

3. Mayoral Functions

Mayoral Functions conferred by the 2024 Order.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Consent Requirements
Finance				
Powers relating to impose a business rate supplement	Business Rate Supplements Act 2009 except Section 3(5)	Reg 29 and Reg 26(1)(e)	N	N
Housing and Planning				
Power to acquire land by agreement, or with authorisation of the Secretary of State, compulsorily	Section 17(3) of the Housing Act 1985	Reg 8(1)(d) and Reg 26(1)(a)	Y (and district councils)	Requires consent of: <ul style="list-style-type: none"> ▪ Lead member for constituent council whose local government area contains any part of the relevant land, or a substitute member acting in place of such a member, ▪ Each district councils whose local government area contains any part of the land subject to the proposed compulsory acquisition; and, ▪ The Peak District National Park Authority if function to be exercised in any part of the Peak District National Park

				Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.
Power to acquire land compulsorily if authorised by secretary of state	Section 9(2) of the Housing and Regeneration Act 2008	Schedule 2 Part 1 Para 2 and Reg 26(1)(d)	Y (concurrently with Homes England)	<p>Requires consent of:</p> <ul style="list-style-type: none"> ▪ Lead member for constituent council whose local government area contains any part of the relevant land, , or a substitute member acting in place of such a member, ▪ Each district councils whose local government area contains any part of the land subject to the proposed compulsory acquisition; <p>and</p> <ul style="list-style-type: none"> ▪ The Peak District National Park Authority if function to be exercised in any part of the Peak District National Park <p>Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.</p>
Transport				
Power to pay grants towards expenditure of local authority	Section 31 Local Government Act 2003	Reg 21 and 26(1)(c)	N – concurrent with Minister of crown	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.

Duty to prepare Local Transport Plans	Section 108 of the 2000 Act	Reg 15(1)(a) and Reg 26(1)(b)	N	During transition period, unanimous vote in favour required. Thereafter mayor must consult the CCA and members of CCA can amend plans by a 2/3 majority Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.
Duty to keep local transport plan under review, powers to replace, duties in respect of consultation and publication	Section 109 of the 2000 Act	Reg 15(1)(a) and Reg 26(1)(b)	N	During transition period, unanimous vote in favour required. Thereafter mayor must consult the CCA and members of CCA can amend plans by a 2/3 majority Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.
Duty to have regard to guidance and transport needs of disabled persons	Section 112 of the 2000 Act	Reg 15(1)(b) and Reg 26(1)(b)	N	During transition period, unanimous vote in favour required. Thereafter mayor must consult the CCA and members of CCA can amend plans by a 2/3 majority Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.
Power to pay grants to operators of eligible bus services	Section 154(1) of the Transport Act 2000	Reg 15(1)(f) and Reg 26(1)(b)	N - concurrent with Secretary of State	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.

Mayoral Development Area (MDA) Functions

Power to designate Mayoral Development Area	Section 197 of the Localism Act 2011	Reg 26(1)(f)	N	<p>Requires consent of:</p> <ul style="list-style-type: none"> ▪ Lead member for constituent council whose local government area contains any part of the relevant land, or a substitute member acting in place of such a member, ▪ District Council whose are contains any part of the area to be designated, and ▪ The Peak District National Park Authority if function to be exercised in any part of the Peak District National Park <p>Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.</p>
Power to exclude land from Mayoral Development Area by altering boundaries	Section 199 of the Localism Act 2011	Reg 26(1)(f)	N	<p>Requires consent of each member of constituent council in whose area it is proposed function will be exercised or substitute members acting in their place.</p> <p>Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council</p>
Transfers of property to a Mayoral Development corporation	Section 200 of the Localism Act 2011	Reg 26(1)(f)	N	<p>Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council</p>

Planning functions in relation to Mayoral Development Area	Section 202 of the Localism Act 2011	Reg 26(1)(f)	N	<p>Requires consent of:</p> <ul style="list-style-type: none"> ▪ District Council whose are contains any part of the area to be designated, and ▪ The Peak District National Park Authority if function to be exercised in any part of the Peak District National Park <p>Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council.</p>
Removal or restriction of planning powers in relation to mayoral development corporation	Section 204 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Power to grant discretionary relief from non-domestic rates to Mayoral Development Corporation	Section 214 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Duty to review existence of Mayoral Development Corporations	Section 215 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Power to make transfer scheme for transfer of property, rights or liabilities	Section 216 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council

Power to request dissolution of Mayoral Development Corporation	Section 217 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Power to give guidance to MDC	Section 219 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Power to give direction to MDC	Section 220 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Power to give/revoke relevant consents	Section 221 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Duty to appoint members	Para 1 Sch 21 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Terms of members' appointments	Para 2 Sch 21 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Agreement of Staff terms and conditions	Para 3 Sch 21 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Power to determine rates and eligibility for remuneration of members and staff	Para 4 Sch 21 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council

Power to agree committee members who are not members of the MDC	Para 6 Sch 21 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council
Proceedings and meetings subject to mayoral direction	Para 8 Sch 21 of the Localism Act 2011	Reg 26(1)(f)	N	Any exercise which results in a financial liability falling on a constituent council requires the consent of the lead member of that council

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