Draft Order laid before Parliament under section 117(2) of the Local Democracy, Economic Development and Construction Act 2009 (c. 20), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No. ****

LOCAL GOVERNMENT, ENGLAND

EDUCATION, ENGLAND

The Combined Authorities (Adult Education Functions) (Amendment) Order 2025

Made - - - - ***

Coming into force in accordance with article 1(1)

The Secretary of State makes this Order in exercise of the powers conferred by sections 105A(1)(a), (2)(a), (3)(b), 114(1) and 117(5) of the Local Democracy, Economic Development and Construction Act 2009(**a**) ("the 2009 Act").

In accordance with section 105B(1)(b) and (2) of the 2009 Act(**b**) the following Combined Authorities and each of their respective constituent councils have consented to the making of this Order—

(a) the Greater Manchester Combined Authority(**c**);

(b) the Liverpool City Region Combined Authority(**d**);

(c) the West of England Combined Authority(**e**);

(**a**) 2009 c. 20. Section 105A was inserted by section 7 of the Cities and Local Government Devolution Act 2016 (c. 1) ("the 2016 Act"). Section 117(5) was inserted by paragraph 29 of Schedule 5 to the 2016 Act.

(**b**) Section 105B was inserted by section 7 of the Cities and Local Government Devolution Act 2016 (c. 1). Section 105B(1)(b) was amended by section 67(2) of the Levelling-up and Regeneration Act 2023 (c. 55).

(**c**) A body corporate established under article 3 of S.I. 2011/908. The constituent councils of the Greater Manchester Combined Authority are the metropolitan district councils for the local government areas of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan.

(**d**) The Liverpool City Region Combined Authority is a body corporate established under article 3 of S.I. 2014/865. The Combined Authority was formerly known as the Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority. It has been known as the Liverpool City Region Combined Authority since 1st April 2014 in accordance with a resolution notified to the Secretary of State under section 97 of the Local Transport Act 2008 (c. 26), as applied to a combined authority by section 104(4) of the Local Democracy, Economic Development and Construction Act 2009 (c. 20). Its constituent councils are the councils for the local government areas of Halton, Knowsley, Liverpool, Sefton, St Helens and Wirral.

(**e**) A body corporate established under article 3 of S.I. 2017/126. The constituent councils of the West of England Combined Authority are the councils for the local government areas of Bath and North East Somerset, Bristol City and South Gloucestershire.

(d) the West Midlands Combined Authority(**a**);

(e) the Tees Valley Combined Authority(**b**);

(f) the Cambridgeshire and Peterborough Combined Authority(**c**);

(g) the South Yorkshire Mayoral Combined Authority(**d**);

(h) the West Yorkshire Combined Authority(**e**);

(i) the North East Mayoral Combined Authority(**f**).

The Secretary of State considers that in accordance with sections 105B(1)(b), 113(1)(a) and (aa) of the 2009 Act(**g**), the making of this Order is—

(a) likely to improve the economic, social and environmental well-being of some or all of the people who live or work in the areas to which this Order relates; and

(b) appropriate having regard to the need to secure effective and convenient local government, and to reflect the identities and interests of local communities.

A public consultation has been carried out in accordance with section 113(1)(b) and (2) of the 2009 Act(**h**).

In accordance with section 105B(9) of the 2009 Act, the Secretary of State has laid a report before Parliament explaining the effect of this Order and why the Secretary of State considers it appropriate to make this Order.

A draft of this Order has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 117(2) of the 2009 Act(**i**).

(**a**) A body corporate established under article 3 of S.I. 2016/653. The constituent councils of the West Midlands Combined Authority are the councils for the local government areas of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

(**b**) A body corporate established under article 3 of S.I. 2016/449. The constituent councils of the Tees Valley Combined Authority are the councils for the local government areas of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees.

(**c**) A body corporate established under article 3 of S.I. 2017/251. The constituent councils of the Cambridgeshire and Peterborough Combined Authority are the councils for the local government areas of Cambridge, Cambridgeshire, East Cambridgeshire, Fenland, Huntingdonshire, Peterborough and South Cambridgeshire.

(**d**) The South Yorkshire Mayoral Combined Authority is a body corporate established under article 3 of S.I. 2014/863. The Combined Authority was formerly known as the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority. It has been known as the South Yorkshire Mayoral Combined Authority since 17th September 2021 in accordance with a resolution notified to the Secretary of State under section 97 of the Local Transport Act 2008 (c. 26), as applied to a combined authority by section 104(4) of the Local Democracy, Economic Development and Construction Act 2009 (c. 20). Its constituent councils are Sheffield City Council, Barnsley Metropolitan Borough Council, City of Doncaster Council and Rotherham Metropolitan Borough Council.

(**e**) A body corporate established under article 3 of S.I. 2014/864. The constituent councils of the West Yorkshire Combined Authority are the metropolitan district councils for the local government areas of Bradford, Calderdale, Kirklees, Leeds and Wakefield.

(**f**) A body corporate established under article 5 of S.I. 2024/402. The constituent councils of the North East Mayoral Combined Authority are the councils for the local government areas of Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland.

(**g**) Section 113(1) was substituted by section 14 of the Cities and Local Government Devolution Act 2016 (c. 1) and amended by section 66 of the Levelling-up and Regeneration Act 2023 (c. 55).

(**h**) The public consultation ran between 8th November 2024 and 6th December 2024. The Secretary of State was provided with a summary of the consultation responses.

(**i**) Section 117(2) was substituted by section 13(2) of the Localism Act 2011 (c. 20).

Citation, commencement and extent

1.—(1) This Order may be cited as the Combined Authorities (Adult Education Functions) (Amendment) Order 2025 and comes into force on the day after the day on which it is made.

(2) This Order extends to England and Wales.

Amendment of the Greater Manchester Combined Authority (Adult Education Functions) Order 2018

2.—(1) The Greater Manchester Combined Authority (Adult Education Functions) Order 2018(**a**) is amended as follows.

(2) In article 4—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014(**b**).".

(3) In the Schedule, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the Liverpool City Region Combined Authority (Adult Education Functions) Order 2018

3.—(1) The Liverpool City Region Combined Authority (Adult Education Functions) Order 2018(**c**) is amended as follows.

(2) In article 4—

(**a**) S.I. 2018/1141.

(**b**) 2014 c. 6. Section 264(2) of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) ("ASCLA") provides that ASCLA is to be read as if the provisions of the Education Act 1996 (c. 56) were contained within it. Section 579 of the Education Act defines "EHC Plan" as meaning a plan within section 37(2) of the Children and Families Act 2014. Section 37(2) was amended by paragraph 97 of the Schedule to S.I. 2015/914.

(**c**) S.I. 2018/1142.

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In the Schedule, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the West of England Combined Authority (Adult Education Functions) Order 2018

4.—(1) The West of England Combined Authority (Adult Education Functions) Order 2018(**a**) is amended as follows.

(2) In article 4—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(**a**) S.I. 2018/1143.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In the Schedule, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the West Midlands Combined Authority (Adult Education Functions) Order 2018

5.—(1) The West Midlands Combined Authority (Adult Education Functions) Order 2018(**a**) is amended as follows.

(2) In article 4—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In the Schedule, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

(**a**) S.I. 2018/1144.

Amendment of the Tees Valley Combined Authority (Adult Education Functions) Order 2018

6.—(1) The Tees Valley Combined Authority (Adult Education Functions) Order 2018(**a**) is amended as follows.

(2) In article 4—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In the Schedule, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the Cambridgeshire and Peterborough Combined Authority (Adult Education Functions) Order 2018

7.—(1) The Cambridgeshire and Peterborough Combined Authority (Adult Education Functions) Order 2018(**b**) is amended as follows.

(2) In article 4—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(**a**) S.I. 2018/1145.
(**b**) S.I. 2018/1146.

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In the Schedule, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020

8.—(1) The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020(**a**) is amended as follows.

(2) In article 7—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In Schedule 1, after paragraph 5(b) insert—

(**a**) S.I. 2020/806.

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021

9.—(1) The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021(**a**) is amended as follows.

(2) In article 7—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps toward occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In Schedule 1, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Amendment of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024

10.—(1) The North East Mayoral Combined Authority (Establishment and Functions) Order 2024(**b**) is amended as follows.

(2) In article 30—

(a) in paragraph (1)—

(i) for "paragraph (2)" substitute "paragraphs (2), (2A) and (2B)";

(ii) omit the "and" after sub-paragraph (a);

(b) after paragraph (1)(b), insert—

(**a**) S.I. 2021/112, to which there are amendments not relevant to this Order.
(**b**) S.I. 2024/402.

"; and

(c) section 100(1B) (provision of financial resources in connection with approved technical education qualifications or approved steps towards occupational competence).";

(c) in paragraph (2), omit sub-paragraph (a) and the "or" after it;

(d) after paragraph (2) insert—

"(2A) The functions mentioned in paragraph (1)(a) and (b) do not include any function relating to apprenticeship training.

(2B) The function mentioned in paragraph (1)(c) does not include any function relating to a person who, at the time of starting a course of study for an approved technical education qualification or starting to take approved steps towards occupational competence, is—

(a) aged under 19; or

(b) aged under 25 for whom an EHC Plan is maintained.

(2C) In paragraph (2B), an "EHC Plan" means a plan within the meaning of section 37(2) of the Children and Families Act 2014.".

(3) In Schedule 3, after paragraph 6(b) insert—

"(ba) in subsection (1B), for the reference to "Secretary of State" there were substituted "Combined Authority";".

Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the following Orders ("the Combined Authorities Orders"):

- The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141) (see article 2);
- The Liverpool City Region Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1142) (see article 3);
- The West of England Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1143) (see article 4);
- The West Midlands Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1144) (see article 5);
- The Tees Valley Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1145) (see article 6);
- The Cambridgeshire and Peterborough Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1146) (see article 7);
- The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020 (S.I. 2020/806) (see article 8);
- The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (S.I. 2021/112) (see article 9);
- The North East Mayoral Combined Authority (Establishment and Functions) Order 2024 (S.I. 2024/402) (see article 10).

The amendments made by this Order confer on the relevant Combined Authorities the power in section 100(1B) of the Apprenticeships, Skills, Children and Learning Act 2009 ("ASCLA") to provide financial resources in connection with approved technical education qualifications or approved steps towards occupational competence (except in relation to functions relating to a person who, at the time of starting a course of study or starting to take approved steps toward occupational competence, is (a) aged under 19 or (b) aged under 25 for whom an Education, Health and Care Plan is maintained under section 37(2) of the Children and Families Act 2014 (c. 6)). This power is exercisable by each of the Combined Authorities in respect of their area concurrently with the Secretary of State.

This Order also amends the relevant Combined Authorities Orders to apply certain provisions of ASCLA with modifications to the Combined Authorities for the purpose of the Combined Authorities exercising the power in section 100(1B) of ASCLA conferred on them by this Order (see articles 2(3), 3(3), 4(3), 5(3), 6(3), 7(3), 8(3), 9(3) and 10(3)).

A full regulatory impact assessment has not been produced for this Order as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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