

PART 4

RESPONSIBILITY FOR FUNCTIONS

A. Functions Reserved to the Authority

1. Only the Authority will exercise the following functions:-
 - 1.1 Adopting and changing the Authority's Constitution (other than changes made in accordance with Article 14.2(b));
 - 1.2 Adopting, changing, withdrawing or revoking a local transport plan under section 108(3), Transport Act 2000;
 - 1.3 Approving the Authority's annual Budget in accordance with the Authorities of Financial Regulations and the Combined Authorities (Finance) Regulations 2017 by 31st January in any year, including:-
 - (a) revenue expenditure (N.B. paragraph 2 below);
 - (b) capital expenditure;
 - (c) proposed contingency funds including reserves and balances; and
 - (d) decisions relating to the control of the Authority's borrowing requirements (N.B. paragraph 3 below).
 - 1.4 Approving the treasury management strategy and the investment strategy of the Authority;
 - 1.5 Subject to the Financial Regulations, approving the capital programme of the Authority and SYPTE;
 - 1.6 Accepting arrangements to delegate the functions of any person to the Authority;
 - 1.7 Deciding matters relating to road user charging;
 - 1.8 Exercising the power, pursuant to section 15A(3), Transport Act 1968 (or other relevant legislation) to cause a review to be made of the organisation of SYPTE's undertaking, and to give to SYPTE such directions as appear from any such review to

be requisite to secure that SYPTE's undertaking is organised in the most efficient manner;

- 1.9 Making decisions about such other plans or strategies as may be stipulated by the Authority in its standing orders from time to time; and,
 - 1.10 Delegating any functions to committees or Officers.
 - 1.11 Considering and approving the creation and development of:-
 - (a) Quality Contracts Schemes pursuant to sections 24-134, Transport Act 2000;
 - (b) Ticketing Schemes pursuant to sections 135-138, Transport Act 2000; and
 - (c) Enhanced Partnership Schemes under the Bus Services Act 2019.
 - 1.12 Any power to acquire land by compulsory purchase (except under s.207 Localism Act 2011 (CPO for Mayoral Development Corporation)).
2. In relation to paragraph 1.3(d) above, insofar as the Authority's revenue budget for transport is concerned, this includes approving the estimates of income and expenditure of SYPTE pursuant to sections 15(1)(b) Transport Act 1968, grants to be made to SYPTE pursuant to section 13, Transport Act 1968 and the setting of a transport levy pursuant to the Transport Levying Bodies Regulations 1992.
 3. In relation to paragraph 1.4 above, insofar as the Authority's functions in respect of transport are concerned, this includes determining the borrowing limits of the Authority in relation to transport matters pursuant to section 3 Local Government Act 2003, approving borrowing by SYPTE pursuant to section 12(3) Transport Act 1968, and lending money to SYPTE pursuant to section 12(4) Transport Act 1968.

B. Mayoral Functions

- (1) The following functions are functions exercisable only by the Mayor and are subject to the restrictions set out below in paragraphs (2) to (5) :-
 - (a) (Mayoral Development Corporation functions) sections 197, 199, 200, 202, 204, 214 to 217, 219 to 221 of and paragraphs 1 to 4, 6 and 8 of Schedule 21 to the Localism Act 2011; and

- (b) (Grants to Constituent Councils for Highway functions) section 31 of the Local Government Act 2003.
- (2) The exercise by the Mayor of the functions corresponding to the functions contained in section 197(1) (designation of Mayoral development areas) of the Localism Act 2011 requires the consent of all Members (or substitute Members) of the Authority appointed by a Constituent Council whose local government area contains any part of the area to be designated as a Mayoral development area.
- (3) The exercise by the Mayor of the functions corresponding to the functions contained in section 199(1) (exclusion of land from Mayoral development areas) of the Localism Act 2011 in respect of any Mayoral development area requires the consent of all members (or their Substitute) of the Authority appointed by a constituent council whose local government area contains any part of the area to be excluded from a Mayoral development area.
- (4) The exercise by the Mayor of the functions corresponding to the functions contained in section 202(2) to (4) of the Localism Act 2011 (functions in relation to town and country planning) in respect of any Mayoral development area requires the consent of—
 - (a) the Peak District National Park Authority if the Authority proposes to exercise the functions in respect of the whole or any part of the area of the Peak District National Park; and
 - (b) each Member of the Authority appointed by a Constituent Council, or a substitute member acting in place of that Member, whose local government area contains the whole or any part of the area in respect of which the Authority proposes to exercise the functions.
- (5) For the purposes of the exercise of the function conferred by s.31 of the Local Government Act 2003 the Mayor must consult the Authority at an Authority meeting before exercising the function.
- (6) The Mayor has the general power of competence conferred by Chapter 1 of Part 1 of the Localism Act 2011 for the purposes of the exercise by the Mayor of general functions.
- (7) Any exercise by the Mayor of the general power of competence conferred by Chapter 1 of Part 1 of the Localism Act 2011 which involves the transfer of property, rights and liabilities of the Authority to or from any of the constituent authorities requires the consent of all members of the Authority (or their Substitute) appointed by the Constituent Councils.
- (8) Any exercise by the Mayor of the general power of competence conferred by Chapter 1 of Part 1 of the Localism Act 2011 which involves the preparation and publication of a document including a statement formulating the Mayor's strategy for spatial development in the Area requires the consent of all Members of the Authority (or their substitute) appointed by the Constituent Councils.

- (9) where the consent of a Member is required to exercise a Mayoral function the consent must be given at a meeting of the Authority.