of the Office, or
  (c) a member of the Office's staff.

(2) A committee may delegate any of its functions to—
  (a) a sub-committee appointed by it,
  (b) a member of the committee, or
  (c) a member of the Office's staff.

(3) A sub-committee may delegate any of its functions to—
  (a) a member of the sub-committee, or
  (b) a member of the Office's staff.

(4) A delegation under this paragraph—
  (a) may be limited in extent or made subject to conditions, and
  (b) does not prevent the delegator from exercising the function concerned.

(5) The Office may not delegate its function of—
  (a) appointing the Controller of Local Audit,
  (b) making or revoking the designation of a role for the purposes of paragraph 5, or
  (c) adopting—
    (i) a statement of accounts under paragraph 13,
    (ii) a business plan or corporate strategy under paragraph 14, or
    (iii) an annual report under paragraph 15.

Procedure

9 (1) The Local Audit Office may determine its own procedure (including quorum) and that of its committees and sub-committees.

(2) The validity of any proceedings of the Office is not affected by any vacancy or defective appointment.

General power

10 The Local Audit Office may do anything it thinks appropriate for the purposes of, or in connection with, its functions.

Status

11 (1) The Local Audit Office is not to be regarded—
(a) as the servant or agent of the Crown, or
(b) as enjoying any status, immunity or privilege of the Crown.

(2) The Office's property is not to be regarded as property of, or property held on behalf of, the Crown.

(3) Service as a member, or a member of staff, of the Office is not service in the civil service of the State.

Seal and evidence

12 (1) The application of the Local Audit Office's seal must be authenticated by a signature of—
(a) a member of the Office, or
(b) another person authorised for that purpose by the Office.

(2) A document purporting to be duly executed under the Office's seal or signed on its behalf—
(a) is to be received in evidence, and
(b) is to be taken to be executed or signed in that way, unless the contrary is shown.

Accounts

13 (1) The Local Audit Office must—
(a) keep proper accounts and proper records in relation to them, and
(b) prepare and adopt a statement of accounts in respect of each financial year.

(2) The Office must send a copy of each statement of accounts to the Secretary of State and the Comptroller and Auditor General as soon as practicable after the end of the financial year to which the statement relates.

(3) The Comptroller and Auditor General must—
(a) examine, certify and report on each statement of accounts, and
(b) send a copy of each report and certified statement to the Secretary of State.

(4) The Secretary of State must lay before Parliament a copy of each such report and certified statement.

Business planning

14 (1) The Local Audit Office must have—
(a) a business plan, and
(b) a corporate strategy.

(2) The business plan is to relate to a single financial year and is to be published before the start of that year.

(3) The corporate strategy is to relate to a period of between 3 and 5 years and must be published before the expiry of the previous strategy.

(4) The Office may revise its business plan or corporate strategy, and must publish any revision.

Annual report

15 (1) As soon as reasonably practicable after the end of each financial year, the Local Audit Office must prepare and adopt a report on the exercise of its functions during that financial year.

(2) The Office must send the report to the Secretary of State.

(3) The Secretary of State must lay the report before Parliament."

PART 2

TRANSITIONAL PROVISION

Initial appointment of Controller of Local Audit

2 (1) For the purpose of constituting the Local Audit Office—
(a) the Secretary of State must nominate an individual to be the first Controller of Local Audit;
(b) the nominated individual is to become an executive member of the Office;
(c) the Office must employ that individual to serve as its chief officer; and
(d) the individual's position as executive member is then to continue under paragraph 4(2)(b) of Schedule 1A to the Local Audit and Accountability Act 2014 (inserted by paragraph 1 of this Schedule).

(2) The Secretary of State may direct the Office as to the terms on which the nominated individual is to be employed.

Initial business plans and corporate strategy

3 (1) The provision that may be made under section 78(8) (transitional or saving provision in relation to commencement) includes provision disapplying or modifying the duty of the Local Audit Office under paragraph 14(1)(a) and (2) (requirement for business plan) in relation to—
(a) the financial year in which the Office is established, or
(b) the following financial year.

(2) The first corporate strategy of the Office must be published as soon as reasonably practicable after it is established.

Staff transfer schemes

4 (1) The Secretary of State may make one or more schemes under which individuals employed by—
(a) the National Audit Office,
(b) The Financial Reporting Council Limited (a company limited by guarantee with the registered number 02486368), or
(c) Public Sector Audit Appointments Limited (a company limited by guarantee with the registered number 09178094),
become employees of the Local Audit Office.

(2) A scheme under sub-paragraph (1) is referred to in this paragraph as a "staff transfer scheme".

(3) A staff transfer scheme may make—
(a) provision applying or modifying, or dealing with the same subject-matter as, any provision of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246);
(b) supplementary, incidental or consequential provision.

(4) A staff transfer scheme must allow each individual to whom it applies to choose not to become an employee of the Local Audit Office.

(5) A scheme under sub-paragraph (1) may provide—
(a) for the scheme to be modified by agreement after it comes into effect;
(b) for any such modifications to have effect from the date when the original scheme comes into effect.

Property transfer schemes

5 (1) The Secretary of State may make one or more schemes for the transfer of property, rights and liabilities from Public Sector Audit Appointments Limited (a company limited by guarantee with the registered number 09178094) ("PSAA") to the Local Audit Office.

(2) A scheme under sub-paragraph (1) is referred to in this paragraph as a "property transfer scheme".

(3) The things that may be transferred under a transfer scheme include—
  (a) property, rights and liabilities that could not otherwise be transferred;
  (b) property acquired, and rights and liabilities arising, after the making of the scheme.

(4) A transfer scheme may—
  (a) create rights, or impose liabilities, in relation to property or rights transferred;
  (b) make provision about the continuing effect of things done by PSAA in respect of anything transferred;
  (c) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of or in relation to PSAA in respect of anything transferred;
  (d) make provision for references to PSAA in an instrument or other document in respect of anything transferred to be treated as references to the Local Audit Office;
  (e) make provision for the shared ownership or use of property;
  (f) make other consequential, supplementary, incidental or transitional provision.

(5) A transfer scheme may provide—
  (a) for modifications by agreement;
  (b) for modifications to have effect from the date when the original scheme came into effect.

(6) In this paragraph, references to the transfer of property include the grant of a lease.

PART 3

APPLICATION OF OTHER LEGISLATION

Public Records Act 1958 (c. 51)

6 In Part 2 of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958 (establishments and organisations whose records are public records), at the appropriate place insert—

"The Local Audit Office."

Parliamentary Commissioner Act 1967 (c. 13)

7 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation), at the appropriate place insert—

"The Local Audit Office."

House of Commons Disqualification Act 1975 (c. 24)

8 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies all members of which are disqualified), at the appropriate place insert—

"The Local Audit Office." 5

Freedom of Information Act 2000 (c. 36)

9 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies), at the appropriate place insert—

"The Local Audit Office."

Equality Act 2010 (c. 15) 10

10 In Part 1 of Schedule 19 to the Equality Act 2010 (authorities subject to the public sector equality duty), under the heading "Regulators", at the appropriate place insert—

"The Local Audit Office."

SCHEDULE 29 Section 62(2) 15

LOCAL AUDIT: REGISTRATION BODIES, REGISTERED PROVIDERS AND QUALIFICATIONS

In the Local Audit and Accountability Act 2014, after Schedule 1A (inserted by Schedule 28 to this Act) insert—

"SCHEDULE 1B Section 6B(7)

EXTERNAL REGISTRATION BODIES 20

Provision of information to the Local Audit Office

1 (1) An external registration body must comply with any written request by the Local Audit Office to be provided with information.

(2) Such a request may relate to information as it exists in the future (for instance, information about a future occurrence once it has occurred or about a future period once it has elapsed). 25

(3) The Office may make such a request only if the Office reasonably requires the information concerned in connection with the performance of its functions.

Directions to secure compliance

2 (1) If the Local Audit Office considers that an external registration body has failed to comply with a requirement under—
  (a) this Act, or
  (b) an agreement under section 6B(5),
  the Office may give the body a direction under this paragraph.

(2) A direction under this paragraph is one directing the body to take steps that the Office considers will—
  (a) secure that the requirement in question is complied with, or
  (b) mitigate the effect, or prevent the recurrence, of the failure of compliance.

(3) Such a step—
  (a) must be one that the body has the power to take;
  (b) may consist of not doing something.

(4) A direction under this paragraph must—
  (a) explain the Office's reasons for giving the direction, and
  (b) specify the time by which the direction must be complied with.

Directions with respect to international obligations

3 (1) If it appears to the Secretary of State or the Local Audit Office—
  (a) that any action proposed to be taken by an external registration body would be incompatible with assimilated obligations or any other international obligations of the United Kingdom, or
  (b) that any action which an external registration body has power to take is required for the purpose of implementing any such obligations,
  the Secretary of State or the Office may direct the body not to take or, as the case may be, to take the action in question.

(2) A direction under this paragraph—
  (a) may include such supplementary or incidental requirements as the Secretary of State or the Office thinks necessary or expedient, and
  (b) may be varied or cancelled by written notice to the body concerned.

(3) A direction under this paragraph is enforceable by injunction issued by the High Court on the application of the Secretary of State or the Office.

Exemption from liability in damages

4 (1) No person within sub-paragraph (2) is to be liable in damages for anything done or omitted in the discharge or purported discharge of functions to which this sub-paragraph applies.

(2) The persons within this subsection are—

(a) an external registration body,
(b) an officer or employee of such a body, and
(c) a member of the governing body of such a body.

(3) Sub-paragraph (1) applies to the functions of an external registration body so far as relating to, or to matters arising out of, any of the following—
(a) rules and arrangements made for the purposes of Schedule 1C or any agreement under section 6B(5)(a), or
(b) any guidance or recommendation within sub-paragraph (4).

(4) Guidance or a recommendation is within this sub-paragraph if—
(a) it is issued or made by the external registration body to all or any class of the persons who are or are seeking to become—
(i) registered in the body's local audit register, or
(ii) listed in accordance with paragraph 6 of Schedule 1C (list of firm's lead partners), and
(b) it is relevant for the purposes of this Act,
including any guidance or recommendation relating to entry in or removal from the register or list.

(5) Sub-paragraph (1) does not apply—
(a) if the act or omission is shown to have been in bad faith, or
(b) so as to prevent an award of damages in respect of the act or omission on the ground that it was unlawful as a result of section 6(1) of the Human Rights Act 1998 (acts of public authorities incompatible with Convention rights).

SCHEDULE 1C

Section 6C(1)

ELIGIBILITY AND REGULATION OF REGISTERED PROVIDERS

Introduction

1 (1) The following paragraphs set out the requirements that have effect in relation to a local audit register as provided by section 6C(1).

(2) In this Schedule as it applies in relation to a given register—
"provider" means an individual or firm entered in that register;
"the registration body" means the body keeping that register.

Eligibility criteria and procedures

2 (1) The registration body must have in place—
(a) criteria for being entered, and remaining, in the register, and
(b) procedures for entry in, and removal from, the register.

(2) The procedures must allow for appeals to be made to a person who will determine the appeal independently of the maker of the decision appealed against.

Registration rules

3 (1) The registration body must secure that each provider is bound by rules determined by the body.

(2) Those rules are referred to in this Schedule as "registration rules".

(3) Any changes in the body's registration rules after its designation must be approved by the Local Audit Office.

(4) The body must have arrangements for taking account, in framing its registration rules, of the cost to providers of complying with those rules and any other controls to which they are subject.

Professional qualifications

4 (1) The criteria and procedures in place under paragraph 2 must be designed to secure that—

(a) an individual—

(i) may be entered in the register only if the individual meets the qualification requirement, and

(ii) is to be removed from the register as soon as possible after ceasing to meet that requirement;

(b) a firm—

(i) may be entered in the register only if the firm meets the qualified control requirement, and

(ii) is to be removed from the register before the end of the period of 3 months beginning with the day on which the firm ceases to meet that requirement.

(2) See Part 1 of Schedule 1D for the requirements referred to in sub-paragraph (1).

Professional integrity and independence

5 (1) The registration rules must include rules designed to secure that—

(a) audits under this Act are conducted properly and with integrity, and

(b) providers are not appointed as local auditors in circumstances in which they have an interest likely to conflict with the proper conduct of the audit.

(2) The criteria and procedures in place under paragraph 2 must be designed to secure that a firm—

(a) may be entered in the register only if the firm has in place adequate arrangements within sub-paragraph (3), and

(b) is to be removed from the register as soon as possible after ceasing to have such arrangements.

(3) The arrangements within this sub-paragraph are arrangements to prevent a person to whom sub-paragraph (4) applies from being able to exert any influence over the way in which an audit under this Act is conducted in circumstances in which that influence would be likely to affect the independence or integrity of the audit.

(4) This sub-paragraph applies to—

(a) any person who is not a member of the firm, and

(b) any individual who is a member of the firm but does not meet the qualification requirement for the purposes of paragraph 4(1)(a).

Lead partners

6 (1) The registration body must secure that the register includes, for each provider that is a firm, a list of the individuals who may act as the lead partner for an audit carried out by the firm.

(2) The registration body must have arrangements designed to secure that an individual appears in the list only if the individual—

(a) meets the qualification requirement (see paragraph 1 of Schedule 1D),

(b) otherwise has the necessary competence to act as the lead partner for an audit, and

(c) is bound by rules determined by the body (which are referred to in this Schedule as "lead partner rules").

(3) Any changes in the body's lead partner rules after its designation must be approved by the Local Audit Office.

(4) The registration body must have lead partner rules designed to secure that individuals acting as lead partners for audits under this Act maintain high standards of professional conduct.

Complaints procedures

7 (1) The registration body must have effective arrangements for the investigation of complaints against providers, so far as relating to their work in connection with audits under this Act.

(2) The registration body must have effective arrangements for the investigation of complaints against itself, so far as relating to its functions as a registration body.

Meeting of claims

8 (1) The registration body must have in place registration rules or other arrangements designed to secure that providers take such steps as may reasonably be expected of them to secure that they are able to meet claims

against them arising out of their work in connection with audits under this Act.

(2) This may be achieved by professional indemnity insurance or other appropriate arrangements.

Monitoring and inspections

9 (1) The registration body must have in place—

(a) arrangements for monitoring compliance with its registration rules and lead partner rules,

(b) arrangements for the inspection of providers in connection with their work in connection with audits under this Act,

(c) registration rules designed to secure that providers co-operate with the monitoring and inspections, and

(d) lead partner rules designed to secure that individuals bound by the rules co-operate with the monitoring.

(2) The arrangements relating to inspections must be designed to secure that each provider is inspected at least once every 6 years.

(3) Those arrangements must include—

(a) provision for the results of any inspections not carried out by the registration body to be reported to the registration body, and

(b) in the case of an external registration body, provision for the results of any inspections not carried out by the Local Audit Office to be reported to the Office.

Enforcement

10 (1) The registration body must have in place—

(a) arrangements for the investigation of suspected breaches by providers or lead partners, and

(b) registration rules and lead partner rules designed to secure that providers and lead partners co-operate with any investigations.

(2) In sub-paragraph (1), "breaches" means breaches of requirements imposed by or under this Act (including by registration rules or lead partner rules).

Provision and publication of information

11 (1) The registration rules must require a provider to comply with any written request for the provision of information made by the registration body or (if different) the Local Audit Office for the purposes of its functions.

(2) The registration rules must require a provider to comply with any general directions published from time to time by the Local Audit Office regarding the publication of information about providers.

(3) That information may, for instance, include information regarding—

(a) a provider's ownership and governance,
(b) a provider's internal controls with respect to the quality and independence of its audit work,
(c) a provider's turnover, and
(d) the relevant authorities whose accounts a provider has audited under this Act.

SCHEDULE 1D

Section 6D

PROFESSIONAL QUALIFICATIONS

PART 1

REQUIREMENTS FOR REGISTERED PROVIDERS

Qualification requirement for individuals

1 (1) This paragraph applies for the purposes of paragraph 4(1)(a) of Schedule 1C.

(2) An individual meets the qualification requirement if the individual—
(a) holds an appropriate qualification, or
(b) falls within paragraph 4 or 5 of this Schedule.

Qualified control requirement for firms

2 (1) This paragraph applies for the purposes of paragraphs 4(1)(b) and 6(2)(a) of Schedule 1C.

(2) A firm meets the qualified control requirement if—
(a) a majority of the members of the firm are qualified persons, and
(b) where the firm's affairs are managed by a board of directors, committee or other management body—
(i) a majority of that body are qualified persons, or
(ii) if the body consists of two persons only, at least one of them is a qualified person.

(3) The following provisions apply for the purposes of sub-paragraph (2).

(4) An individual is a qualified person if the individual—
(a) holds an appropriate qualification, or
(b) falls within paragraph 4 or 5 of this Schedule.

(5) A firm is a qualified person if the firm—
(a) meets the criteria to become a registered local audit provider, or
(b) is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006.

(6) A majority of the members of a firm means—
  (a) where under the firm's constitution matters are decided upon by the exercise of voting rights, members holding a majority of the rights to vote on all, or substantially all, matters;
  (b) in any other case, members having such rights under the constitution of the firm as enable them to direct its overall policy or alter its constitution.

(7) A majority of the members of the management body of a firm means—
  (a) where matters are decided at meetings of the management body by the exercise of voting rights, members holding a majority of the rights to vote on all, or substantially all, matters at such meetings;
  (b) in any other case, members having such rights under the constitution of the firm as enable them to direct its overall policy or alter its constitution.

(8) Paragraphs 5 to 11 of Schedule 7 to the Companies Act 2006 (rights to be taken into account and attribution of rights) apply for the purposes of sub-paragraphs (6) and (7) as they apply for the purposes of section 1162 of that Act.

"Appropriate qualification"

3 (1) The Secretary of State may by regulations provide for a qualification to be an appropriate qualification for the purposes of paragraphs 1 and 2 if—
  (a) it is a professional qualification in accountancy,
  (b) it is obtained from a body established in the United Kingdom (whether a body corporate or an unincorporated association), and
  (c) it meets, or the Secretary of State thinks that it meets, specified requirements.

(2) The regulations may, in particular, provide for a qualification to be an appropriate qualification if it is recognised in accordance with the regulations.

(3) Regulations under this paragraph that contain provision under sub-paragraph (2) may in particular—
  (a) provide for the making (by the Secretary or State or otherwise) of an order (a "recognition order") recognising a qualification;
  (b) make provision about applications for a recognition order;
  (c) provide for the giving of directions or imposition of requirements in connection with such applications;
  (d) make provision about the circumstances in which the making of a recognition order may or must be refused;
  (e) make provision about the steps to be taken on making or refusing to make a recognition order;
  (f) provide for a recognition order to be revoked by a further order (a "revocation order");

(g) make provision about the circumstances in which a revocation order may or must be made;

(h) make provision about the date on which a revocation order may or must take effect;

(i) provide for a revocation order to contain transitional provision;

(j) make provision about the steps to be taken by the person making a revocation order before or on making it.

(4) The requirements that may be specified for a qualification to be an appropriate qualification or to be the subject of a recognition order include, in particular, requirements as to—

(a) the persons to whom the qualification is open;

(b) the course of instruction undertaken by persons to whom the qualification is awarded;

(c) the professional experience of such persons;

(d) the examinations passed by such persons;

(e) the practical training undertaken by such persons;

(f) the rules and arrangements of the body offering the qualification for ensuring or monitoring compliance with other specified requirements.

(5) Regulations under this paragraph may in particular—

(a) provide for exceptions to a specified requirement;

(b) confer power to give or withhold recognition or approval for the purposes of a specified requirement.

(6) In this paragraph, "specified" means specified in regulations under this paragraph.

Cases in which an individual need not hold appropriate qualification: domestic cases

4 (1) An individual falls within this paragraph if any of the following sub-paragraphs applies in respect of the individual.

(2) This sub-paragraph applies where the individual holds an appropriate qualification for the purposes of Chapter 2 of Part 42 of the Companies Act 2006 (eligibility of individuals and firms to act as statutory auditors) (see section 1219 of that Act).

(3) This sub-paragraph applies where, immediately before 16 December 2014, the individual was qualified for appointment as an auditor under section 3 of the Audit Commission Act 1998 by virtue of the individual's membership of a body listed in subsection (7) of that section.

(4) This sub-paragraph applies where—

(a) before 16 December 2014, the individual began a course of study or practical training leading to a professional qualification in accountancy offered by a body listed in section 3(7) of the Audit Commission Act 1998,

(b) the person would have been qualified for appointment as an auditor under section 3 of that Act by virtue of subsection (5)(b) of that section if that qualification had been obtained before that date, and

(c) the person obtained that qualification within the period of 6 years beginning with that date.

Cases in which an individual need not hold appropriate qualification: overseas cases

5 (1) An individual falls within this paragraph if any of the following sub-paragraphs applies in respect of the individual.

(2) This sub-paragraph applies where the individual—

(a) is eligible to conduct audits of the accounts of bodies corporate incorporated or formed under the law of a third country in accordance with the law of that country, and

(b) holds a professional qualification which covers all the subjects that—

(i) are covered by an appropriate qualification, and

(ii) are subjects of which knowledge is essential for the pursuit of the profession of local auditor.

(3) This sub-paragraph applies where the individual is a specified state auditor who—

(a) holds professional qualifications obtained in a specified state that are comparable to an appropriate qualification, and

(b) has met a requirement to take an aptitude test or to complete an adaptation period, or to undertake both, imposed on the individual in accordance with Part 2 of the principal Recognition Regulations, if such a requirement is so imposed.

(4) This sub-paragraph applies where the individual is an EEA auditor who, on or before 31 December 2020, was eligible for appointment as a local auditor by virtue of paragraph 6(1)(b) of Schedule 10 to the Companies Act 2006 as substituted by paragraph 28(3) of Schedule 5 to this Act.

(5) This sub-paragraph applies where the individual has been authorised to act as a local auditor pursuant to the European Communities (Recognition of Professional Qualifications) Regulations 2007 (S.I. 2007/2781), and complies with the requirements of those Regulations that apply to a person acting as a local auditor.

(6) In this paragraph—

"EEA auditor" has the meaning given by paragraph 20A(1) of Schedule 10 to the Companies Act 2006;

"the principal Recognition Regulations" means the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286);

"specified state" means one of the states specified in Schedule 1 to the principal Recognition Regulations;

"specified state auditor" means an individual who is eligible to conduct audits of the accounts of bodies corporate that are incorporated or formed under the law of a specified state in accordance with the law of that state;

"third country" means a country or territory outside the United Kingdom.

PART 2

RECOGNISED QUALIFYING BODIES

"Recognised qualifying body"

6 In this Act, "recognised qualifying body" means a body that offers a qualification that is an appropriate qualification by virtue of regulations under paragraph 3(1) of Schedule 1C.

Fees

7 The Secretary of State may by regulations provide for the payment of fees by a body in respect of its—

(a) making an application that would result in its becoming a recognised qualifying body, or

(b) becoming such a body further to an application made by it, or

(c) remaining such a body, having become so further to an application made by it.

Directions to secure compliance with international obligations

8 (1) If it appears to the Secretary of State—

(a) that any action proposed to be taken by a recognised qualifying body would be incompatible with assimilated obligations or any other international obligations of the United Kingdom, or

(b) that any action which a recognised qualifying body has power to take is required for the purpose of implementing any such obligations,

the Secretary of State may direct the body not to take or, as the case may be, to take the action in question.

(2) A direction under this paragraph may include such supplementary or incidental requirements as the Secretary of State thinks necessary or expedient.

(3) A direction under this paragraph is enforceable by injunction by the High Court on the application of the Secretary of State.

Delegation of functions

9 (1) The Secretary of State may by regulations—

(a) provide for the Secretary of State's functions under paragraph 7 or 8 to be exercisable, concurrently with the Secretary of State, by another person designated in the regulations;

(b) make the designated person's ability to exercise the functions subject to exceptions or reservations;

(c) confer on the designated person such other functions supplementary or incidental to those under this paragraph as appear to the Secretary of State to be appropriate;

(d) make provision about the application of the Freedom of Information Act 2000 to the designated person.

(2) Regulations under this paragraph do not have the effect that—

(a) the designated person is to be regarded as acting on behalf of the Crown, or

(b) that its members, officers or employees are to be regarded as Crown servants.

(3) Where regulations under this paragraph apply to the making of regulations under paragraph 7—

(a) section 43(1) and (5) does not apply to regulations made by the designated person;

(b) the designated person may not make regulations without the approval of the Secretary of State;

(c) the Secretary of State may, after consultation with the body, by regulations vary or revoke any regulations made by the designated person;

(d) any regulations made by the designated person must be published immediately after they are made;

(e) a person is not to be taken to have contravened such regulations if the person shows that at the time of the alleged contravention the regulations had not been published;

(f) the production of a printed copy of regulations purporting to be made by the designated person on which is endorsed a certificate signed by or on behalf of that person and stating—

(i) that the regulations were made by the person,

(ii) that the copy is a true copy of the regulations, and

(iii) that on a specified date the regulations were published,

is evidence of the facts stated in the certificate;

(g) a certificate purporting to be signed as mentioned in paragraph (f) is to be deemed to have been duly signed unless the contrary is shown;

(h) any person wishing in any legal proceedings to cite regulations made by the designated person may require that person to cause a copy of them to be endorsed with a certificate as mentioned in paragraph (f)."

SCHEDULE 30

Section 70

LOCAL AUDIT: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS OF THE LOCAL AUDIT AND ACCOUNTABILITY ACT 2014

1 The Local Audit and Accountability Act 2014 is amended as follows.

2 In the heading of Part 3, at the end insert ": health service bodies".

3 (1) Section 7 (appointment of local auditor) is amended as follows.

(2) In subsection (1), for "relevant authority" substitute "health service body".

(3) In subsection (2)—

(a) in the words before paragraph (a), for "relevant authority" substitute "health service body";

(b) in paragraph (b), for "authority" substitute "body".

(4) In subsection (3), for "relevant authority" substitute "health service body".

(5) For subsection (5) substitute—

"(5) A relevant health service body may only appoint as its local auditor—

(a) the Local Audit Office, or

(b) a registered local audit provider.

(5A) The body must not appoint a person whom it has reason to think will be unable to act because of section 32B (independence requirement)."

(6) In subsection (6), in the words before paragraph (a), for "relevant authority" substitute "health service body".

(7) In subsection (7), for "under subsection (6)(b) or (c)" substitute "in accordance with subsection (6)".

(8) For subsection (8) substitute—

"(8) The Secretary of State may by regulations make provision about the appointment of a local auditor to audit the accounts of a health service body which is specified, or of a description specified, in the regulations.

(9) Regulations under subsection (8) may, in particular—

(a) make further provision about the operation of this Act or any provision made under it in relation to a health service body to which the regulations apply;

(b) provide for any provision of or made under this Act not to apply, or to apply with modifications, in relation to a health service body to which the regulations apply."

4 (1) Section 8 (procedure for appointment) is amended as follows.

(2) In subsection (1), for "relevant authority" substitute "health service body".

(3) In subsection (2)—

(a) in the words before paragraph (a), for "relevant authority" substitute "health service body";

(b) in paragraph (c), for "period" substitute "financial year or years".

(4) In subsection (3)(a), for "relevant authority" substitute "health service body".

(5) In subsection (4)—

(a) in the words before paragraph (a), for "relevant authority" substitute "health service body";

(b) omit paragraph (a).

(6) In subsection (5), for "relevant authority" substitute "health service body".

(7) In subsection (6), for the words from "Schedule 3" to the end substitute "regulations under section 7(8)".

5 In section 9 (auditor panels)—

(a) in subsection (1), for "relevant authority" substitute "health service body";

(b) omit subsection (2).

6 (1) Section 10 (functions of auditor panels) is amended as follows.

(2) In subsection (1)—

(a) for "relevant authority's" substitute "health service body's";

(b) for "authority" substitute "body".

(3) Omit subsections (2) and (3).

(4) In subsection (4—

(a) for "relevant authority's" substitute "health service body's";

(b) for "authority" substitute "body".

(5) In subsection (5)(a), for "relevant authority" substitute "health service body".

(6) In subsection (6)—

(a) for "relevant authority's" substitute "health service body's";

(b) for "authority", in both places it occurs, substitute "body".

(7) In subsection (7), for "authority" substitute "health service body".

(8) In subsection (8)—

(a) in paragraph (b)—

(i) for "relevant authority's" substitute "health service body's";

(ii) for "authority's", in the remaining place it occurs, substitute "body's";

(b) in paragraph (c), for "relevant authority" substitute "health service body".

(9) In subsection (9), for "relevant authority" substitute "health service body".

(10) In subsection (10)—

(a) in the words before paragraph (a), for "relevant authority" substitute "health service body";

(b) omit paragraph (a).

(11) In subsection (11), for "relevant authority" substitute "health service body".

(12) In subsection (13), for "relevant authority" substitute "health service body".

7 Omit section 11 (relationship of relevant authority other than health service body with auditor panel).

8 Omit section 12 (failure to appoint local auditor by relevant authority other than health service body).

9 (1) Section 14 (limitation of local auditor's liability) is amended as follows.

(2) In subsection (1)—

(a) for "relevant authority" substitute "health service body";

(b) for "authority", in the remaining place it occurs, substitute "body".

(3) In subsection (6), for "relevant authority" substitute "health service body".

(4) After subsection (7) insert—

"(8) Before entering into a liability limitation agreement, a health service body must consult and take into account the advice of its auditor panel."

10 Omit section 15 (further provision about limitation of liability).

11 (1) Section 16 (resignation and removal of local auditor) is amended as follows.

(2) In subsection (1), in paragraphs (a) and (b), for "relevant authority" substitute "health service body".

(3) In subsection (2)—

(a) in paragraph (c), for "relevant authority" substitute "health service body";

(b) in paragraph (d)—

(i) for "authority's" substitute "body's";

(ii) for "or of a recognised supervisory body" substitute ", the Local Audit Office or an external registration body";

(c) in paragraph (e), for "relevant authority" substitute "health service body".

(4) In subsection (3)—

(a) in paragraph (d)—

(i) for "relevant authority's" substitute "health service body's";

(ii) for "or of a recognised supervisory body" substitute ", the Local Audit Office or an external registration body";

(b) in paragraph (e), for "relevant authority" substitute "health service body".

(5) In subsection (4), leave out the words from ", in" to "body,".

(6) In subsection (5)—

(a) in paragraphs (a) and (b), for "Secretary of State" substitute "Local Audit Office";

(b) in paragraph (a), for "relevant authority" substitute "health service body".

(7) In subsection (7), for "a recognised supervisory body" substitute "the Local Audit Office or an external registration body".

12 (1) Section 17 (appointment of auditor other than by audited body) is amended as follows.

(2) In subsection (1), for "relevant authority" substitute "health service body".

(3) In subsection (3)—

(a) in paragraph (a)—

(i) for "relevant authorities" substitute "health service bodies";

(ii) for "an authority" substitute "a body";

(b) in paragraph (c), for "relevant authorities" substitute "health service bodies".

(4) In subsection (6), for "relevant authority" substitute "health service body".

(5) In subsection (7), for "authority" substitute "health service body".

(6) In subsection (8)(a), for "relevant authority" substitute "health service body".

(7) In subsection (9), for "relevant authority" substitute "health service body".

13 Omit Part 4 (eligibility and regulation of local auditors).

14 In section 23(3) (recovery of expenses in connection with obstruction offences), for the words from "from" to the end substitute "under section 32A, so far as they are not recovered by any other means."

15 In section 26(3) (recovery of costs in connection with questioning by elector), for the words from "from" to the end substitute "under section 32A."

16 In section 27(7) (recovery of costs in connection with objection by elector), for "from the relevant authority" substitute "under section 32A".

17 In section 28(7) (recovery of costs in considering application for declaration of unlawfulness), for "from the relevant authority" substitute "under section 32A".

18 In section 31(6) (recovery of costs in considering application for judicial review), for "from the relevant authority" substitute "under section 32A".

19 After section 32 insert—

"Recoverable sums

32A Recovery of costs and expenses by local auditor

(1) Subsection (2) applies in relation to the audit under this Act of the accounts of a relevant authority other than a health service body.

(2) If the Local Audit Office is satisfied that, by virtue of any provision of this Part, costs or expenses are recoverable by the local auditor under this section, the Office must pay the amount of those costs or expenses to the local auditor.

(3) Before being so satisfied, the Office must invite representations from the relevant authority concerned.

(4) Subsection (5) applies in relation to the audit under this Act of the accounts of a health service body.

(5) If, by virtue of any provision of this Part, costs or expenses are recoverable by the local auditor under this section, the local auditor may recover the amount of those costs or expenses from the health service body as a debt."

20 After Part 5 insert—

"PART 5A

LOCAL AUDIT: FURTHER PROVISION

Independence of auditors

32B Independence requirement

(1) A person ("P") may not act as a local auditor if any of subsections (2), (4), (5) or (6) applies in relation to P and the relevant authority whose accounts are to be audited.

(2) This subsection applies if—
  (a) P is a member or officer of the relevant authority,
  (b) where the relevant authority is a corporation sole, P is the holder of that office,
  (c) P is a partner or employee of a person within paragraph (a) or (b), or
  (d) P is a partnership of which a person within paragraph (a) or (b) is a partner.

(3) In relation to a relevant authority that is an integrated care board, subsection (2)(a) has effect as if "or officer" were omitted.

(4) This subsection applies if—
  (a) the relevant authority is an NHS trust, and
  (b) P is a director of that NHS trust.

(5) This subsection applies if P is—
  (a) a person elected or appointed—
    (i) as an entity connected with the relevant authority,
    (ii) to such an entity, or
    (iii) to an office of such an entity,
  (b) an employee of such an entity,
  (c) a partner or employee of a person within paragraph (a) or (b), or
  (d) a partnership of which a person within paragraph (a) or (b) is a partner.

(6) This subsection applies if there exists a connection of a prescribed description between P and the relevant authority.

(7) In subsection (6), "prescribed" means prescribed by regulations made by the Secretary of State.

(8) A description of connection prescribed under subsection (6) may be direct or indirect (and so may involve, for instance, chains of connection leading from the relevant authority to P by way of one or more interposed persons).

32C Lack of independence arising after appointment

(1) Subsection (2) applies if, at any time during the term of office of a local auditor, the auditor becomes prohibited from acting by section 32B.

(2) The auditor must immediately—
  (a) resign from office (with immediate effect), and
  (b) give notice in writing to the relevant authority concerned that the auditor has resigned by reason of lack of independence.

Second audits

32D Second audits where first auditor ineligible

(1) This section applies where a person appointed as a local auditor of the accounts of a relevant authority ("the first auditor") was not an eligible person for any part of the period during which the audit was conducted.

(2) The Local Audit Office may direct the relevant authority to retain an eligible person—
  (a) to conduct a second audit of the accounts in question, or
  (b) to review the first audit and to report (giving reasons) on whether a second audit of those accounts is needed.

(3) If a report under subsection (2)(b) states that a second audit is needed, the relevant authority must take such steps as are necessary for the carrying out of that audit.

(4) If the first auditor is or was on a local audit register kept by an external registration body—
  (a) the Local Audit Office must send to that body a copy of any direction under subsection (2), and
  (b) the relevant authority must send to that body a copy of any report under subsection (2)(b).

(5) A direction under subsection (2) may specify when the authority must comply with—
  (a) the requirements of the direction, or
  (b) any requirement of subsection (3) or (4)(b).

(6) A person appointed under this section to conduct a second audit of the accounts of a parish meeting, or to review and report on the first audit of such accounts, must be appointed by the parish meeting itself (and not by its chairman on behalf of the parish meeting).

(7) Where a second audit is carried out under this section, any statutory or other provision applying in relation to the first audit applies also, so far as practicable, in relation to the second audit.

(8) If the first auditor accepted appointment, or acted as the local auditor, with knowledge of not being an eligible person, the relevant authority may recover from the first auditor any costs incurred by it in complying with the requirements of this section.

(9) For the purposes of this section, a person is "eligible" if the person—
  (a) is a registered local audit provider or the Local Audit Office, and
  (b) is not prohibited by section 32B from acting as the local auditor of the relevant authority concerned.

Partnerships

32E Effect of appointing a partnership

(1) This section applies where a partnership constituted under the law of—
  (a) England and Wales,

(b) Northern Ireland, or

(c) any other country or territory in which a partnership is not a legal person,

is appointed as a local auditor under section 6G or 7.

(2) Unless a contrary intention appears, the appointment is an appointment of the partnership as such and not of the partners.

(3) Where the partnership ceases, the appointment is to be treated as extending to—

(a) any appropriate partnership which succeeds to the practice of that partnership, or

(b) any other appropriate person who succeeds to that practice having previously carried it on in partnership.

(4) For the purposes of subsection (3)—

(a) a partnership is to be regarded as succeeding to the practice of another partnership only if the members of the successor partnership are substantially the same as those of the former partnership, and

(b) a partnership or other person is to be regarded as succeeding to the practice of a partnership only if the partnership or person succeeds to the whole or substantially the whole of the business of the former partnership.

(5) Where the partnership ceases and the appointment is not treated under subsection (3) as extending to any partnership or other person, the appointment may with the requisite consent be treated as extending to an appropriate partnership, or other appropriate person, that succeeds to—

(a) the business of the former partnership, or

(b) such part of it as is agreed by the appointing authority is to be treated as comprising the appointment.

(6) The requisite consent is that of—

(a) the Local Audit Office, where the relevant authority to which the appointment relates is not a health service body, or

(b) where that authority is a health service body, the body.

(7) For the purposes of this section, a partnership or other person is "appropriate" if the partnership or person—

(a) is a registered local audit provider, and

(b) is not prohibited by section 32B from acting as the local auditor of the relevant authority concerned.

Miscellaneous powers and duties

32F Power of Local Audit Office to obtain information from relevant authorities

(1) A relevant authority must comply with any written request by the Local Audit Office to be provided with information. 5

(2) Such a request may relate to information as it exists in the future (for instance, information about a future occurrence once it has occurred or about a future period once it has elapsed).

(3) The Office may make such a request only if the Office reasonably requires the information concerned in connection with the performance of its functions. 10

32G Inspection of accounts by persons exercising regulatory functions

(1) This section applies to a person who, further to arrangements made for the purposes of paragraph 9 or 10 of Schedule 1C, carries out an inspection or investigation concerning the audit under this Act of the accounts of a relevant authority. 15

(2) The person may require the relevant authority to make available for inspection—

(a) the accounts concerned, and

(b) the other documents relating to the authority that might reasonably be required by a local auditor for the purposes of auditing its accounts. 20

32H Duty of Local Audit Office to publish summaries of inspections

The Local Audit Office must, at least once in every calendar year, publish a report containing a summary of the results of the inspections of registered local audit providers that have been carried out further to arrangements made for the purposes of paragraph 9 of Schedule 1C." 25

21 In section 43(4) (orders and regulations subject to affirmative procedure)—

(a) in paragraphs (d) and (e), for "smaller" substitute "category 2"; 30

(b) after paragraph (f) insert—

"(ia) regulations under section 7(8) (power to make provision about appointment arrangements for health service bodies),";

(c) after paragraph (h) insert— 35

"(ia) regulations under section 33A(4) (power to apply enactments to certain audit committees),";

(d) after paragraph (i) insert—

"(ia) regulations under section 43A(3) (power to amend definition of "connected entity"),";

(e) after paragraph (j) insert—

"(ja) regulations under paragraph 9(1) of Schedule 1D (delegation of powers in respect of recognised qualifying bodies);";

(f) omit paragraph (k);

(g) in paragraph (l), for "that Schedule" substitute "Schedule 4";

(h) omit paragraph (m) (but not the "and" at the end).

22 After section 43 insert—

"43A Connected entities

(1) For the purposes of this Act, an entity ("E") is connected with a relevant authority at any time if E is an entity other than the relevant authority and the relevant authority considers that, in accordance with proper practices in force at that time—

(a) the financial transactions, reserves, assets and liabilities of E are to be consolidated into the relevant authority's statement of accounts for the financial year in which that time falls,

(b) the relevant authority's share of the financial transactions, reserves, assets and liabilities of E is to be consolidated into the relevant authority's statement of accounts for that financial year, or

(c) the relevant authority's share of the net assets or net liabilities of E, and of the profit or loss of E, are to be brought into the relevant authority's statement of accounts for that financial year.

(2) In subsection (1), "entity" means any entity, whether or not a legal person.

(3) The Secretary of State may by regulations amend subsection (1) or (2).

(4) In subsection (1) as it applies in relation to a health service body, the reference to the relevant authority's statement of accounts is to be read as a reference to the body's accounts."

23 (1) Section 44 (interpretation) is amended as follows.

(2) In subsection (1)—

(a) at the appropriate places insert—

""advisory notice" has the meaning given by paragraph 8(1) of Schedule 8;";

""external registration body" means a body designated under section 6A(2)(b);";

""firm" means any entity (whether or not a legal person) which is not an individual, including—

(a) a body corporate,

(b) a corporation sole, and

(c) a partnership or other unincorporated association,

but does not include the Local Audit Office;";

""local audit register" has the meaning given by section 6A(4);";

""registered local audit provider" has the meaning given by section 6A(4);";

(b) for the definition of "recognised qualifying body" substitute—

""recognised qualifying body" has the meaning given by paragraph 6 of Schedule 1D;";

(c) omit the definition of "recognised supervisory body".

(3) Omit subsection (3).

(4) In subsection (4), for "paragraph 8 of Schedule 4" substitute "section 43A".

24 Omit Schedule 3 (further provision about appointment of local auditors).

25 (1) Schedule 4 (auditor panels) is amended as follows.

(2) In paragraph 1—

(a) in sub-paragraph (1)—

(i) in the words before paragraph (a), for "relevant authority ("R")" substitute "health service body ("H")";

(ii) in paragraphs (a), (b) and (c), for "R" substitute "H";

(iii) in paragraph (b), for "relevant authorities" substitute "health service bodies";

(b) in sub-paragraph (2)—

(i) in the words before paragraph (a), and in paragraph (a), for "R" substitute "H";

(ii) in paragraphs (a) and (b), for "R's" substitute "H's";

(c) in sub-paragraph (3)—

(i) in paragraph (a), for "relevant authority other than R" substitute "health service body other than H";

(ii) in paragraph (b), for "R" substitute "H";

(iii) in paragraphs (b) and (c), "for "R's" substitute "H's";

(iv) in paragraph (d), for "R" substitute "H";

(d) in sub-paragraph (4), for "R", in both places it occurs, substitute "H";

(e) omit sub-paragraphs (5) and (6).

(3) Omit paragraph 2 and the preceding italic heading.

(4) Omit paragraph 3 and the preceding italic heading.

(5) In paragraph 4—

(a) in sub-paragraph (2)—

(i) in the words before paragraph (a), omit the words from "further" to "and";

(ii) after paragraph (b) insert—

"(ba) whether any of the members of an auditor panel must be independent and, if so, the proportion which must be independent;

(bb) whether the chair of an auditor panel must be independent;

(bc) provision about the meaning of "independent" for the purposes of paragraphs (ba) and (bb);";

(b) in sub-paragraph (3)—

(i) after "matters" insert ", except so far as relating to independence,";

(ii) for "relevant authority's" substitute "health service body's";

(iii) for "authority" substitute "body".

(6) Omit paragraph 6 and the preceding italic heading.

(7) In paragraph 7, for "relevant authority" substitute "health service body".

(8) Omit paragraph 8 and the preceding italic heading.

26 Omit Schedule 5 (eligibility and regulation of local auditors).

27 (1) Schedule 6 (codes of audit practice and guidance) is amended as follows.

(2) In paragraph 2—

(a) in sub-paragraph (1), for "Comptroller and Auditor General" substitute "Local Audit Office";

(b) in sub-paragraphs (2)(a) and (b) and (3), for "Comptroller and Auditor General" substitute "Office".

(3) In paragraph 3, for "Comptroller and Auditor General" substitute "Local Audit Office".

(4) In paragraph 4—

(a) in sub-paragraph (1), for "Comptroller and Auditor General" substitute "Local Audit Office";

(b) in sub-paragraphs (3), (4), (5) and (6), for "Comptroller and Auditor General" substitute "Office".

(5) In paragraph 5—
(a) in sub-paragraph (1), for "Comptroller and Auditor General" substitute "Local Audit Office";
(b) in sub-paragraphs (2), (5), (6) and (7), for "Comptroller and Auditor General", in each place it occurs, substitute "Office". 5

(6) In paragraph 6(1), for "Comptroller and Auditor General" substitute "Local Audit Office".

(7) In paragraph 7, for "Comptroller and Auditor General"—
(a) in the first place it occurs, substitute "Local Audit Office";
(b) in the second place it occurs, substitute "Office". 10

(8) Omit paragraph 8 and the preceding italic heading.

(9) In paragraph 9(1), for "Comptroller and Auditor General" substitute "Local Audit Office".

(10) In paragraph 10—
(a) in sub-paragraph (1), for "Comptroller and Auditor General" substitute "Local Audit Office"; 15
(b) in sub-paragraph (4), for "Comptroller and Auditor General", in each place it occurs, substitute "Office".

28 (1) Schedule 7 (reports and recommendations) is amended as follows.

(2) In paragraph 1, for sub-paragraphs (5) and (6) substitute— 20

"(5) A local auditor may recover under section 32A the reasonable costs of—
(a) determining whether to make a public interest report (regardless of whether it is in fact made), and
(b) making a public interest report." 25

(3) In paragraph 2—
(a) in sub-paragraph (3), after paragraph (a) insert—

"(aa) to the Local Audit Office,";

(b) for sub-paragraphs (4) and (5) substitute—

"(4) A local auditor may recover under section 32A the reasonable costs of— 30
(a) determining whether to make a recommendation (regardless of whether it is in fact made), and
(b) making a recommendation."

(4) In paragraph 3(2), after paragraph (a) insert— 35

"(aa) to the Local Audit Office,".

29 In Schedule 8 (advisory notices), in paragraph 3, for sub-paragraphs (5) and (6) substitute—

"(5) A local auditor may recover under section 32A the reasonable costs of—

(a) determining whether to issue an advisory notice (regardless of whether it is in fact made), and

(b) issuing an advisory notice."

30 In Schedule 11 (disclosure of information), in paragraph 1, for sub-paragraph (3) substitute—

"(3) Those authorities are—

(a) the Local Audit Office,

(b) an external registration body, or

(c) any person given functions by rules or arrangements made for the purposes of Schedule 1C."

31 In Schedule 12 (related amendments), omit paragraph 78 and the preceding italic heading.

32 Omit Schedule 13 (transitional provision concerning NHS bodies).

PART 2

OTHER AMENDMENTS

Local Government, Planning and Land Act 1980 (c. 65)

33 In section 2(1A) of the Local Government, Planning and Land Act 1980 (application of duty to publish information to smaller authorities), in paragraph (c), for "smaller" substitute "category 2".

Companies Act 2006 (c. 46)

34 In Part 1 of Schedule 11A to the Companies Act 2006 (persons to whom audit-related information may be disclosed free from the restriction in section 1224A of that Act), for paragraphs 17A to 17D substitute—

"17E The Local Audit Office.

17F An external registration body within the meaning of the Local Audit and Accountability Act 2014.

17G Any person given functions by rules or arrangements made for the purposes of Schedule 1C of that Act (eligibility and regulation of registered local audit providers)."

Local Democracy, Economic Development and Construction Act 2009 (c. 20)

35 (1) The Local Democracy, Economic Development and Construction Act 2009 is amended as follows.

(2) In section 104(9) (which introduces Schedule 5A), omit "and audit committees".

(3) In Schedule 5A (overview and scrutiny committees and audit committees of combined authorities)—

(a) in the heading, omit "and audit committees";

(b) omit paragraph 4 and the preceding italic heading.

Levelling-up and Regeneration Act 2023 (c. 55)

36 (1) The Levelling-up and Regeneration Act 2023 is amended as follows.

(2) In section 15(1) (which introduces Schedule 1), omit "and audit committees".

(3) In section 70 (which amends Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009), omit subsection (1)(b).

(4) In Schedule 1 (overview and scrutiny committees and audit committees of combined county authorities)—

(a) in the heading, omit "and audit committee";

(b) omit paragraph 4 and the preceding italic heading.

SCHEDULE 31

Section 71

BUSINESS TENANCIES: PROHIBITED TERMS RELATING TO RENT

Introduction

1 The Landlord and Tenant Act 1954 is amended in accordance with this Schedule.

New Schedules 7A and 7B

2 Before Schedule 8 of the Landlord and Tenant Act 1954 insert—

"SCHEDULE 7A

Section 54A

RENT REVIEWS: PROHIBITED TERMS ETC

Tenancies to which this Schedule applies

1 This Schedule applies to a tenancy if conditions A to D are met.

Condition A: a business tenancy

2 Condition A is met if Part 2 of this Act—

(a) applies to the tenancy, or

(b) does not apply to the tenancy, but only because of section 43(1)(d) (licensed premises).

Condition B: a post-commencement tenancy

3 Condition B is met if the tenancy—

(a) is granted after this Schedule comes into force, and

(b) is not granted under a contract entered into before this Schedule comes into force.

Condition C: relevant rent review terms

4 (1) Condition C is met if the tenancy is subject to relevant rent review terms (whether contained in the instrument creating the tenancy or not).

(2) In this Schedule "relevant rent review terms" means terms under which—

(a) an amount of rent payable under the tenancy will or may change during the term of the tenancy ("rent under review"), and

(b) the amount of the rent under review that will be payable at a time during the term of the tenancy ("new passing rent")—

(i) is not known, and

(ii) cannot be determined,

at the time when the tenancy is granted.

Condition D: method for determining the new passing rent

5 (1) Condition D is met if the relevant rent review terms include elements 1 and 2 (whether or not they include any other elements).

(2) *Element 1*: an amount of rent (the "reference amount") is determined by reference to—

(a) the effect of inflation or any other index or multiplier on the rent,

(b) the amount of either or both of the following—

(i) actual rent for premises;

(ii) a hypothetical market rent, or other notional rent, for premises, or

(c) the amount of the tenant's turnover.

(3) The premises for which rent falling within sub-paragraph (2)(b) is, or is assumed to be, payable may be either or both of the following—

(a) the premises demised by the tenancy which is subject to the relevant rent review terms;

(b) other premises (whether real or hypothetical).

(4) The reference in this paragraph to the amount of a notional rent for premises includes an amount calculated in accordance with the relevant rent review terms on the basis of actual or assumed information or other assumptions.

(5) *Element 2*: the amount of the new passing rent—
  (a) will be different from the reference amount, or
  (b) could be different from the reference amount (whether or not the amount could, alternatively, be the reference amount).

Amount of new passing rent to be larger than reference amount

6 (1) This paragraph applies in relation to a particular rent review if the amount of the new passing rent determined in accordance with the relevant rent review terms would be larger than the reference amount.

(2) That includes cases where the amount of the new passing rent would be—
  (a) smaller than the rent under review, but
  (b) still larger than the reference amount.

(3) The relevant rent review terms are of no effect to the extent that they would result in the new passing rent being larger than the reference amount.

(4) The amount of the new passing rent is instead to be the same as the reference amount.

Exceptions

7 (1) The Secretary of State may, by regulations, provide for exceptions from paragraph 6 (whether an exception relates to the paragraph generally or to an aspect of the paragraph).

(2) Regulations under this paragraph—
  (a) may include transitional or saving provision;
  (b) may make different provision for different purposes;
  (c) are to be made by statutory instrument;
  (d) may not be made unless a draft of the statutory instrument containing the regulations has been laid before Parliament and approved by a resolution of each House of Parliament.

Tenant to have power to trigger a rent review

8 (1) This paragraph applies if—
  (a) an action is necessary for a particular rent review to be initiated (a "trigger action"), and

(b) the relevant rent review terms, or any other terms (whether contained in the instrument creating the tenancy or not), do not allow the tenant to take the trigger action.

(2) The tenant may initiate the particular rent review by giving the landlord notice in writing.

(3) Notice under sub-paragraph (2) may not be given after the time when trigger action may be taken.

Tenant to have power to take action to enable rent review to operate effectively

9 (1) This paragraph applies if—

(a) an action is necessary for a particular rent review to operate effectively (an "operational action"), and

(b) the relevant rent review terms, or any other terms (whether contained in the instrument creating the tenancy or not), do not allow the tenant to take the operational action.

(2) The tenant may take the operational action.

(3) If the tenant takes the operational action, the tenant must give the landlord notice in writing of the action within the period of seven days beginning with the day on which the action was taken.

Anti-avoidance

10 An agreement (whether contained in the instrument creating the tenancy or not) is void if, or to the extent that, it purports to require the tenant to make a payment in respect of any difference in an amount of new passing rent which results from the operation of any other provision of this Schedule.

Interpretation

11 In this Schedule, in relation to a tenancy—

"inflation" means a change in prices or costs (including a change in certain kinds of prices or costs) whether or not calculated by an official index; and here "prices or costs" includes rents;

"new passing rent" has the meaning given in paragraph 4(2)(b);

"particular rent review" means a particular occasion when the relevant rent review terms operate or are to operate;

"reference amount" has the meaning given in paragraph 5(2);

"relevant rent review terms" has the meaning given in paragraph 4(2);

"rent under review" has the meaning given in paragraph 4(2)(a).

SCHEDULE 7B

Section 54A

PUT OPTIONS: PROHIBITED TERMS

Tenancies to which this Schedule applies

1 This Schedule applies to an arrangement if conditions A to F are met.

Condition A: a business tenancy

2 (1) Condition A is met if Part 2 of this Act—
(a) applies to a tenancy, or
(b) does not apply to a tenancy, but only because of section 43(1)(d) (licensed premises).

(2) In the following provisions of this Schedule—
(a) that tenancy is referred to as the "existing tenancy";
(b) the premises let under the existing tenancy are referred to as the "relevant premises".

Condition B: a put option

3 (1) Condition B is met if the tenant under the existing tenancy is a party to an arrangement under which the tenant can be required by the landlord or another person to take a new tenancy of the whole or a part of the relevant premises.

(2) In the following provisions of this Schedule—
(a) that arrangement is referred to as the "put option";
(b) the tenancy which the tenant is required to take is referred to as the "new tenancy".

Condition C: a post-commencement put option

4 Condition C is met if the put option is entered into after this Schedule comes into force.

Condition D: initial rent not known

5 Condition D is met if the rent payable at the start of the term of the new lease (the "initial rent")—
(a) is not known, and
(b) cannot be determined,

at the time when the put option is entered into.

Condition E: terms for determining the initial rent

6 Condition E is met if the put option is subject to terms for determining the initial rent (the "rent determination terms") (whether or not those terms are included in the same instrument as the put option).

Condition F: method for determining the initial rent

7 (1) Condition F is met if the rent determination terms include elements 1 and 2 (whether or not they include any other elements).

(2) *Element 1*: an amount of rent (the "reference amount") is determined by reference to—

(a) the effect of inflation or any other index or multiplier on the rent under the existing lease,

(b) the amount of either or both of the following—

(i) actual rent for premises;

(ii) a hypothetical market rent, or other notional rent, for premises, or

(c) the amount of the tenant's turnover.

(3) The premises for which rent falling within sub-paragraph (2)(b) is payable may be either or both of the following—

(a) the premises demised by the existing tenancy;

(b) other premises (whether real or hypothetical).

(4) The reference in this paragraph to the amount of a notional rent for premises includes an amount calculated in accordance with the rent determination terms on the basis of actual or assumed information or other assumptions (such as the use of rent determination terms which provide for a turnover rent so as to calculate an amount of notional rent on the basis of actual or assumed turnover).

(5) *Element 2*: the amount of the initial rent—

(a) will be different from the reference amount, or

(b) could be different from the reference amount (whether or not the amount could, alternatively, be the reference amount).

Amount of initial rent to be larger than reference amount

8 (1) This paragraph applies in relation to the new tenancy if the amount of the initial rent determined in accordance with the rent determination terms would be larger than the reference amount.

(2) That includes cases where the amount of the initial rent would be—
  (a) smaller than the rent under the existing tenancy, but
  (b) still larger than the reference amount.

(3) The rent determination terms are of no effect to the extent that they would result in the initial rent being larger than the reference amount.

(4) The amount of the initial rent is instead to be the same as the reference amount.

Exceptions

9 (1) The Secretary of State may, by regulations, provide for exceptions from paragraph 8 (whether an exception relates to the paragraph generally or to an aspect of the paragraph).

(2) Regulations under this paragraph—
  (a) may include transitional or saving provision;
  (b) may make different provision for different purposes;
  (c) are to be made by statutory instrument;
  (d) may not be made unless a draft of the statutory instrument containing the regulations has been laid before Parliament and approved by a resolution of each House of Parliament.

Anti-avoidance

10 An agreement (whether contained in the put option or not) is void if, or to the extent that, it purports to require the tenant to make a payment in respect of any difference in an amount of initial rent which results from the operation of any other provision of this Schedule.

Interpretation

11 In this Schedule, in relation to a tenancy—

"existing tenancy" has the meaning given in paragraph 2(2);

"inflation" means a change in prices or costs (including a change in certain kinds of prices or costs) whether or not calculated by an official index; and here "prices or costs" includes rents;

"initial rent" has the meaning given in paragraph 5;

"new tenancy" has the meaning given in paragraph 3(2);

"put option" has the meaning given in paragraph 3(2);

"reference amount" has the meaning given in paragraph 7(2);

"relevant premises" has the meaning given in paragraph 2(2);

"rent determination terms" has the meaning given in paragraph 6."

Crown application

3 In section 56 (application to the Crown), after subsection (6) insert—

"(6A) Section 54A and Schedules 7A and 7B apply where the interest of the landlord, or any other interest in the land in question, belongs to His Majesty in right of the Crown or the Duchy of Lancaster or to the Duchy of Cornwall, or belongs to a Government department or is held on behalf of His Majesty for the purposes of a Government department, in like manner as if that interest were an interest not so belonging or held."

English Devolution and Community Empowerment Bill

[AS INTRODUCED]

A

B I L L

TO

Make provision about combined authorities, combined county authorities, the Greater London Authority, local councils, police and crime commissioners and fire and rescue authorities, local audit and terms in business tenancies about rent.

Presented by Secretary Angela Rayner
supported by the Prime Minister,
the Chancellor of the Exchequer, Pat McFadden,
Secretary Wes Streeting,
Secretary Bridget Phillipson, Secretary Liz Kendall
and Secretary Heidi Alexander.

Ordered, by The House of Commons, to be
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