



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 2

LOCAL DEMOCRACY AND DEVOLUTION

CHAPTER 1

COMBINED COUNTY AUTHORITIES

Functions of CCAs

19 Other public authority functions

- (1) The Secretary of State may by regulations—
 - (a) make provision for a function of a public authority that is exercisable in relation to a CCA's area to be a function of the CCA;
 - (b) make provision for conferring on a CCA in relation to its area a function corresponding to a function that a public authority has in relation to another area.
- (2) Regulations under subsection (1) may include further provision about the exercise of the function including—
 - (a) provision for the function to be exercisable by the public authority or CCA subject to conditions or limitations specified in the regulations;
 - (b) provision as to joint working arrangements between the CCA and public authority in connection with the function (for example, provision for the function to be exercised by a joint committee).
- (3) The provision that may be included in regulations under subsection (1)(a) includes, in particular, provision—
 - (a) for the CCA to have the function instead of the public authority,

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 19. (See end of Document for details)

- (b) for the function to be exercisable by the CCA concurrently with the public authority,
 - (c) for the function to be exercisable by the CCA and the public authority jointly, or
 - (d) for the function to be exercisable by the CCA jointly with the public authority but also continue to be exercisable by the public authority alone.
- (4) Regulations under subsection (1)(a) may, in particular, include provision to abolish the public authority in a case where, as a result of the regulations, it will no longer have any functions.
- (5) Regulations under subsection (1) may not provide for a regulatory function that is exercisable by a public authority in relation to the whole of England to be exercisable by a CCA in relation to its area if the regulated function is itself exercisable by the CCA by virtue of regulations under this section.
- (6) Subsection (7) applies where regulations under subsection (1) contain a reference to a document specified or described in the regulations (for example, in imposing a condition by virtue of subsection (2)(a) for an authority to have regard to, or to comply with, a statement of policy or standards set out in the document).
- (7) If it appears to the Secretary of State necessary or expedient for the reference to the document to be construed—
- (a) as a reference to that document as amended from time to time, or
 - (b) as including a reference to a subsequent document that replaces that document, the regulations may make express provision to that effect.
- (8) See also section 18 of the Cities and Local Government Devolution Act 2016 (devolving health service functions) which contains further limitations.
- (9) In this section—
- “function” (except in subsection (4)) does not include a power to make regulations or other instruments of a legislative character;
 - “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;
 - “public authority”—
 - (a) includes a Minister of the Crown or a government department;
 - (b) does not include a county council or a district council; - “regulated function” means the function of carrying out an activity to which a regulatory function relates;
 - “regulatory function” has the meaning given by section 32 of the Legislative and Regulatory Reform Act 2006.

Commencement Information

II S. 19 in force at 26.12.2023, see s. 255(2)(c)

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