

### 3.3 - Mayoral Functions

#### Overview

1. Mayoral Functions are the functions of the Combined Authority exercisable only by the Mayor. They comprise:
  - **Mayoral Functions** exercisable only by the Mayor. These are conferred by the Order: see further **Table D**, or other legislation.
  - **Functions relating to governance and finance matters** - see further Articles 4 and 14, Part 2 of the Constitution.
2. A Statutory Consent is required in relation to the exercise of specified Mayoral General Functions as follows:
  - the exercise of specified **Functions** conferred by the Order requires the Statutory Consent of a Constituent Council Combined Authority Member (or Substitute Member) to be provided at a meeting of the Combined Authority, as indicated in Table D, and
  - any decision of the Mayor which gives rise to a **financial liability for a Constituent Council** requires the Statutory Consent of the Lead Member appointed to the Combined Authority by that Constituent Council (or Substitute Member).
3. See further the Mayoral Procedure Rules in Part 4 of the Constitution.

**Table D - Mayoral Functions Conferred by the Order**

Legislation	Function	Concurrent with Constituent Councils	Consent Requirement	Order Reference
<b>Housing, Regeneration and Planning Functions</b>				
Section 9(2) of the Housing and Regeneration Act 2008	Power to acquire land	N	Consent of each Constituent Council Combined Authority Lead Member whose local government area contains any part of the land, or Substitute Member.	Schedule 3 paragraphs 5(8) and 15
Section 17(3) of the Housing Act 1985 - compulsory purchase	Power to acquire land for housing development	Y	Consent of each Constituent Council Combined Authority Member whose area contains any part of the land, or Substitute Member.	Schedule 3 paragraphs 5(8) and 15
<b>Mayoral Development Corporation</b>				
Section 197 of the Localism Act 2011	Mayoral Development Area - designation	N	Consent of each Constituent Council Combined Authority Lead Member whose local government area contains any part of the area to be designated as a Mayoral development area, or Substitute Member.	Schedule 3 paragraph 5(12)
Section 199 of the Localism Act 2011	Mayoral Development Area - exclusion of land	N	Consent of each Constituent Council Combined Authority Lead Member whose local government area contains any part of the area to be excluded from a Mayoral development area; or Substitute Member.	Schedule 3 paragraph 5(12)

Legislation	Function	Concurrent with Constituent Councils	Consent Requirement	Order Reference
Section 202(2) to (4) of the Localism Act 2011	Planning functions in relation to Mayoral Development Area	N	Consent of each Constituent Council Combined Authority Lead Member whose local government area contains any part of the area to be designated as a Mayoral Development Area, or Substitute Member	Schedule 3 paragraph 5(14)
Section 204 of the Localism Act 2011	Removal or restrict planning powers	N	N	Article 21(2)(f)
Section 214 of the Localism Act 2011	Discretionary relief from ND rates	N	N	Article 21(2)(f)
Section 215 of the Localism Act 2011	Review	N	N	Article 21(2)(f)
Section 216 of the Localism Act 2011	Transfers of property rights and liabilities	N	N	Article 21(2)(f)
Section 217 of the Localism Act 2011	Dissolution - final steps	N	N	Article 21(2)(if)
Section 219 of the Localism Act 2011	Guidance by the Mayor	N	N	Article 21(2)(f)
Section 220 of the Localism Act 2011	Directions by the Mayor	N	N	Article 21(2)(f)
Section 221 of the Localism Act 2011	Consents	N	N	Article 21(2)(f)
Para 1 Sch 21 of the Localism Act 2011	Membership	N	N	Article 21(2)(f)

Legislation	Function	Concurrent with Constituent Councils	Consent Requirement	Order Reference
Para 2 Sch 21 of the Localism Act 2011	Terms of member's appointments	N	N	Article 21(2)(f)
Para 3 Sch 21 of the Localism Act 2011	Staff	N	N	Article 21(2)(f)
Para 4 Sch 21 of the Localism Act 2011	Remuneration of members and staff	N	N	Article 21(2)(f)
Para 6 Sch 21 of the Localism Act 2011	Committees	N	N	Article 21(2)(f)
Para 8 Sch 21 of the Localism Act 2011	Proceedings and meetings	N	N	Article 21(2)(f)
<b>Transport</b>				
Section 31 of the Local Government Act 2003	Power to pay grants for exercising highways functions	N	N	Article 21(2)(c)
Section 154(1) of the Transport Act 2000	Power to pay grants to bus operators	N	N	Article 18(1)
<b>Mayoral Functions</b>				
Section 108 of the Transport Act 2000	Duty to prepare Local transport plans	N	N	Article 27(2)(b)
Section 109 of the Transport Act 2000	Duty and Power - Further provision about plans (keep under review/replace/consultation/publication requirements)	N	N	Article 27(2)(b)

Legislation	Function	Concurrent with Constituent Councils	Consent Requirement	Order Reference
Section 112 of the Transport Act 2000	Duty - Plans and strategies - supplementary: Regard to guidance and transport needs of disabled persons	N	N	Article 27(2)(b)
<b>Funding</b>				
Business Rate Supplement Act 2009	Power - Business Rate Supplement	N	N	Article 31(1)
Section 113A of the LDEDCC Act 2009 <sup>1</sup>	Power - Ancillary general power	N	N	Article 27(10)

<sup>1</sup> For the purposes of the exercise of the functions mentioned in Table D above only, the Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act.