

Public Document Pack

Officer Decisions

Tuesday, 19th November, 2024
16:30pm

AGENDA

- 1. Granting consent for the Lancashire Combined County Authority Regulations 2024**
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Appendix A for Granting consent for the Lancashire Combined County Authority Regulations 2024

Date Published: Tuesday 19th November 2025
Denise Park, Chief Executive

Agenda Item 1

**RECORD OF DECISION TAKEN UNDER
DELEGATED AUTHORITY FROM
EXECUTIVE/COUNCIL/COMMITTEE
DELEGATED POWERS OUTLINED IN
THE CONSTITUTION**



DELEGATED OFFICER DECISION TAKEN BY:	Chief Executive
DELEGATED BY:	Council 14 th March 2024
IN CONSULTATION WITH:	Leader
PORTFOLIO AREA:	Leader

SUBJECT: Granting consent for the Lancashire Combined County Authority Regulations 2024

1. DECISION

That the Chief Executive, after consultation with the Leader of the Council, gives consent to the making of the Lancashire Combined County Authority Regulations 2024

2. REASON FOR DECISION

At the meeting of the Council Forum on 14 March 2024, the Council granted approval to the Proposal to create the Lancashire Combined County Authority and delegated the authority to grant consent to the final drafting of the necessary regulations to establish the Combined County Authority to the Chief Executive, after consultation with the Leader. This report seeks approval to grant such consent to the making of the relevant Regulations.

3. BACKGROUND

In March 2024, the three constituent councils, Blackburn with Darwen Council, Blackpool Council and Lancashire County Council, each agreed a formal proposal for the establishment of a Combined County Authority for the area. This decision followed a full public consultation, as set out in the report to Council Forum.

Council Forum agreed that "Consent be given to the making of the necessary Regulations to create the Lancashire Combined County Authority in accordance with the arrangements and principles set out in the report, now presented, and the Chief Executive be delegated, after

consultation with the Leader of the Council, and subject to the approval of the other two Constituent Councils, to give final approval of the draft Regulations, subject to those Regulations reflecting the principles agreed in the Proposal document and this report”.

The resolution is also subject to approval of the other two constituent Councils and the Regulations reflect the principles agreed. Blackburn with Darwen Council is in agreement with the two constituent Councils with making the Regulations and nothing substantive has changed.

Civil Servants have been working with officers from the three Councils to draft the relevant Regulations to implement the Devolution Deal. On 18 November, the Ministry of Housing, Communities and Local Government wrote to the three Councils attaching the final draft of the Lancashire Combined County Authority Regulations 2024 and asking for consent from the constituent authorities to the making of these Regulations. They requested that confirmation be provided no later than 4pm on 18 November so that the Regulations can be laid around 26 November. The exact wording of the Regulations has to remain confidential until it is laid before Parliament, however a summary of the provisions of the Regulations is attached at Appendix 1. The Regulations will provide for the establishment, including governance arrangements, of the Lancashire Combined County Authority (LCCA) and confers transport, housing and economic functions onto it. It is envisaged that the Combined County Authority will be created in early 2025, depending on the parliamentary timetable.

The Chief Executive has consulted with the Leader of the Council with regard to the drafting of the Regulations.

4. KEY ISSUES AND RISKS

The key issues and risks of the Devolution Deal were considered in the previous reports that are identified in the background papers to this report, including the Council decision in March 2024.

5. FINANCIAL IMPLICATIONS

The financial implications of the Devolution Deal were considered in the previous reports that are identified in the background papers to this report, including the Council decision in March 2024. This report purely seeks to provide the final administrative steps in granting consent for the Regulations to be made.

6. LEGAL IMPLICATIONS

The Levelling-up and Regeneration Act 2023 enables the Secretary of State to make regulations to create a CCA and confer functions onto it. The Lancashire Combined County Authority Regulations 2024 use the powers available from the 2023 Act to implement the agreement and establish the LCCA. The government has confirmed that the relevant statutory tests as set out in the 2023 Act have been met.

The legal implications of creating a Combined County Authority have been considered in previous reports to Council Forum.

7. RESOURCE IMPLICATIONS

The resource implications of the Devolution Deal were considered in the previous reports that are identified in the background papers to this report, including the Council decision in March 2024. This report purely seeks to provide the final administrative steps in granting consent for the Regulations to be made.

8. EQUALITIES IMPLICATIONS

The equality implications for the Devolution Deal were considered at the Full Council in March 2024. This report purely seeks to provide the final administrative steps in granting consent for the Regulations to be made and therefore there are no additional equality implications of this decision.

9. OPTIONS CONSIDERED AND REJECTED

The Chief Executive could choose to refuse granting consent to the Regulations or attempt to seek further changes. However, on the basis that the draft Regulations delivers the Devolution Deal that has been consulted upon, it is considered appropriate to recommend approval of the making of the Regulations which will unlock the ability to obtain additional funding from Government and deliver the Devolution Deal.

9. CONSULTATIONS

The findings of the consultations undertaken regarding the Devolution Deal were considered in the previous reports that are identified in the background papers to this report, including the Council decision in March 2024.

10. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION:	1
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CONTACT OFFICER:	Denise Park
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DATE:	18 November 2024
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BACKGROUND DOCUMENTS:	Appendix A – The Lancashire Combined County Authority Regulations 2024 – Main Provisions Appendix B – Council Forum Report, 14th March 2024 – Devolution To Lancashire – Proposal to create the Lancashire Combined County Authority Appendix C – Policy Council Report – 30th November 2024 – Devolution to Lancashire – Proposal and Consultation
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Appendix A

The Lancashire Combined County Authority Regulations 2024 - Main Provisions

Section	Main Provisions
Part 1 - General	
1	Commencement. Gives the title of the Regulations and confirms that it comes into force on the day after they are made
2	Interpretation. Lists the relevant related legislation and gives definitions of the key terms used
Part 2 - Establishment	
3	Establishment. Creates a Combined County Authority known as The Lancashire Combined County Authority.
4	Constitution. Refers to Schedule 1
Part 3 - Housing, regeneration and planning	
5	Homes and Communities Agency (HCA) powers. Confers HCA powers, eg powers to provide housing, regeneration, infrastructure, acquisition of land etc. These powers are exercised concurrently with the HCA.
6	Acquisition of land. Provides powers for compulsory purchase, exercised concurrently with constituent councils and district councils
7	Conditions on Sections 5-6. Gives the conditions for the exercise of powers above – ie that Constituent Council for the area affected must consent, district council for the area must consent
8	Application. Technical clarification on the powers above
Part 4 - Transport	
9	Local Passenger Transport. Provides that the Combined County Authority will have the local passenger transport services authorities and functions of the constituent authorities. Certain functions are exercisable concurrently with the constituent authorities during the transition period
10	Transport functions. Sets out the functions of the LCCA under the Transport Act 2000, including in relation to Local Transport Plans, and public transport. Some of these powers are to be exercisable concurrently with the constituent councils during the transition period
11	Agreements with Strategic Highways Companies. Provides the LCCA with the powers to enter into agreements with the Minister or Strategic Highway Company in respect of trunk roads. These powers are to be exercisable concurrently with the constituent councils and any exercise of this function requires the consent of each constituent authority
12	Civil enforcement. Gives the LCCA the power to exercise civil enforcement of road traffic contraventions.
13	Workplace Parking Levy. Allows the LCCA powers to introduce a workplace parking levy. These powers are to be exercisable concurrently with the constituent councils and any exercise of this function requires the consent of each constituent authority
14	Permit schemes. Gives the LCCA powers with regard to highway permit schemes (held concurrently with constituent authorities)
15	Grants. Gives the LCCA concurrent powers with the Minister of the Crown to pay grants in relation to the exercise of highway functions.

16	Transport for the North. Replaces the separate appointments by the constituent authorities to TfN with a single appointment for the LCCA.
Part 5 – Additional functions	
17	Assessment of economic conditions. Gives the Combined County Authority concurrent powers with regard to the preparation of an assessment of economic conditions.
18	General Power of Competence. Confirms that the LCCA can exercise the general power of competence under the Localism Act 2011 in relation to economic development and regeneration
19	Data Sharing. Allows the LCCA to share data under the relevant provisions of the Crime and Disorder Act 1998.
20	Incidental provisions. Allows the LCCA to undertake general operational functions of local authorities in accordance with the Local Government Act 1972
21	Data collection. Allows the LCCA to carry out research and data collection activities
22	Committees. Applies provisions relating to general rights of members appointed to LCCA committees to vote
23	Pension Scheme. Confirms Lancashire County Council as the administering authority for the Pension Fund for LCCA employees .
Part 6 - Funding	
24	Funding. States that the constituent councils must ensure the costs of the LCCA are met, subject to agreement by the constituent councils, or failing agreement on a 2/3 rd (LCC), 1/6 th (Blackpool), 1/6 th (Blackburn wD) basis; and that the cost of the transport functions may be levied against the constituent councils;
Schedule 1 - Constitution	
1	Constituent Membership. Sets out the constituent membership of the LCCA, and rules for appointment and termination
2	Non-constituent and Associate membership. Explains that up to four additional members may be appointed by the LCCA
3	Chairing. Provides for the election of a chair and vice chair on an annual basis
4	Voting. Sets out the voting rules, including where unanimity is required; where the consent of the constituent member for an area affected is required; and on matters relating to BTS
5-8	Remuneration. Explains the rules around remuneration and allowances
9	Records. Outlines the requirements to maintain records of meetings and decisions
10	Standing Orders. Requires the LCCA to make procedural Standing Orders
Schedule 2 – Housing And Regeneration	
1&2	Modification of other acts. Technical modifications to the Housing and Regeneration Act 2008 to facilitate the exercise of powers set out above
Schedule 3 – Permit Schemes	
1	Modification of other acts. Technical modifications to the Traffic Management Act 2004 to facilitate the exercise of powers set out above