

Appendix 2: Table of Powers/Functions

Set out below is a table of the powers which the Constituent Councils are proposing are available to the MCA and/or the Mayor. The powers are those which the Constituent Councils believe are needed to enable the MCA/Mayor to deliver the purposes outlined in this proposal. In considering our proposal the Government, and in particular, specialist legislative counsel, will review the table below and some of the detail set out may be subject to change as the establishment Order is drafted.

Finance, Investment, Innovation and Trade

Legislative Provisions	Summary	Local Authority/ Public Authority	Joint exercise with Constituent Councils	Mayor or MCA	Consent	Voting
Business Rate Supplements Act 2009 Whole act, except s3(5)	Power to impose a supplementary levy on non-domestic ratepayers to raise money for expenditure on a project that promotes economic development in the area Imposition of the levy is subject to approval in a ballot of non-domestic ratepayers	All LAs hold	No	Mayor	No	Mayoral power, no voting MCA able to amend the Mayor's budget if 3 out of 4 constituent voting members agree
Local Government Act 2003 Sections 1 – 6	Power to borrow for any purpose relevant to its functions or for the purpose of the prudent management of its financial affairs (s1) and relevant to functions of the MCCA Duty to determine and keep under review how much money it can afford to borrow (s3)	All LAs hold	Yes	MCA	No	To approve the MCA budget, a simple majority which includes the Mayor and the lead member from each Constituent Council

OFFICIAL

Combined Authorities (Finance) Order 2017		All LAs	Yes	Mayor for precept and mayoral fund MCA for budget setting for MCA	No	Mayoral powers, no voting MCA able to amend the Mayor's budget if three out of four voting members agree To approve the MCA budget, a simple majority which includes the Mayor and the lead member from each Constituent Council
VAT Act 1994 Section 33(3)	Provisions relating to VAT	All LAs	Yes	MCA	No	Simple majority which includes the Mayor
Town and Country Planning Act 1990 Section 214		London Mayor powers	Not locally	Mayor	No, though relevant constituent council consent required to prescribe a Mayoral Development Area	Mayoral power, no votes
Local Democracy, Economic Development and Construction Act 2009 Section 69	Duty to prepare and a power to revise an assessment of the economic conditions of the area	Upper tier Councils	Yes	MCA	No, but requirement in provision to consult and seek the participation of the	Simple majority which includes the Mayor

					district/boroughs.	
Crime and Disorder Act 1998 Section 17A Section 115	Duty in exercising functions to have regard to impact on and the need to prevent crime and disorder (including anti-social behaviour. Misuse of drugs, alcohol and other substances, reoffending and serious violence in its area (s17A) Designation of the MCA as a relevant authority thereby authorising disclosures to be made to the MCA for the purposes of the Act (section 115	Local Authority	Yes	MCA	No	Simple majority which includes the Mayor
Local Government Act 1972 Sections 101(5), 113, 142(2), 144, 145 and 222	Provision for the discharge of functions jointly with other authorities (s101(5) Power to place staff at the disposal of other local authorities (s113) Power to arrange for the publication of information as to the services available in the area provided by them or by other specified authorities (s142(2) Power to encourage visitors to the area and provide or encourage the provision of facilities for conferences, trade fairs or exhibitions (s144) Power to provide, arrange or contribute to the expense of providing entertainments, theatres, concert halls, bands, orchestras and the development and improvement of the arts (s145) Power to prosecute, defend or appear in legal proceedings and make representations at a public inquiry (s222)	Local Authority	Yes	MCA	No	Simple majority which includes the Mayor

OFFICIAL

Local Government Act 1985 Section 88(1)(a) and 88(1)(b)	Power to carry out research and collect information relating to the area and make that research and information available to other authorities in that area, the government or the public	Local Authority Greater London or Metropolitan Counties only	No	MCA	No	Simple majority which includes the Mayor
Local Government Finance Act 1988 Section 74	The MCA is identified as a levying body under the Act who can be empowered by Regulations to raise a levy against the constituent councils (s74)	Local Authority Bodies identified under regulations	No - upper tier councils do not have the power	MCA	Consent from constituent councils for making of regulations Consent of Lead Member of constituent councils for any decision of the CA which would lead to a financial liability falling directly on the Constituent Council	MCA budget decisions require the Lead Members of the Constituent Council to vote in favour
Local Government Finance Act 1992 Section 39 and 40	Inclusion of the MCA in the definition of major precepting authority (s39) Power to issue precept but only in relation to expenditure incurred by the Mayor in, or in connection with, the exercise of Mayoral functions	Local Authority	No - Specific power to MCA but the councils are also major precepting authorities	Mayoral	No	Mayoral budget decisions can be amended, if three out of four voting members vote to do so
Local Government and Housing Act 1989 Section 13	Members of a committee (other than an advisory committee) who are not members of the authority are to be non-voting members	Applies to any committee established by a relevant authority under	N/a – this relates to voting rights rather than exercise of	MCA	No	N/a – no voting

OFFICIAL

		s102(1) of the Local Government Act 1972	powers			
Local Government Pension Scheme Regulations 2013	Governs the basis on which scheme employers and individual employees are admitted to the Local Government Pension Scheme	N/a – makes provision for pension arrangements of employees of the MCA	N/a – this is not a power but an administrative provision to provide for pension arrangements for MCA employees. One of the Constituent Councils will be identified as Administering Authority for the scheme	N/a – this is not a power but an administrative provision to provide for pension arrangements for MCA employee	No	N/a – no voting
Local Government Act 2003 Section 31	Power to pay a grant to a local authority in England towards expenditure incurred or to be incurred by it	Public Authority Minister	Yes	Mayor	Where exercise results in financial liability falling on a constituent council, the consent of the lead member of that council is required	Mayoral power so no voting

Skills and Education

Legislative Provisions	Summary	From	Joint exercise with Constituent Councils	Mayor or MCA	Consent	Voting
<p>Apprenticeships, Skills, Children and Learning Act 2009</p> <p>Sections 86, 87, 88, 90 and 100(1)</p>	<p>Duty to secure the provision of appropriate facilities for education and training suitable to the needs of persons aged 19 years or over (25 where an Education Health and Care Plan is in place) and persons subject to adult detention (s86).</p> <p>Duty to secure the provision of appropriate facilities for education and training suitable to the requirements of persons aged 19 years or over (25 where an Education Health and Care Plan is in place) and do not have a specified qualification including in numeracy and literacy (s87).</p> <p>Duty to secure that a course of study for a specified qualification delivered through facilities provided under section 97 is free to persons covered by s87 (s88)</p> <p>Duty to encourage participation of persons covered by s86 in education and training</p>	<p>Public Authority</p> <p>Secretary of State functions</p>	<p>Section 86, 87 and 88 are transferred</p> <p>Sections 90 and 100(1) are exercised concurrently with Secretary of State</p>	<p>MCA</p>	<p>None specified</p>	<p>Simple majority which includes the Mayor</p>

OFFICIAL

	<p>and to encourage employers to participate in and contribute to the costs of such education and training (s90)</p> <p>Power to make financial provision in relation to education and training provided under these sections (s100(1</p>					
<p>Education Act 1996</p> <p>Sections 13A, 15ZA, 15ZB, 15ZC</p>	<p>Duty to secure that education and training functions are exercised with a view to promoting high standards, securing fair access to opportunities and promoting the fulfilment of learning potential (s13A) Duty to secure enough suitable education and training for persons over compulsory school age but under 19 or over 19 and an Education Health and Care Plan is in place (s15ZA) Duty to co-operate with other authorities in the fulfilment of the s15ZA duty (s15ZB) Duty to encourage participation of persons covered by s15ZA and employers in such education and training (s15ZC)</p>	<p>Local Authority</p> <p>Upper tier councils</p>	<p>Yes</p>	<p>MCA</p>	<p>None specified</p>	<p>Simple majority which includes the Mayor</p>
<p>Education and Skills Act 2008</p> <p>Sections 10, 12, 68, 70, 71, 85</p>	<p>Duty to exercise functions so as to promote the effective participation in education and training of persons who are over compulsory school age but under 18 and have not achieved a level 3 qualification (s10)</p> <p>Duty to make arrangements to identify</p>	<p>Local Authority</p> <p>Upper tier councils</p>	<p>Yes</p>	<p>MCA</p>	<p>None specified</p>	<p>Simple majority which includes the Mayor</p>

	<p>persons covered under section 10 who are not participating in education and training (s12)</p> <p>Duty to make available to young persons and relevant young adults for whom it is responsible services to encourage, enable or assist the effective participation of those persons in education or training (s68)</p> <p>Power to enter into arrangements with other authorities to provide services or otherwise provide services to encourage, enable or assist the effective participation of young persons or relevant young adults in education or training (s70)</p> <p>Power to provide the above services conditional on a learning and support agreement (s71)</p> <p>Duty to co-operate with other relevant partners in relation to the provision of 14-19 education and training (s85)</p>					
<p>Further and Higher Education Act 1992</p> <p>Section 51A</p>	<p>Power to require a further education institution providing education to persons over compulsory school age but under 19 to provide education to specified individuals</p>	<p>Local Authority</p> <p>Upper tier councils</p>	<p>Yes</p>	<p>MCA</p>	<p>None specified</p>	<p>Simple majority which includes the Mayor</p>

Housing and Planning

Legislative Provisions	Summary	From	Joint exercise with Constituent Councils	Mayor or MCA	Consent	Voting
Localism Act 2011 Sections 197, 199, 200, 202, 204, 214, 215, 216, 217, 219, 220, 221, and paras 1, 2, 3, 4, 6 and 8 of Schedule 21	<p>Power to designate any area of land in the area as a Mayoral Development Area (MDA) leading to the establishment by the Secretary of State of a Mayoral Development Corporation (MDC) (s197)</p> <p>Power to vary the boundaries of an MDA to exclude land (s199)</p> <p>Power to transfer property, rights and liabilities of specified bodies to an MDC (s200)</p> <p>Power to decide that an MDC will be the local planning authority for an area and to confer planning functions on the MDC (s202)</p> <p>Power to decide that a power conferred on an MDC under section 202 shall cease or be subject to restrictions (s204)</p> <p>Duty to review from time to time the continued existence of an MDC (s215)</p> <p>Power to make a transfer scheme to transfer property, rights and liabilities of an MDC to a permitted recipient (s216)</p>	<p>Local Authority</p> <p>London Mayor equivalent powers</p>	<p>Yes</p> <p>With London Mayor only</p>	Mayor	Approval of lead member of all Constituent Councils, and any exercise of planning functions to be approved by local planning authority for the area effected	<p>For s197(1), requires consent of: - Lead member of the MCA designated by a constituent council whose local government area contains any part of the area to be designated a Mayoral development area;</p> <p>S199(1) requires consent of Lead member of MCA designated by a constituent council whose local government area contains any part of area to be designated a Mayoral development area;</p> <p>S202(2) to (4) require consent of: - Lead member of MCA designated by a constituent council</p>

	<p>Power to request revocation of an order establishing an MDC where no property rights or liabilities are vested in the MDC (s217)</p> <p>Power to give guidance to an MDC on the exercise of its functions and to revoke such guidance (s219)</p> <p>Power to give general or specific directions to an MDC as to the exercise of its functions and to revoke such directions (s220)</p> <p>Power to give vary or revoke consents (s221)</p> <p>Provisions governing membership, terms of appointment, staff, remuneration of staff, committees and proceedings and meetings of an MDC (paras 1,2,3,4, 6 and 8 of Schedule 21)</p>					<p>whose local government area contains any part of area to be designated a Mayoral development area;</p> <p>Where exercise results in financial liability falling on a constituent council, the consent of the lead member of that council is required</p>
<p>Localism Act 2011</p> <p>Sections 197, 199, 200, 202,204, 214, 215, 216,217, 219, 220, 221, and paras 1, 2, 3, 4, 6 and 8 of Schedule 21</p>	<p>Power to designate any area of land in the area as a Mayoral Development Area (MDA) leading to the establishment by the Secretary of State of a Mayoral Development Corporation (MDC) (s197)</p> <p>Power to vary the boundaries of an MDA to exclude land (s199)</p> <p>Power to transfer property, rights and liabilities of specified bodies to an MDC (s200)</p> <p>Power to decide that an MDC will be the local planning authority for an area and to confer planning functions on the MDC (s202)</p>	<p>Local Authority</p> <p>London Mayor equivalent powers</p>	<p>Yes</p> <p>With London Mayor only</p>	<p>Mayor</p>	<p>Approval of lead member of all Constituent Councils, and any exercise of planning functions to be approved by local planning authority for the area effected</p>	<p>For s197(1), requires consent of: - Lead member of the MCA designated by a constituent council whose local government area contains any part of the area to be designated a Mayoral development area;</p> <p>S199(1) requires consent of Lead</p>

	<p>Power to decide that a power conferred on an MDC under section 202 shall cease or be subject to restrictions (s204)</p> <p>Duty to review from time to time the continued existence of an MDC (s215)</p> <p>Power to make a transfer scheme to transfer property, rights and liabilities of an MDC to a permitted recipient (s216)</p> <p>Power to request revocation of an order establishing an MDC where no property rights or liabilities are vested in the MDC (s217)</p> <p>Power to give guidance to an MDC on the exercise of its functions and to revoke such guidance (s219)</p> <p>Power to give general or specific directions to an MDC as to the exercise of its functions and to revoke such directions (s220)</p> <p>Power to give vary or revoke consents (s221)</p> <p>Provisions governing membership, terms of appointment, staff, remuneration of staff, committees and proceedings and meetings of an MDC (paras 1,2,3,4, 6 and 8 of Schedule 21)</p>					<p>member of MCA designated by a constituent council whose local government area contains any part of area to be designated a Mayoral development area;</p> <p>S202(2) to (4) require consent of: - Lead member of MCA designated by a constituent council whose local government area contains any part of area to be designated a Mayoral development area;</p> <p>Where exercise results in financial liability falling on a constituent council, the consent of the lead member of that council is required</p>
--	--	--	--	--	--	---

<p>Localism Act 2011</p> <p>Sections 197, 199, 200, 202, 204, 214, 215, 216, 217, 219, 220, 221, and paras 1, 2, 3, 4, 6 and 8 of Schedule 21</p>	<p>Power to designate any area of land in the area as a Mayoral Development Area (MDA) leading to the establishment by the Secretary of State of a Mayoral Development Corporation (MDC) (s197)</p> <p>Power to vary the boundaries of an MDA to exclude land (s199)</p> <p>Power to transfer property, rights and liabilities of specified bodies to an MDC (s200)</p> <p>Power to decide that an MDC will be the local planning authority for an area and to confer planning functions on the MDC (s202)</p> <p>Power to decide that a power conferred on an MDC under section 202 shall cease or be subject to restrictions (s204)</p> <p>Duty to review from time to time the continued existence of an MDC (s215)</p> <p>Power to make a transfer scheme to transfer property, rights and liabilities of an MDC to a permitted recipient (s216)</p> <p>Power to request revocation of an order establishing an MDC where no property</p>	<p>Local Authority</p> <p>London Mayor equivalent powers</p>	<p>Yes</p> <p>With London Mayor only</p>	<p>Mayor</p>	<p>Approval of lead member of all Constituent Councils, and any exercise of planning functions to be approved by local planning authority for the area effected</p>	<p>For s197(1), requires consent of: - Lead member of the MCA designated by a constituent council whose local government area contains any part of the area to be designated a Mayoral development area;</p> <p>S199(1) requires consent of Lead member of MCA designated by a constituent council whose local government area contains any part of area to be designated a Mayoral development area;</p> <p>S202(2) to (4) require consent of: - Lead member of MCA designated by a constituent council whose local government area contains any part of area to be designated a Mayoral development area;</p> <p>Where exercise results in</p>
---	---	--	--	--------------	---	--

	<p>rights or liabilities are vested in the MDC (s217)</p> <p>Power to give guidance to an MDC on the exercise of its functions and to revoke such guidance (s219)</p> <p>Power to give general or specific directions to an MDC as to the exercise of its functions and to revoke such directions (s220)</p> <p>Power to give vary or revoke consents (s221)</p> <p>Provisions governing membership, terms of appointment, staff, remuneration of staff, committees and proceedings and meetings of an MDC (paras 1,2,3,4, 6 and 8 of Schedule 21)</p>					<p>financial liability falling on a constituent council, the consent of the lead member of that council is required</p>
--	--	--	--	--	--	---

<p>Town and Country Planning Act 1990 Sections 226, 227, 229, 230(1) (a), 232, 233, 235, 236, 238, 239, 241</p>	<p>Power to acquire compulsorily land in the area to facilitate development re-development or improvement of the land or necessary for the proper planning of an area in which the land is situated (s226)</p> <p>Power to acquire by agreement land that could be compulsorily acquired under s226 (s227)</p> <p>Power to appropriate common land or a fuel or field garden allotment (s229)</p> <p>Power to acquire land for the purposes of giving in exchange for land appropriated under s229(s230(1)(a))</p> <p>Power to appropriate land held for planning purposes to other purposes (s232)</p> <p>Power to dispose of land held for planning purposes to secure the best use of that or other land or building or works built or to be built on it or secure the carrying on it of building or works needed for the proper planning of the area of the authority (s233)</p> <p>Power to construct or carry out works on land held for planning purposes and</p>	<p>LPA powers</p>	<p>Yes</p>	<p>MCA</p>	<p>Use of section 226 requires consent of lead member of MCA designated by a constituent council whose area contains land subject to the acquisition</p>	<p>Simple majority which includes the Mayor</p>
---	--	-------------------	------------	------------	--	---

	<p>repair, maintain and insure any building or works on such land (s235)</p> <p>Effects of compulsory acquisition on rights in respect of land so acquired (s236)</p> <p>Power to use consecrated land that has been the subject of a relevant acquisition (s238)</p> <p>Power to use burial ground land that has been the subject of a relevant acquisition (s239)</p> <p>Power to use common land, open space or fuel or field garden allotment land that has been the subject of a relevant acquisition (s241)</p>					
--	---	--	--	--	--	--

<p>Housing and Regeneration Act 2008</p> <p>Sections 5, 6, 7, 8, 9 (excluding 9 (2)) 10, 11, 12, and paras 19 and 20 of schedule 3 and paragraphs 1, 2, 3, 4, 6, 10. 17 and 20 of Schedule 4</p>	<p>Power to provide or facilitate the provision of housing or other land (s5)</p> <p>Power to develop, regenerate or bring about the more effective use of land or facilitate them (s6)</p> <p>Power to provide and facilitate the provision of infrastructure (s7)</p> <p>Power to carry out or facilitate activities of acquiring, holding, improving, managing, reclaiming, repairing or disposing of housing or other land, plant machinery, equipment or property or carrying out building or other operations (s8)</p> <p>Power to acquire land by agreement (s9) Requirement to achieve the best consideration reasonably obtainable on disposal of land except by way of short tenancy or with Secretary of State consent (s10)</p> <p>Application of Schedule 3 to the exercise of land powers (s11)</p> <p>Application of Schedule 4 relating to Statutory undertakers (s12)</p> <p>Power to use burial ground land in</p>	<p>Public Authority Powers corresponding to powers conferred on the Homes and Communities Agency (Homes England)</p>	<p>Yes with HCA</p>	<p>MCA</p>	<p>No</p>	<p>Simple majority which includes the Mayor</p>
---	--	--	---------------------	------------	-----------	---

	<p>accordance with planning permission (para 19 Schedule 3)</p> <p>Power to use consecrated land other than burial ground land in accordance with planning permission (para 20 Schedule 3)</p> <p>Power to give notice to extinguish rights or require the removal of apparatus of statutory undertakers (para 1 Schedule 4)</p> <p>Power of statutory undertakers to serve counter-notice and object to notice under para 1 above (para 2 Schedule 4)</p> <p>If no counter-notice is served rights are extinguished and apparatus can be removed (para 3 Schedule 4)</p> <p>If counter-notice is served the original notice can be withdrawn or application made to the Secretary of State to confirm the notice by order (para 4 Schedule 4)</p> <p>If order is made by the Secretary of State the rights are extinguished and/or the apparatus can be removed (para 6 Schedule 4)</p> <p>Power to serve counter-notice objecting to a notice from a statutory undertaking that</p>					
--	---	--	--	--	--	--

	<p>development will require removal or re-siting of apparatus (para 10 (Schedule 4))</p> <p>Power to make representations on the extension or modification of functions of specific statutory undertakers (para 17 Schedule 4)</p> <p>Duty to publish a notice following representation made under paragraph 17 (para 20 Schedule 4)</p>					
<p>Housing and Regeneration Act 2008 Section 9(2)</p>	<p>Power to acquire land compulsorily</p>	<p>Public Authority</p> <p>Powers corresponding to powers conferred on the Homes and Communities Agency (Homes England)</p>	<p>Yes</p>	<p>Mayor</p>	<p>Requires consent of - Lead member of MCA designated by a constituent council whose local government area contains any part of the relevant land; - Where exercise results in financial liability falling on a constituent council, the consent of the lead member of that council is required</p>	<p>Mayoral power so no voting</p>

OFFICIAL

<p>Housing Act 1985 Sections 6, 8(1), 11, 12, 17 (excluding 17 (3)) and 18</p>	<p>Duty to consider housing conditions and the needs of the area with respect to the provision of further housing accommodation (s8(1))</p> <p>Power to provide board and laundry facilities in connection with the provision of housing accommodation (s11)</p> <p>Power to provide shops, recreation grounds and other building having a beneficial purpose in connection with the provision of housing accommodation (s12)</p> <p>Power to acquire land for housing purposes (s17)</p> <p>Duty to ensure that buildings acquired that are houses or may be made suitable as a house are made suitable and used as housing accommodation (s18)</p>	<p>Local Authority</p>	<p>Yes</p>	<p>MCA</p>	<p>No/Consent of lead member of each Constituent Council?</p>	<p>Simple majority which includes the Mayor</p>
<p>Housing Act 1985 Section 17(3)</p>	<p>Power to acquire land by agreement or compulsorily for housing purposes</p>	<p>Local Authority</p>	<p>Yes</p>	<p>Mayor</p>	<p>s17(3) (acquisition of land for housing purposes) requires consent of lead member of MCA designated by a constituent council whose local</p>	<p>Mayoral power so no voting</p>

					<p>government area contains the relevant land -</p> <p>Where exercise of 17(3) results in financial liability falling on a constituent council, the consent of the lead member of that council is required</p>	
--	--	--	--	--	--	--

DRAFT

Transport

Legislative Provisions	Summary	From	Joint exercise with Constituent Councils	Mayor or MCA	Consent required before MCA or Mayoral exercise	Voting
Part II Transport Act 2000						
Local transport plans and bus strategies (sections S108-113) (sections 110 to 111 repealed)	LA obligation to provide safe, integrated, efficient and economic transport options within their area. LAs must continue to review and replace their plan as they see fit. When developing their plan, LAs must take into consideration any guidance from the Government	Local Authority Upper tier councils	No – transferred from Councils	Mayor	None	S108-113 unanimous during transition period, otherwise three out of four voting members can amend the Mayoral LTP
Bus services: advanced quality partnership schemes (sections 113C to 113O)	These provisions relate to powers to make an advanced quality partnership scheme, the nature of such a scheme, the circumstances in which they can be made, the method by which they can be made, effect of schemes and powers to vary schemes. The provisions also provide that regulations may be made by the Secretary of State in respect of schemes and that local transport authorities must have regard to any Secretary of State guidance in relation to carrying out their functions.	As above	As above	MCA	None	Simple majority which includes the Mayor

<p>Bus services: franchising schemes (sections 123A to 123X)</p>	<p>A franchising authority or two or more such authorities acting jointly, may make a franchising scheme covering the whole or any part of its area. The arrangements are akin to the system operated by Transport for London.</p> <p>A franchising scheme is one</p> <ul style="list-style-type: none"> · under which the authority identifies the local services that it considers appropriate to be provided in an area under local service contracts; · by virtue of which those services may only be so provided in accordance with such contracts (subject to s.123O); · by virtue of which the authority may grant service permits for other local services which have a stopping place in that area (subject to s.123H(5)); and · under which it identifies additional facilities that it considers appropriate to provide in that area. <p>If the authority decides to make a scheme it must make the scheme and</p>	<p>As above</p>	<p>As above</p>	<p>MCA</p> <p>As set out in primary legislation the decision to introduce (s123G), vary (s123M) or terminate (s123N) franchising rests with the mayor.</p>	<p>None</p>	<p>Simple majority which includes the Mayor</p>
--	---	-----------------	-----------------	--	-------------	---

	publish it. It must specify the area to which it relates, the local services intended to be provided under local service contracts, the date on which the contracts may first be entered into and the minimum periods between the making of a contract and the provision of the service under it, it may specify sub-areas; the scheme may except specific services from regulation arising because of the scheme					
Bus services: advanced ticketing schemes (sections 134C to 134 G)	Details the provisions around using ticketing schemes on buses, consultations, notices and how to implement the scheme	As above	As above	MCA	None	Simple majority which includes the Mayor
Bus services: enhanced partnership plans and schemes (sections 138A to 138S)	An enhanced partnership plan is a plan that: (a) specifies the area and the period to which the plan relates; (b) sets out an analysis of the local services provided in that area; (c) sets out policies relating to local services in that area; (d) sets out objectives as regards the quality and effectiveness of local services provided in that area by reference to that period; (e) describes how the related enhanced partnership scheme or schemes is or are intended to assist in implementing those policies and	As above	As above	MCA	None	Simple majority which includes the Mayor

	<p>achieving those objectives; and (f) describes the intended effect of the related scheme or schemes on areas neighbouring the area to which the plan relates</p> <p>A plan or scheme must state whether it is to be reviewed and, if so, how and when this is to be completed. A plan must include a description of the authority's plans for consulting representatives of users of local services in order to seek their views on how well the plan and any related scheme are working</p>					
Bus services: provision of information (section 139 to 141A)	Each LA must provide the general public with information about their local bus services – like routes, timetabling, fares and information about concessions, facilities for disabled people etc	As above	As above	MCA	None	Simple majority which includes the Mayor
Bus services: miscellaneous (sections 142 to 143B)	Covers regulations on reducing or limiting pollution and requesting information about the services from local providers	As above	As above	MCA	None	Simple majority which includes the Mayor
Mandatory travel concessions for journeys not beginning on the London bus network (sections 145A to 150)	covers people travelling on a concession where their trip starts outside of London. This section gives details on what an eligible journey is. Further sections provide some	As above	As above	MCA	None	Simple majority which includes the Mayor

OFFICIAL

(145 repealed)) (except 145B and 147 (Wales only))	definitions to help understand what people and journeys fit the criteria and how operators will be reimbursed					
Financial and competition provisions (sections 152 to 159 (156 and 158 repealed) in so far as they contain functions of the constituent councils as local transport authorities	s.152 gives further details on the outsourcing of public transport detailed in s.89 onwards. S.153 deals with competition tests between LAs who have joined in ticketing schemes, quality partnership scheme etc. S.154 states the Secretary of State with the approval of the Treasury (as respects England) or the National Assembly for Wales (as respects Wales) may make grants to operators of eligible bus services towards their costs in operating those services. S.155 details sanctions that can be imposed on service providers for various infringements. S159 repeals s.3-5 transport act 1983	As above	As above	MCA	None	Simple majority which includes the Mayor
Grants to bus service operators (s154)		Public Authority Secretary of State	Concurrent with Secretary of State	Mayor	None	None

OFFICIAL

Supplementary (Section 161 to 162)	Gives more guidance on statutory definitions, regulations and orders	Public Authority Secretary of State	Concurrent during the transition period. Thereafter, transferred from council.	MCA	None	Simple majority which includes the Mayor
Section 6 Highways Act 1980 (Delegation etc. of functions with respect to trunk roads etc)	This section deals with the highway authority's or minister's authority to delegate their functions to an LA for the maintenance and improvement of certain trunk roads. The delegation will be in agreement with the LA and the section expands on what cannot be delegated	Public authority Minister of Crown (or a strategic highway company)	Yes	MCA	Only exercisable with the consent of the affected Constituent Council.	Simple majority voting which includes the Mayor
Sections 8 of the Highways Act 1980 (Agreements between local highway authorities [and strategic highways companies] for certain works)	Local highway authorities and strategic highways companies may enter into agreements with, for, or in relation to the construction, reconstruction, alteration, improvement or maintenance of a highway for which any party to the agreement are the highway authority	Local Authority Local highway authorities [and strategic highway companies]	Yes	MCA	Only exercisable with the consent of the affected Constituent Council.	Simple majority voting but the agreement of the Constituent Council would be needed before vote
Part IV of the Transport Act 1985						

<p>Passenger Transport in other areas (sections 63 to 764)</p>	<p>It is the duty of each county council to secure the provision of such passenger transport services as the council considers appropriate to secure to meet any public transport requirements within the county which would not in its view be met apart from any action taken by the council. Once the public transport requirements have been identified, the county council is entitled when deciding the appropriate level of public transport in its area to take into consideration the funds available and the source of the funds</p> <p>As soon as practicable after any occasion when they formulate new or altered policies for those purposes, any such council shall publish a statement of all policies so formulated by them</p> <p>Any non-metropolitan county or district council and Transport for London may enter an agreement with each other under which the council (or TfL) undertakes to contribute towards any expenditure incurred by the other party</p>	<p>As above</p>	<p>Concurrent during the transition period.</p> <p>Thereafter, transferred from council.</p>	<p>MCA</p>		<p>Simple majority which includes the Mayor</p>

	in providing subsidies for public passenger transport services					
Passenger Transport in other areas (sections 66 to 71)	<p>s.66 removed the powers to run bus undertakings from non-metropolitan district councils in England or county or county borough councils in Wales specified in an order made by the Secretary of State, from a date stated in the order</p> <p>s.69 covers joint undertakings and transferring responsibilities to the company which has been formed under s.67 to run the council bus undertakings. Further sections explain some more of the regulations and exemptions with regard to council undertakings</p>	As above	<p>Concurrent during the transition period.</p> <p>Thereafter, transferred from council.</p>	MCA		Simple majority which includes the Mayor
Further Provisions (sections 72 to 79)	<p>These provisions deal with the role of the controlling authority over the various transport companies that have been formed. It covers, who they should manage, how and for what purpose</p> <p>s.74 also provides rules on the directors of the public transport companies being elected as a council member s.75 deals with the power to acquire and dispose of shares in the companies which have been set up</p>	As above	<p>Concurrent during the transition period.</p> <p>Thereafter, transferred from council.</p>	MCA	None	Simple majority which includes the Mayor

	<p>s.76 covers the auditing of the public transport companies – it’s the duty of the controlling authority to arrange for this to happen</p> <p>s.78-79 covers entering into other agreements with other companies and the ability to guarantee loans</p>					
Miscellaneous (section 80* to 87)	<p>Integrated Transport Authorities and Passenger Transport authorities must behave in a way that does not inhibit competition in the services of public transport sector.</p> <p>They must also provide adequate facilities so that buses can be properly maintained and that there are bus stations which are in their area.</p> <p>s.84 covers compensation for loss of employment.</p> <p>s.85 covers incorporation of passenger transport executives in authorities for their area. The SoS may by order make provision for the transfer of all functions, property, rights and liabilities of the Passenger Transport Executive for any integrated transport area or passenger transport area specified in the order to</p>	As above	Transferred	MCA	None	Simple majority which includes the Mayor

	the Integrated Transport Authority or, as the case may be, the Passenger Transport Authority for that area					
Part V of the Transport Act 1985						
Expenditure on public passenger transport services (sections 88 to 92)	Refers to the spending on public passenger transport services and the ability to put these out to tender	Local authority (Any authority responsible for expenditure on public local transport, any local authority or any two or more local authorities acting jointly, Passenger Transport Executive, a county or district council operating any public passenger transport service, a parish council or community council, the Secretary of State	Concurrent during the transition period. Thereafter, transferred from council.	MCA		Simple majority which includes the Mayor
Travel Concession Schemes (sections 93 to 101 (102 repealed))	Refers to any concessions the LA may want to introduce on public transport, the administration of these concessions working in conjunction with the service provide	As above	Concurrent during the transition period. Thereafter, transferred from council.	MCA	Only exercisable with the consent of affected Constituent Councils	Simple majority which includes the Mayor

Travel concessions apart from schemes (sections 103 to 105)	Concessions which may fall outside of the schemes in the earlier section	As above	Concurrent during the transition period. Thereafter, transferred from council.	MCA	Only exercisable with the consent of affected Constituent Councils	Simple majority which includes the Mayor
Traffic Management Act 2004						
Section 33	Relates to the bodies that can prepare and authorise a permit scheme	Local Authority (Local Highways Authorities)	Yes	MCA	Only exercisable with the consent of affected Constituent Councils	Simple majority which includes the Mayor
Section 33A	Details when a scheme can be put into action and who has authority to authorise a scheme	As above	Yes	MCA	Only exercisable with the consent of affected Constituent Councils	Simple majority which includes the Mayor
Section 36	Details the different bodies which have the power to vary or revoke a permit scheme	As above	Yes	MCA	Only exercisable with the consent of affected Constituent Councils	Simple majority which includes the Mayor

Part 6 (Civil Enforcement of Traffic Contraventions) and paragraph 10 (designation of civil enforcement areas for moving traffic contraventions) of Schedule 8 (civil enforcement areas and enforcement authorities outside Greater London)	Details of what traffic infringements are able to be enforced	Local Authority (Enforcement Authority)	Yes	MCA	Only exercisable with the consent of affected Constituent Councils	Simple majority which includes the Mayor
--	---	--	-----	-----	--	--

Net Zero, Energy and Environment

Legislative Provisions	From	Joint exercise with Constituent Councils	Mayor or MCA	Consent	Voting
Environment Act 1995 Part IV, section 86B	N/A	N/A	MCA	No	Simple majority which includes the Mayor