STATUTORY INSTRUMENTS

2017 No. 603

LOCAL GOVERNMENT, ENGLAND

FINANCE

The Transport Levying Bodies (Amendment) Regulations 2017

Made - - - - 25th April 2017

Coming into force in accordance with regulation 1(2)

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 74 and 143(1) and (2) of the Local Government Finance Act 1988(**1**).

In accordance with section 143(4B) of that Act, a draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Transport Levying Bodies (Amendment) Regulations 2017.

(2) These Regulations come into force on the 21st day after the day on which they are made.

Preliminary

2. The Transport Levying Bodies Regulations 1992(**2**) are amended in accordance with the following provisions of these Regulations.

Interpretation

3. In regulation 2 for the definition of "combined authority" substitute—

> ""combined authority" means a body which is specified in paragraph (aa), (ab), (ac), (ad), (ae), (af) or (ag) of regulation 3;".

(**1**) 1988 c. 41; section 74 was amended by the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 72(1); by S.I. 1994/2825; by the Greater London Authority Act 1999 (c.29), section 105; by the Courts Act 2003 (c. 39), Schedule 8, paragraph 305(a); by the Fire and Rescue Services Act 2004 (c. 21), Schedule 1, paragraph 68; by the Local Government and Public Involvement in Health Act 2007 (c.28), Schedule 1, Part 1, paragraph 16(2) and Schedule 7, Part 4; by the Local Democracy, Economic Development and Construction Act 2009 (c. 20), Schedule 6, paragraphs 74 and 75 and Schedule 7, Part 4; by the Police Reform and Social Responsibility Act 2011 (c.13), Schedule 16, paragraph 182 and by the Localism Act 2011 (c.20), Schedule 7, paragraph 2. Section 143(4B) was inserted by the Cities and Local Government Devolution Act 2016 (c.1), section 23(1) and Schedule 5, paragraphs 9 and 11.

(**2**) S.I. 1992/2789, amended by S.I. 2012/213 and S.I. 2015/27.

Application

4. In regulation 3, after paragraph (ae) insert—

"(af) the Tees Valley Combined Authority established by the Tees Valley Combined Authority Order 2016(**3**),

(ag) the West Midlands Combined Authority established by the West Midlands Combined Authority Order 2016(**4**),".

Apportionment of levies

5.—(1) In regulation 7(4)—

(a) in sub-paragraph (a) for "or the West Yorkshire Combined Authority" substitute ", the West Yorkshire Combined Authority or the West Midlands Combined Authority";

(b) after sub-paragraph (ab), omit the word "and" and insert—

"(ac) in the case of the levies to be issued by the Tees Valley Combined Authority, in accordance with regulation 7C, and".

(2) In regulation 7(5)—

(a) for "or the Greater Manchester Combined Authority" substitute ", the Greater Manchester Combined Authority, the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority, the West Yorkshire Combined Authority or the West Midlands Combined Authority";

(b) for "Registrar General" substitute "Statistics Board"(**5**).

(3) After regulation 7B insert the following regulation—

"**Calculation and apportionment of levies issued by the Tees Valley Combined Authority**

7C.—(1) The amounts of the levies to be issued by the Tees Valley Combined Authority ("the Authority") to its constituent councils for the financial year 2017 to 2018, or any subsequent financial year, are to be determined in accordance with the following provisions of this regulation.

(2) The Authority shall apportion its estimated relevant expenditure for the financial year in question in such proportion as its constituent councils agree.

(3) In default of such agreement, the Authority shall apportion its estimated relevant expenditure for the financial year in question in the same proportion to the amount that each of the constituent councils has spent on the transport functions mentioned in article 6 of the Tees Valley Combined Authority Order 2016 ("the 2016 Order") in the financial year ending on 31st March 2016.

(4) Where, as respects any financial year, the Authority estimates that the apportionment of its actual expenditure will differ from that estimated under paragraph (2) or (3), the Authority must make appropriate adjustments to its estimates under paragraph (2) or (3) for the ensuing financial year.

(5) Those adjustments must be made with a view to ensuring that, so far as practicable and taking one year with another, the proportions in which relevant expenditure is met by the levies

(**3**) S.I. 2016/449.
(**4**) S.I. 2016/653.
(**5**) Section 25 of the Statistics and Registration Service Act 2007 (c.14), provides that the Statistics Board is responsible for the functions in section 19 of the Registration Service Act 1953 (c.37), (annual abstract of number of births, deaths and marriages).