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

DRAFT STATUTORY INSTRUMENTS

2017 No.

LOCAL GOVERNMENT, ENGLAND

TRANSPORT, ENGLAND

The West Midlands Combined Authority (Functions and Amendment) Order 2017

Made - - - -

Coming into force in accordance with article 1

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The Secretary of State makes the following Order in exercise of the powers conferred by sections 104(1)(a), 105(1) and (3), 105A(1)(a) and (b), (2)(a) and (3)(b), 107D(1), (5) and (7)(a) to (e), 113A, 114 and 117(5) of the Local Democracy, Economic Development and Construction Act 2009(**a**)("the 2009 Act").

(**a**) 2009 c. 20. Section 104 was amended by sections 8 and 14 of, and Schedule 5 to, the Cities and Local Government Devolution Act 2016 (c. 1) ("the 2016 Act"). Section 105 was amended by sections 6, 9 and 14 of the 2016 Act. Section 105A was inserted by section 7 of the 2016 Act. Section 107D was inserted by section 4 of the 2016 Act. Section 114 was

The Secretary of State, having regard to a scheme prepared and published under section 112 of the 2009 Act(**a**), considers that—

(a) the making of this Order is likely to improve the exercise of statutory functions in the combined area to which this Order relates, and

(b) any consultation required by section 113(2) of the 2009 Act(**b**) has been carried out.

In making this Order, the Secretary of State has had regard to the need to reflect the identities and interests of local communities, and to secure effective and convenient local government(**c**).

In accordance with sections 104(10), 105(3A), 105B(2) and 107D(9) of the 2009 Act(**d**) the West Midlands Combined Authority and the councils whose areas are comprised in the area of that combined authority have consented to the making of this Order.

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

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

Accordingly, the Secretary of State makes the following Order:

PART 1

General

Citation and commencement

1.—(1) This Order may be cited as the West Midlands Combined Authority (Functions and Amendment) Order 2017.

(2) Save as provided in paragraph (3) this Order comes into force on 8th May 2017.

(3) Article 24(3)(d)(ii) comes into force on the day after the day on which this Order is made.

Interpretation

2. In this Order—

"the 1980 Act" means the Highways Act 1980(**e**);

"the 1988 Act" means the Road Traffic Act 1988(**f**);

"the 1989 Act" means the Local Government and Housing Act 1989(**g**);

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amended by section 23 of, and Schedule 5 to, the 2016 Act. Section 117 was substituted by section 13 of the Localism Act 2011 (c. 20). Section 117 was amended by Schedule 5 to the 2016 Act.

(**a**) Section 112 was amended by sections 6 and 23 of the 2016 Act.

(**b**) Section 113 was amended by sections 12, 14 and 23 of, and Schedule 5 to, the 2016 Act.

(**c**) Section 113(3) of the 2009 Act requires the Secretary of State when making an order under sections 104, 105, 106 or 107 in relation to an existing combined authority to have regard to the need to reflect the identities and interests of local communities and to secure effective and convenient local government.

(**d**) Sections 104(10) and 105(3A) were inserted by section 14 of the 2016 Act. Section 105B was inserted by section 7 of the 2016 Act. Section 107D was inserted by section 4 of the 2016 Act.

(**e**) 1980 c. 66.

(**f**) 1988 c. 52.

(**g**) 1989 c. 42.

"the 1991 Act" means the New Roads and Street Works Act 1991(**a**);

"the 1997 Act" means the Road Traffic Reduction Act 1997(**b**);

"the 1999 Act" means the Greater London Authority Act 1999(**c**);

"the 2000 Act" means the Transport Act 2000(**d**);

"the 2003 Act" means the Local Government Act 2003(**e**);

"the 2004 Act" means the Traffic Management Act 2004(**f**);

"the 2008 Act" means the Housing and Regeneration Act 2008(**g**);

"the 2009 Act" means the Local Democracy, Economic Development and Construction Act 2009;

"the 2011 Act" means the Localism Act 2011(**h**);

"the 2016 Order" means the West Midlands Combined Authority Order 2016(**i**);

"combined area" means the combined area of the Combined Authority;

"the Combined Authority" means the West Midlands Combined Authority, a body corporate established by the 2016 Order(**j**);

"Combined Authority roads" means the highways specified in Schedule 1;

"constituent council" means the councils for the local government areas of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton;

"Corporation" means a corporation established by the Secretary of State in accordance with the provisions in section 198 of the 2011 Act, with the modifications made by Schedule 4, following the designation of an area of land by the Combined Authority;

"the HCA" means the Homes and Communities Agency(**k**); and

"the Mayor" means the mayor for the combined area, except where the context otherwise requires(**l**).

PART 2

Transport

Power to pay grant

3.—(1) The functions of a Minister of the Crown(**m**) specified in section 31 of the 2003 Act (power to pay grant) are functions of the Combined Authority that are exercisable in relation to the combined area.

(2) The functions are exercisable by the Combined Authority concurrently with a Minister of the Crown.

(3) Paragraph (4) applies where, in exercising functions referred to in paragraphs (1) and (2), the Combined Authority determines an amount of grant to be paid towards expenditure incurred or to be incurred by a constituent council in relation to the exercise of its highway functions.

(**a**) 1991 c. 22.
(**b**) 1997 c. 54.
(**c**) 1999 c. 29.
(**d**) 2000 c. 38.
(**e**) 2003 c. 26.
(**f**) 2004 c. 18.
(**g**) 2008 c. 17.
(**h**) 2011 c. 20.
(**i**) S.I. 2016/653.
(**j**) See article 3(2) of the 2016 Order.
(**k**) The HCA is a body corporate established under section 1 of the 2008 Act.
(**l**) Article 3 to S.I 2016/933 provides for there to be a mayor for the combined area of the Combined Authority.
(**m**) See section 105A(9) of the 2009 Act for the definition of "Minister of the Crown".

(4) In determining that amount, the Combined Authority must have regard to the desirability of ensuring that the constituent council has sufficient funds to facilitate the effective discharge of those functions.

(5) To comply with paragraph (4), the Combined Authority must take into account any other sources of funding available to the constituent council for expenditure incurred or to be incurred in relation to the exercise of its highway functions.

(6) For the purposes of the exercise by the Combined Authority of the functions referred to in paragraphs (1) and (2), section 31 of the 2003 Act has effect as if—

(a) in subsection (1)—

(i) the reference to a Minister of the Crown were a reference to the Combined Authority;

(ii) the reference to a local authority in England were a reference to a constituent council;

(b) subsection (2) were omitted;

(c) in subsections (3) and (4), the references to the person paying it (the grant) were references to the Combined Authority;

(d) subsection (6) were omitted.

(7) In this article "highway functions" means the functions which are exercisable by a constituent council (in whatever capacity) in relation to the highways for which it is the highway authority.

Agreements between authorities and strategic highways companies

4.—(1) The functions of the constituent councils specified in section 6 of the 1980 Act (powers to enter into agreements with the Minister or strategic highways companies relating to the exercise of functions with respect to trunk roads etc)(**a**) are exercisable by the Combined Authority in relation to the combined area.

(2) The functions of the constituent councils as local highway authorities specified in section 8 of the 1980 Act (power to enter into agreements with local highway authorities and strategic highways companies for the doing of certain works)(**b**) are exercisable by the Combined Authority in relation to Combined Authority roads.

(3) The functions referred to in paragraphs (1) and (2) are exercisable by the Combined Authority concurrently with the constituent councils.

(4) In this article "local highway authority" has the meaning given by section 329(1) of the 1980 Act(**c**).

Promoting road safety

5.—(1) The functions of the constituent councils specified in section 39(2) and (3) of the 1988 Act (duties of local authorities in relation to measures designed to promote road safety and studies into vehicular accidents arising, etc)(**d**) are exercisable by the Combined Authority in relation to the combined area.

(2) The functions are exercisable by the Combined Authority concurrently with the constituent councils.

(**a**) Section 6 was amended by sections 8 and 102 of, and Schedules 4 and 17 to, the Local Government Act 1985 (c. 51), section 22 of, and Schedule 7 to, the Local Government (Wales) Act 1994 (c. 19), section 1 of, and Schedule 1 to, the Infrastructure Act 2015 (c. 7), and S.I. 1995/1986.

(**b**) Section 8 was amended by section 8 of, and Schedule 4 to, the Local Government Act 1985, section 22 of, and Schedule 7 to, the Local Government (Wales) Act 1994, and section 1 of, and Schedule 1 to, the Infrastructure Act 2015.

(**c**) This definition in section 329(1) of the 1980 Act was amended by section 1 of, and Schedule 1 to the Infrastructure Act 2015.

(**d**) Section 39 was amended by section 168 of, and Schedule 8 to, the 1991 Act, and by section 279 of the 1999 Act.

Bus lane contraventions

6.—(1) The functions of the constituent councils in relation to each of their civil enforcement areas are exercisable by the Combined Authority in relation to the Enforcement Area.

(2) The functions are exercisable by the Combined Authority (in relation to the Enforcement Area) concurrently with each constituent council (in relation to its civil enforcement area).

(3) For the purposes of this article, the Combined Authority is to be treated as an approved local authority(**a**) for the Enforcement Area, and references in the 2005 Regulations to an approved local authority or to the combined area of such an authority are to be construed accordingly.

(4) In this article—

(a) "the 2005 Regulations" means the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005(**b**);

(b) "civil enforcement area" means an area falling within Schedule 8 to the Traffic Management Act 2004 (civil enforcement areas and enforcement authorities)(**c**) and which falls within a constituent council's area;

(c) "Enforcement Area" means the area comprising the civil enforcement areas of the constituent councils.

Road traffic reduction

7.—(1) The functions of the constituent councils as principal councils specified in section 2 of the 1997 Act (duty of principal councils to make reports) are exercisable by the Combined Authority in relation to Combined Authority roads.

(2) Subject to paragraph (3), the functions are exercisable by the Combined Authority instead of by the constituent councils.

(3) The Combined Authority must consult the constituent councils before exercising the functions mentioned in paragraph (1).

(4) In this article "principal council" has the meaning given by section 1 of the 1997 Act(**d**).

Permit schemes

8.—(1) The functions of the constituent councils as local highway authorities specified in the following provisions of the 2004 Act are exercisable by the Combined Authority in relation to Combined Authority roads—

(a) section 33 (preparation of permit schemes)(**e**);

(b) section 33A (implementation of permit schemes of strategic highways companies and local highway authorities in England)(**f**); and

(c) section 36 (variation and revocation of permit schemes)(**g**).

(2) The functions of the constituent councils as permit authorities specified in the 2007 Regulations are exercisable by the Combined Authority in relation to Combined Authority roads.

(3) The functions mentioned in paragraph (1) and (2) are exercisable by the Combined Authority concurrently with the constituent councils.

(4) Part 3 of the 2004 Act (permit schemes) applies in relation to the preparation, implementation, variation and revocation of permit schemes by the Combined Authority as it

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(**a**) Under section 144(3) of the 2000 Act an authority is an approved local authority if an order has been made designating the whole or any part of its area as a civil enforcement area for parking contraventions, and the Secretary of State has made an order specifying it as an approved local authority.
(**b**) S.I. 2005/2757.
(**c**) 2004 c. 18.
(**d**) Section 1 was amended by section 280(1) of the 1999 Act.
(**e**) Section 33 was amended by section 51 of, and Schedule 10 to, the Deregulation Act 2015 (c. 20).
(**f**) Section 33A was inserted by section 51 of, and Schedule 10 to, the Deregulation Act 2015.
(**g**) Section 36 was substituted by section 51 of, and Schedule 10 to, the Deregulation Act 2015.

applies in relation to the preparation, implementation, variation and revocation of permit schemes by a constituent council, subject to the modifications in Schedule 2.

(5) The 2007 Regulations apply in relation to the content, preparation, operation, variation and revocation of permit schemes by the Combined Authority as they apply in relation to the content, preparation, operation, variation and revocation of permit schemes by a constituent council.

(6) For the purposes of paragraph (5), references in the 2007 Regulations to a Permit Authority are to be read as including references to the Combined Authority.

(7) In this article—

(a) "permit scheme" is to be construed in accordance with section 32 of the 2004 Act; and

(b) "the 2007 Regulations" means the Traffic Management Permit Scheme (England) Regulations 2007(**a**);

Apparatus affected by highway, bridge or transport works

9.—(1) The functions of the constituent councils as highway authorities specified in the following enactments are exercisable by the Combined Authority in relation to Combined Authority roads—

(a) sections 83 (works for road purposes likely to affect apparatus in the street), 84 (measures necessary where apparatus affected by major works)(**b**) and 85 (sharing of cost of necessary measures) of the 1991 Act; and

(b) the 2000 Regulations.

(2) The functions mentioned in paragraph (1) are exercisable by the Combined Authority concurrently with the constituent councils.

(3) The 2000 Regulations apply in relation to the sharing of costs of diversionary works between the Combined Authority and undertakers as they apply in relation to the sharing of costs of diversionary works between a constituent council and undertakers.

(4) For the purposes of paragraph (3), references in the 2000 Regulations to an authority are to be read as including references to the Combined Authority.

(5) In this article—

(a) "the 2000 Regulations" means the Street Works (Sharing of Costs of Works) (England) Regulations 2000(**c**);

(b) "undertaker" has the same meaning as in sections 48(4) and (5) (streets, street works and undertakers) and 89(4) (public sewers, sewer authorities and related matters) of the 1991 Act(**d**); and

(c) "diversionary works" has the meaning given by regulation 2(1) of the 2000 Regulations.

(**a**) S.I. 2007/3372, amended by S.I. 2015/958.
(**b**) Section 83 was amended by section 40 of, and Schedule 1 to the Traffic Management Act 2004 (c. 18).
(**c**) S.I. 2000/3314.
(**d**) Section 48 was amended by section 124 of the Local Transport Act 2008 (c. 26) and section 89 was amended by Schedule 1 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and section 57 of the Traffic Management Act 2004 (c. 18).

PART 3

Housing and regeneration

Conferral of functions corresponding to functions that the HCA has in relation to the combined area

10.—(1) The functions of the HCA which are specified in the following provisions in the 2008 Act that are exercisable in relation to the combined area are to be functions of the Combined Authority—

(a) section 5 (powers to provide housing or other land);

(b) section 6 (powers for regeneration, development or effective use of land);

(c) section 7 (powers in relation to infrastructure);

(d) section 8 (powers to deal with land etc);

(e) section 9 (acquisition of land);

(f) section 10 (restrictions on disposal of land);

(g) section 11 (main powers in relation to acquired land)(**a**); and

(h) section 12 (powers in relation to, and for, statutory undertakers).

(2) The Combined Authority is to exercise the functions contained in the provisions specified in paragraph (1) for the purposes of or for purposes incidental to the following objects—

(a) to improve the supply and quality of housing in the combined area;

(b) to secure the regeneration or development of land or infrastructure in the combined area;

(c) to support in other ways the creation, regeneration or development of communities in the combined area or their continued well-being; and

(d) to contribute to the achievement of sustainable development and good design in the combined area,

with a view to meeting the needs of people living in the combined area.

(3) The functions contained in the provisions specified in paragraph (1) are—

(a) exercisable concurrently with the HCA; and

(b) subject to Schedules 2 and 3 to the 2008 Act.

(4) In paragraph (2) "good design" and "needs" have the meanings given by section 2(2) of the 2008 Act and the reference to improving the supply of housing includes a reference to improving the supply of particular kinds of housing.

(5) Section 23(3) of the Land Compensation Act 1961 (compensation where planning decision made after acquisition)(**b**) applies in relation to an acquisition by the Combined Authority as it applies in relation to the HCA.

Application of provisions of the 2008 Act

11.—(1) This article has effect in consequence of article 10.

(2) Chapters 1 and 2 of Part 1 of the 2008 Act apply in relation to the powers of the Combined Authority to acquire land for housing and infrastructure under the functions specified in article 10(1) and land acquired by the Combined Authority under those functions as they apply to the HCA and land acquired by the HCA, with the modifications made by Schedule 3.

(**a**) Section 11 was amended by section 32(1) and (2) of the Infrastructure Act 2015.

(**b**) 1961 c. 33. Section 23 was amended by section 66 of, and Schedule 14 to, the Planning and Compensation Act 1991 (c. 34), sections 181 and 187 of, and Schedule 22 to, the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) and by section 56 of, and Schedule 8 to, the Housing and Regeneration Act 2008 (c. 17). There are other amendments which are not relevant.

PART 4

Mayoral Development Corporations

Conferral of functions corresponding to functions that the Mayor of London has in relation to Greater London to designate Mayoral development areas

12.—(1) The Combined Authority shall have in relation to the combined area functions corresponding to the following functions specified in the provisions in the 2011 Act, that the Mayor of London has in relation to Greater London—

(a) section 197 (designation of Mayoral development areas);

(b) section 199 (exclusion of land from Mayoral development areas);

(c) section 200 (transfers of property etc to a Mayoral development corporation);

(d) section 202 (functions in relation to town and country planning);

(e) section 204 (removal or restriction of planning functions);

(f) section 214 (powers in relation to discretionary relief from non-domestic rates);

(g) section 215 (reviews);

(h) section 216 (transfers of property, rights and liabilities);

(i) section 217 (dissolution: final steps);

(j) section 219 (guidance by the Mayor);

(k) section 220 (directions by the Mayor);

(l) section 221 (consents);

(m) paragraph 1 of Schedule 21 (membership);

(n) paragraph 2 of Schedule 21 (terms of appointment of members);

(o) paragraph 3 of Schedule 21(staff);

(p) paragraph 4 of Schedule 21 (remuneration etc: members and staff);

(q) paragraph 6 of Schedule 21 (committees); and

(r) paragraph 8 of Schedule 21 (proceedings and meetings).

(2) The exercise by the Combined Authority of the functions corresponding to the functions specified in section 197 (designation of Mayoral development areas) of the 2011 Act requires the consent of at least one member of the Combined Authority appointed by each of the constituent councils, or a substitute member acting in place of one of those members, whose local government area contains any part of the combined area to be designated as a Mayoral development area.

(3) The exercise by the Combined Authority of the functions corresponding to the functions specified in section 199 (exclusion of land from Mayoral development areas) of the 2011 Act in respect of any Mayoral development area requires the consent of at least one member of the Combined Authority appointed by each of the constituent councils, or a substitute member acting in place of one of those members, whose local government area contains any part of the combined area to be excluded from a Mayoral development area.

(4) The exercise by the Combined Authority of the functions corresponding to the functions specified in section 202(2) to (4) of the 2011 Act (functions in relation to town and country planning) in respect of any Mayoral development area requires the consent of at least one member of the Combined Authority appointed by each of the constituent councils, or a substitute member acting in place of one of those members, whose local government area contains the whole or any part of the combined area in respect of which the Combined Authority proposes to exercise the functions.

(5) For the purposes of paragraphs (2), (3) and (4), the consent must be given at a meeting of the Combined Authority.

Application of provisions in the Localism Act 2011

13.—(1) Chapter 2 of Part 8 (Mayoral development corporations) of the 2011 Act applies in relation to the Combined Authority as it applies in relation to the Mayor of London with the modifications made by Schedule 4.

(2) Chapter 2 of Part 8 of the 2011 Act applies in relation to a Corporation as it applies in relation to a Mayoral development corporation, with the modifications made by Schedule 4.

(3) Subject to paragraph (6), in any enactment passed or made on or before 8th May 2017—

(a) any reference to a Mayoral development corporation; or

(b) any reference which falls to be read as a reference to a Mayoral development corporation,

is to be treated as including a reference to a Corporation.

(4) For the purposes of any transfer scheme under any provisions of the 2011 Act applied with modifications by this Order, paragraph 9 of Schedule 24 to the 2011 Act (transfers under scheme under section 200(1) or (4) or 216(1)) applies in relation to—

(a) any property, rights or liabilities transferred to or from a Corporation in accordance with a transfer scheme, or

(b) anything done for the purposes of, or in relation to, or in consequence of, the transfer of any property, rights or liabilities to or from a Corporation in accordance with such a transfer scheme,

as it applies in relation to a Mayoral development corporation.

(5) For the purposes of establishing a Corporation, giving the Corporation a name, giving effect to any decisions notified to the Secretary of State (under sections 199(4) (exclusion of land from Mayoral development areas), 202(8) (decisions about planning functions), 214(6) (powers in relation to discretionary relief from non-domestic rates) of the 2011 Act) or making provision for varying the way in which a relevant tax has effect from time to time in relation to the transfer of land to or from a Corporation under any provision of the 2011 Act, applied with modifications by this Order, the provisions in section 235 of the 2011 Act (orders and regulations) apply in relation to—

(a) the power of a Minister of the Crown to make an order under sections 198(2) (mayoral development corporations: establishment) and 200(6) (transfers of property etc to a Mayoral development corporation) of that Act; and

(b) the power of the Treasury to make regulations under paragraph 9(2) of Schedule 24 to that Act,

as they apply in relation to the establishment of a Mayoral development corporation, giving the corporation a name, giving effect to any decisions notified to the Secretary of State (under sections 199(4), 202(8) and 214(6) of the 2011 Act) and making provision for varying the way in which a relevant tax has effect from time to time in relation to a transfer of land to or from a Mayoral development corporation.

(6) Paragraph (3) does not apply to—

(a) paragraph 9(8)(a) of Schedule 2 to the Channel Tunnel Rail Link Act 1996(**a**);

(b) section 31(1A) of the 1999 Act(**b**);

(c) section 38 of the 1999 Act(**c**);

(d) section 60A(3) of the 1999 Act(**d**);

(**a**) 1996 c. 61. Paragraph 9(8) of Schedule 2 was amended by section 222 of, and Schedule 22 to, the 2011 Act.

(**b**) Section 31(1A) was inserted by section 22 of, and Schedule 22 to, the 2011 Act, section 33 of the Infrastructure Act 2015 (c. 7) and article 2 of S.I. 2012/1530.

(**c**) Section 38 was amended by S.I. 2001/2237, section 224 of the Planning Act 2008 (c. 29), sections 195, 222 and 237 of, and Schedules 19, 20, 22 and 25 to, the 2011 Act, and by section 28 of the Growth and Infrastructure Act 2013 (c. 27).

(**d**) Section 60A was inserted by section 4 of the Greater London Authority Act 2007 (c. 24) and subsection (3) was amended by S.I. 2008/2038, section 20 of the Police Reform and Social Responsibility Act 2011 (c. 13), and Schedules 22 and 25 to the 2011 Act.

(e) section 68(6) of the 1999 Act(**a**);

(f) section 73 of the 1999 Act(**b**);

(g) section 424 of the 1999 Act(**c**);

(h) section 24(4) of the Planning and Compulsory Purchase Act 2004(**d**); and

(i) paragraph 8(8)(a) of Schedule 2 to the Crossrail Act 2008(**e**).

Incidental provisions

14. The following provisions of the 1989 Act shall apply in relation to a Corporation as if the Corporation were a local authority—

(a) section 1 (disqualification and political restriction of certain officers and staff)(**f**); and

(b) sections 2 and 3A (politically restricted posts and exemptions from restriction)(**g**) so far as they have effect for the purposes of that section.

15. Section 5 of the 1989 Act (designation and reports of monitoring officer)(**h**) applies in relation to the Combined Authority as if a Corporation were a committee of the Authority.

16. Section 32 of the 2003 Act applies in relation to expenditure of a Corporation but as if—

(a) each reference to a functional body were a reference to a Corporation;

(b) each reference to the Greater London Authority were a reference to the Combined Authority;

(c) each reference to the Mayor of London were a reference to the Combined Authority; and

(d) subsection (7) were omitted.

PART 5

Air quality; smoke-free premises, places and vehicles; culture and anti-social behaviour

Air quality

17.—(1) The functions of the constituent councils specified in the following provisions in the Environment Act 1995(**i**) are exercisable by the Combined Authority in relation to the combined area—

(a) section 82 (local authority reviews);

(b) section 83 (duty to designate air quality management areas);

(**a**) Section 68(6) was amended by sections 222 and 237 of, and Schedules 22 and 25 to, the 2011 Act.

(**b**) Section 73 was amended by S.I 2000/1435, sections 7 and 9 of, and Schedule 2 to, the Greater London Authority Act 2007, section 182 of, and Schedule 12 to, the Local Government and Public Involvement in Health Act 2007 (c. 28), and by sections 195, 222 and 237 of, and Schedules 22 and 25 to the 2009 Act.

(**c**) Section 424 was amended by sections 11, 12, 21 and 22 of the Greater London Authority Act 2007, S.I. 2009/1941, section 3 of the Police Reform and Social Responsibility Act 2011, and sections 222 and 237 of, and Schedules 22 and 25 to, the 2011 Act.

(**d**) 2004 c. 5. Section 24(4) was amended by section 222 of, and Schedule 22 to, the 2011 Act.

(**e**) 2008 c. 18. Paragraph 8 of Schedule 2 was amended by section 222 of, and Schedule 22 to, the 2011 Act.

(**f**) Section 1 was amended by section 80 of the Local Government Act 1972 (c. 70), section 31 of the Local Government (Scotland) Act 1973 (c. 65), Schedule 1 to the House of Commons Disqualification Act 1975 (c. 24), and section 99 of, and Schedule 16 to the Police Reform and Social Responsibility Act 2011.

(**g**) Section 3A was inserted by section 202 of the Local Government and Public Involvement in Health Act 2007 and amended by Schedule 7 to the 2009 Act and Schedules 4 and 25 to the 2011 Act.

(**h**) Section 5 was amended by Part I of Schedule 4 to the Police and Magistrates Courts Act 1994 (c. 29), Schedule 7 to the Police Act 1996 (c. 16), section 132 of the 1999 Act, Schedule 5 to the Local Government Act 2000 (c. 22), Schedules 12 and 18 to the Local Government and Public Involvement in Health Act 2007, section 184 of, and Schedules 14 and 22 to, the Marine and Coastal Access Act 2009 (c. 23), section 99 to, and Schedule 16 to, the Police Reform and Social Responsibility Act 2011 (c. 23) and S.I. 2001/2237.

(**i**) 1995 c. 25.

(c) section 84 (duties in relation to designated area)(**a**); and

(d) section 113 (disclosure of information)(**b**).

(2) The functions are exercisable concurrently with the constituent councils.

Smoke-free premises, places and vehicles

18.—(1) The functions of the constituent councils specified in the following provisions are exercisable by the Combined Authority in relation to the combined area—

(a) section 10(3) (duty to enforce) and (5) (power to authorise officers) of the Health Act 2006(**c**);

(b) paragraphs 13 and 16 (functions relating to fixed penalty notices) of Schedule 1 to the Health Act 2006(**d**);

(c) regulation 3(5) of the Smoke-free (Premises and Enforcement) Regulations 2006 (power to transfer enforcement functions to another enforcement authority)(**e**); and

(d) regulation 3(4) of the Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (form of fixed penalty notice)(**f**).

(2) The functions are exercisable concurrently with the constituent councils.

(3) For the purposes of paragraph (1) the Combined Authority is to be treated as an enforcement authority(**g**).

Culture

19.—(1) The functions of the constituent councils specified in section 145 of the Local Government Act 1972 (provision of entertainments)(**h**) are exercisable by the Combined Authority in relation to the combined area.

(2) The functions are exercisable concurrently with the constituent councils.

(3) Any requirement in any enactment for a constituent council to exercise such functions may be fulfilled by the exercise of that function by the Combined Authority.

Anti-social behaviour

20.—(1) The functions of the constituent councils specified in the following provisions in the 2014 Act are exercisable by the Combined Authority in relation to the combined area—

(a) section 5 (applications for injunctions); and

(b) section 104 (review of response to complaints).

(2) The functions are exercisable concurrently with the constituent councils.

(3) Part 1 of the 2014 Act (injunctions) applies in relation to an application for an injunction by a Combined Authority as it applies in relation to an application for an injunction by a constituent council, but as if the following provisions were omitted—

(**a**) Section 84 was amended in relation to England and Wales by section 59 of, and Schedule 13 to, the Deregulation Act 2015.
(**b**) Section 113 was amended in relation to England and Wales by paragraphs 14 and 18 of Schedule 2 and Schedule 3 to the Pollution Prevention and Control Act 1999 (c. 24) and paragraphs 361 and 384 of Part 1 of Schedule 2 to S.I. 2013/755.
(**c**) 2006 c. 28. Section 10 was amended by section 95 of the Children and Families Act 2014 (c. 6).
(**d**) Schedule 1 was amended by section 95 of the Children and Families Act 2014 (c. 6).
(**e**) S.I. 2006/3368. Regulation 3 was amended by S.I. 2015/286.
(**f**) S.I. 2007/760. Regulation 3 was amended by S.I. 2015/939.
(**g**) Section 10(1) (enforcement) of the 2006 Act permits regulations to be made designating persons who are to be enforcement authorities for the purposes of Chapter 1 of that Act. Regulation 3(1)(a) and (b) of the Smoke-free (Premises and Enforcement) Regulations (S.I. 2006/3368) provide that a unitary authority and a district council insofar as it is not a unitary authority is designated as an enforcement authority for the purposes of Chapter 1 of Part 1 of the 2006 Act.
(**h**) 1972 c. 70. Section 145 was amended by section 198 of, and Schedule 6 to, the Licensing Act 2003 (c. 17).

(a) in section 2 (meaning of anti-social behaviour), subsections (1)(b) and (c), (2), (3) and (4); and

(b) section 13 (power to exclude person from home in cases of violence or risk of harm).

(4) Section 101 of the 2014 Act (the community remedy document) has effect in relation to the Combined Authority as if it were a local authority.

(5) The Combined Authority shall be a relevant authority for the purposes of section 115 of the Crime and Disorder Act 1998 (disclosure of information)(**a**).

(6) In this article "the 2014 Act" means the Anti-Social Behaviour, Crime and Policing Act 2014(**b**).

PART 6

Funding

Funding

21.—(1) The constituent councils must meet any reasonably incurred costs of the Combined Authority, other than the costs mentioned in paragraph (4) to the extent that the Combined Authority has not decided to meet these costs from other resources available to the Combined Authority.

(2) Any amount payable by each of the constituent councils to ensure that the costs of the Combined Authority referred to in paragraph (1) are met is to be determined by apportioning such costs between the constituent councils in such proportions as they may agree or, in default of such agreement, in proportion to the total resident population of the Combined Authority which resides in that council at the relevant date as estimated by the Statistics Board(**c**).

(3) The functions mentioned in article 6 may be funded out of the levy issued by the Combined Authority to the constituent councils under section 74 of the Local Government Finance Act 1988**(d)** and in accordance with the Transport Levying Bodies Regulations 1992**(e)**.

(4) Subject to paragraph (5), the constituent councils must meet the costs of the expenditure reasonably incurred in, or in connection with, the exercise of the functions specified in articles 3, 4, 5, 7, 8 9, 10 (only in relation to the function specified in section 9(2) of the 2008 Act) and 23, to the extent that the Mayor has not decided to meet these costs from other resources available to the Combined Authority.

(5) In relation to the expenditure mentioned in paragraph (4)—

(a) to the extent to which such expenditure is met by amounts payable under arrangements made under paragraph (2)—

(i) the Mayor must agree with the Combined Authority the total expenditure mentioned in paragraph (4) in advance of incurring this expenditure; and

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(**a**) 1998 c. 37. Section 115 was amended by S.I. 2000/90, section 74 of, and Schedule 7 to, the Criminal Justice and Court Services Act 2000 (c. 43), section 97 of the Police Reform Act 2002 (c. 30), S.I. 2469/2002, S.I. 2003/602, section 219 of the Housing Act 2004 (c. 34), section 22 of, and Schedule 9 to the Police and Justice Act 2006 (c. 48), section 29 of the Transport Act 2008 (c. 26), S.I. 2008/912 , the Police Reform and Social Responsibility Act 2011 (c. 13), section 55 of, and Schedule 5 to, the Health and Social Care Act 2012 (c. 7), and S.I. 2010/886.

(**b**) 2014 c. 12.

(**c**) Section 25 of the Statistics and Registration Service Act 2007 (c. 18) provides that the Statistics Board is responsible for the functions in section 19 of the Registration Service Act 1953 (c. 37) in relation to the annual abstract of number of births, deaths and marriages.

(**d**) 1988 c. 41. Section 74 was amended by Schedule 13 to the Local Government Finance Act 1992 (c. 14); section 20 of, and Schedule 6 to, the Local Government (Wales) Act 1994 (c. 19); section 120 of, and Schedule 24 to, the Environment Act 1995 (c. 25); section 105 of the 1999 Act; section 109 of, and Schedule 8, to the Courts Act 2003 (c. 39); section 53 of, Schedule 1 to, the Fire and Rescue Services Act 2004 (c. 21); section 22 of, and Schedule 1, to the Local Government and Involvement in Public Health Act 2007 (c. 28); sections 119 and 146 of, and Schedules 6 and 7 to, the 2009 Act; section 99 of, and Schedule 16 to, the Police Reform and Social Responsibility Act 2011 (c. 13); section 69 of, and Schedule 7 to, the 2011 Act; section 9 of, and Schedule 5 to, the 2016 Act; and by S.I. 1994/2825.

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

(ii) in the absence of the agreement specified in paragraph (i), no such expenditure may be incurred;

(b) any precept issued in relation to such expenditure under section 40 of the Local Government Finance Act 1992(**a**) is to be disregarded from any calculation of the costs of the expenditure.

(6) For the purposes of this article the relevant date in relation to a payment for a financial year is 30th June in the financial year which commenced two years prior to the financial year in which such payment is made.

PART 7

Functions of the Combined Authority exercisable only by the Mayor; political advisers

General functions of the Combined Authority exercisable only by the Mayor

22.—(1) The following functions are general functions exercisable only by the Mayor(**b**)—

(a) the functions of the Combined Authority in the following enactments—

(i) section 31 of the 2003 Act (power to pay grant);

(ii) sections 33 (preparation of permit schemes), 33A (implementation of permit schemes of strategic highways companies and local highway authorities in England) and 36 (variation of permit schemes) of the 2004 Act;

(iii) sections 83 (works for road purposes likely to affect apparatus in the street), 84 (measures necessary where apparatus affected by major works) and 85 (sharing of cost of necessary measures) of the 1991 Act;

(iv) sections 6 (powers to enter into agreements with the Minister or strategic highways companies relating to the exercise of functions with respect to trunk roads etc) and 8 (power to enter into agreements with local highway authorities and strategic highways companies for the doing of certain works) of the 1980 Act;

(v) section 39(2) and (3) of the 1988 Act (duties of local authorities to prepare and carry out a programme of measures designed to promote road safety, and carry out studies into accidents arising out of the use of vehicles on certain roads within their areas);

(vi) section 2 of the 1997 Act (duty of principal councils to make reports); and

(vii) the 2000 Regulations;

(b) the functions of the Combined Authority corresponding to the functions specified in section 9(2) of the 2008 Act.

(2) The Mayor must seek the assistance of members and officers of the Combined Authority in the exercise of the functions mentioned in paragraph (1).

(3) The Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act (general power of EPB or combined authority)(**c**).

(4) The Mayor must not make arrangements under section 107D(3)(b) of the 2009 Act (functions of mayors: general) in relation to the functions specified in paragraph (1), in relation to a political adviser appointed under article 23(1).

(**a**) 1992 c. 14. Section 40 was amended by section 83 of the 1999 Act, section 79 of, and paragraph 7 of Schedule 17 to, the Localism Act 2011 and section 5 of the 2016 Act.

(**b**) Section 107D(2) of the 2009 Act provides that in Part 6 of that Act references to "general functions", in relation to a mayor for the area of a combined authority, are to any functions exercisable by the mayor other than police and crime commissioner functions.

(**c**) Section 113A was inserted by section 13 of the Localism Act 2011 and amended by paragraphs 17 and 25 of Schedule 5 to the 2016 Act.

(5) The exercise of the general functions mentioned in paragraph (1)(b) requires the consent of—

(a) at least one member of the Combined Authority appointed by each of the constituent councils whose local government area contains any part of the land subject to the proposed compulsory acquisition; or

(b) substitute members acting in place of those members,

to be provided at a meeting of the Combined Authority.

Political advisers

23.—(1) The Mayor may appoint one person as the Mayor's political adviser.

(2) Any appointment under paragraph (1) is an appointment as an employee of the Combined Authority.

(3) No appointment under paragraph (1) shall extend beyond—

(a) the term of office for which the Mayor who made the appointment was elected; or

(b) where the Mayor who made the appointment ceases to be the Mayor before the end of the term of office for which the Mayor was elected, the date on which the Mayor ceases to hold that office.

(4) A person appointed under paragraph (1) is to be regarded for the purposes of Part 1 of the 1989 Act (political restriction of officers and staff) as holding a politically restricted post under a local authority.

(5) Subject to paragraph (6), section 9(1), (8), (9) and (11) of the 1989 Act (assistants for political groups(**a**), shall apply in relation to an appointment under paragraph (1) as if—

(a) any appointment to that post were the appointment of a person in pursuance of that section; and

(b) the Combined Authority were a relevant authority for the purposes of that section.

(6) Subsection (3) of section 9 of the 1989 Act shall apply in relation to an appointment under paragraph (1) as if the words from and including "and that the appointment terminates" to the end of that subsection were omitted.

PART 8

Amendment of the West Midlands Combined Authority Order 2016; incidental provisions

Amendments of the West Midlands Combined Authority Order 2016

24.—(1) The 2016 Order is amended as follows—

(2) In article 2 (interpretation)—

(a) after the definition of "constituent councils" insert—

""deputy Mayor" means the member of the Combined Authority appointed by the Mayor as the Mayor's deputy;";

(b) at the end of the definition of "Local Enterprise Partnership" omit "and";

(c) after the definition of "Local Enterprise Partnership" insert—

""Mayor" means the mayor for the combined area of the Combined Authority;"; and

(d) for the definition of "non constituent council" substitute—

(**a**) Section 9 was amended by sections 61 and 204 of, and paragraph 2 of Schedule 2 to, the Local Government and Public Involvement in Health Act 2007 (c. 28) and by S.I. 2001/2237.

""non-constituent councils" means the councils for the local government areas of Cannock Chase, North Warwickshire, Nuneaton and Bedworth, Redditch, Rugby, Shropshire, Stratford-on-Avon, Tamworth, Telford and Wrekin and Warwickshire.".

(3) In Schedule 1 (constitution)—

(a) in paragraph 1 (membership)—

(i) sub-paragraph (1) is omitted;

(ii) for sub-paragraph (4) there is substituted—

"(4) Each constituent council must appoint another of its elected members to act as a member of the Combined Authority ("the substitute member") if a member appointed in accordance with the provisions in sub-paragraph (2)—

(a) is absent; or

(b) has been appointed as the deputy Mayor and is acting in place of the Mayor at a meeting."(**a**);

(b) omit paragraph 2 (chairman and vice-chairman); and

(c) for paragraph 3 (proceedings) there is substituted—

"Proceedings

3.—(1) Subject to the following sub-paragraphs, a decision on a question relating to any matter to be decided by the Combined Authority must meet each of the following requirements—

(a) Requirement B;

(b) Requirement C.

(2) A decision on a question relating to any matter to be decided by the Combined Authority which relates to any of the matters specified in articles 7 and 10 of this Order must meet each of the following requirements—

(a) Requirement A;

(b) Requirement C.

(3) A decision as to whether to consent to a Corporation submitting a compulsory purchase order, authorising the acquisition of land under section 207(2) of the Localism Act 2011, to the Secretary of State for confirmation must meet each of the following requirements—

(a) Requirement C;

(b) Requirement D.

(4) Subject to sub-paragraph (5), a decision on a question relating to any of the matters specified in sub-paragraph (7) must meet each of the following requirements—

(a) Requirement C;

(b) Requirement E.

(5) If a decision on a question relating to any of the matters specified in sub-paragraph (7) will affect the Mayor's exercise of any of the general functions exercisable only by the Mayor that are specified in article 22 of the West Midlands Combined Authority (Functions and Amendment) Order 2017 the decision must meet each of the following requirements—

(a) Requirement C;

(b) Requirement F.

(6) The requirements mentioned in sub-paragraphs (1) to (5) are—

(**a**) Section 107C(1) of the 2009 Act provides that the mayor for the combined area of a combined authority must appoint one of the members of the authority to be the mayor's deputy.

(a) Requirement A is a majority of at least two-thirds of the members appointed by the constituent councils present and voting on a question at a meeting of the Combined Authority;

(b) Requirement B is that the Mayor and at least two-thirds of the members appointed by the constituent councils present and voting on a question at a meeting of the Combined Authority, vote for the same outcome;

(c) Requirement C is that where members appointed by the non-constituent councils or appointed from the Local Enterprise Partnerships have been given voting rights by resolution of the Combined Authority, there is a simple majority of all members entitled to vote on the question to be decided present and voting on a question;

(d) Requirement D is that—

(i) the requirements in Requirement B are met;

(ii) the majority of at least two-thirds of the members appointed by the constituent councils present and voting on that question, required by Requirement B, includes each member appointed by a constituent council whose local government area contains the whole or any part of the area in respect of which the Corporation proposes to acquire the land;

(e) Requirement E is a unanimous vote in favour by all members of the Combined Authority appointed by the constituent councils, present and voting on that question at a meeting of the Combined Authority;

(f) Requirement F is a unanimous vote in favour by the Mayor and all members of the Combined Authority appointed by the constituent councils, present and voting on that question at a meeting of the Combined Authority.

(7) The matters referred to in sub-paragraphs (4) and (5) are—

(a) approval of borrowing limits, treasury management strategy including reserves, investment strategy and capital budget of the Combined Authority;

(b) the conferral of further functions on the Combined Authority by the Secretary of State under sections 105 or 105A of the 2009 Act;

(c) voting rights for members of the Combined Authority appointed otherwise than from among the elected members of the constituent councils;

(d) the Combined Authority's exercise of its functions under section 113A of the 2009 Act;

(e) amendments to the standing orders of the Combined Authority; and

(f) such other plans and strategies as may be determined by the Combined Authority and set out in its standing orders.

(8) No business is to be transacted at a meeting of the Combined Authority unless the Mayor and at least five members appointed by at least five of the constituent councils are present at the meeting.

(9) Each member is to have one vote and no member or substitute member is to have a casting vote.

(10) Members appointed by the non-constituent councils or appointed by the Local Enterprise Partnerships shall be non-voting members of the Combined Authority but may be given voting rights by resolution of the Combined Authority.

(11) The proceedings of the Combined Authority are not invalidated by any vacancy among its members or by any defect in the appointment or qualifications of any member.

(12) In this paragraph—

(a) a reference to a member appointed by a constituent council includes a substitute member acting in that member's place;

(b) a reference to a member appointed by a non-constituent council includes a substitute member acting in that member's place;

(c) a reference to a member appointed from a Local Enterprise Partnership includes a substitute member acting in that member's place;

(d) a reference to the Mayor includes the deputy Mayor acting in place of the Mayor.

(13) In sub-paragraphs (9) and (11), the reference to a member includes—

(a) the Mayor or the deputy Mayor acting in place of the Mayor;

(b) a constituent member or a substitute member acting in that member's place;

(c) a non constituent member who has been given voting rights by resolution of the Combined Authority or a substitute member acting in that member's place; and

(d) a member appointed from a Local Enterprise Partnership who has been given voting rights by resolution of the Combined Authority or a substitute member acting in that member's place.

(14) In this paragraph "Corporation" means a corporation established by the Secretary of State in accordance with the provisions in section 198 of the Localism Act 2011, as modified by Schedule 4 to the West Midlands Combined Authority (Functions and Amendment Order 2017, following the designation of an area of land by the Combined Authority.";

(d) in paragraph 4 (committees)—

(i) for sub-paragraph (2) there is substituted—

"(2) No business is to be transacted at a meeting of the overview and scrutiny committee unless at least two-thirds of the total number of members of the overview and scrutiny committee are present.";

(ii) after paragraph (4) there is inserted—

"Independent remuneration panel

4A. The Combined Authority may establish an independent remuneration panel to recommend allowances payable to the Mayor and the deputy Mayor.

(2) An independent remuneration panel must consist of at least three members none of whom—

(a) is also a member of the Combined Authority or is a member of a committee or sub-committee of the Combined Authority;

(b) is disqualified from being or becoming a member of the Combined Authority.

(3) The Combined Authority may pay the expenses incurred by an independent remuneration panel established under sub-paragraph (1) in carrying out its functions and may pay the members of the panel such allowances or expenses as the Combined Authority may determine.

(4) An independent remuneration panel must produce a report in relation to the Combined Authority, making recommendations as to any allowances payable to the Mayor and deputy Mayor.

(5) A copy of a report made under sub-paragraph (4) shall be sent to the Combined Authority.";

(e) for paragraph 7 (remuneration) there is substituted—

"**7.**—(1) Subject to paragraph (2), no remuneration is payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the Combined Authority.

(2) The Combined Authority may pay the Mayor and deputy Mayor such allowances as it may agree, in accordance with any recommendations made by its independent remuneration panel.".

Further incidental provisions

25. In consequence of article 24(2)(e), for the purposes of section 104(1)(a) of the 2009 Act (constitution) section 85 of the Local Transport Act 2008 (provision that may be made in an order under section 84: membership of ITA) is to be applied without including the Mayor in any calculation of whether a majority of the members of the Combined Authority have been appointed by the constituent councils.

Signed by authority of the Secretary of State for Communities and Local Government

Name
Parliamentary Under Secretary of State
Date Department for Communities and Local Government

SCHEDULE 1

Article 2

Combined Authority roads

'A' roads (in numerical order)

1. A34 from the northern Walsall Borough boundary just north of Turnberry Road to the M42 junction 4 in Solihull, including its junctions with—

(a) A4124 Bell Lane/Lichfield Road;

(b) B4210 Sand Bank/High Street;

(c) Leamore Lane roundabout;

(d) A4148 Blue Lane (begins again on southeast side of A4148 Walsall ring road);

(e) A4148 Broadway;

(f) M6 junction 7;

(g) A4041 Newton Road;

(h) B4124 Old Walsall Road;

(i) A453 Aldridge Road;

(j) A4040 Wellington Road/Aston Lane roundabout;

(k) B4144 Lozells Road/B4140 Witton Road roundabout;

(l) B4144 Park Lane/B4515 Newbury Road;

(m) A4540 Newtown Middleway (begins again on south side of A4540 Birmingham ring road);

(n) A4126 Walford Road/A4167 Highgate Road;

(o) A41 Warwick Road;

(p) B4217 College Road;

(q) B4146 School Road/Cole Bank Road;

(r) A4040 Fox Hollies Road/Highfield Road;

(s) Robin Hood Lane/Solihull Lane roundabout;

(t) Olton Road/Haslucks Green Road roundabout;

(u) Solihull Road;

(v) Union Road/School Road roundabout;

(w) Shakespeare Drive;

(x) B4102 Marshall Lake Road/Blackford Road roundabout;

(y) Cranmore Boulevard roundabout;

(z) Dog Kennel Lane roundabout;

(aa) Monkspath Hall roundabout; and

(bb) Northern entry to the M42 junction 4 roundabout and the whole of the circulatory carriageway.

2. A38 from the northern Birmingham Borough boundary at Lindridge Road just south of the M6 Toll to the southern Birmingham Borough boundary just south of the New Road/Cock Hill Lane junction, including its junctions with—

(a) Walmley Ash Road/ Kingsbury Road roundabout;

(b) Midpoint Boulevard roundabout;

(c) Tyburn House Island roundabout with A452 Chester Road;

(d) B4148 Tyburn Road;

(e) A4040 Bromford Lane;

(f) Northern entry to the Salford Circus roundabout with the A5127 Gravelly Hill/Lichfield Road (begins again at southern end of A38(M) Aston Expressway);

(g) Lancaster Circus roundabout with B4114 Lancaster Street/James Watt Queensway;

(h) A456 Holliday Street;

(i) Holloway Circus roundabout with the B4127 Holloway Head/Smallbrook Queensway;

(j) A4540 Belgrave Middleway;

(k) B384 Bristol Road;

(l) Queen Elizabeth Island roundabout with New Fosse Way;

(m) Harborne Lane Island roundabout with A4040 Harborne Lane;

(n) B384 Bristol Road/Elliott Road;

(o) A4040 Harborne Lane/Oak Tree Lane;

(p) B4121 Bell Hill/Bell Lane;

(q) B4120 Lickey Road roundabout; and

(r) New Road/Cock Hill Lane.

3. A38(M) full extent from its southerly point just north of Bagot Street to its northerly point on the southern entry to the A5127 Gravelly Hill/Lichfield Road roundabout, including its junctions with—

(a) Dartmouth Circus roundabout with the A540 Newtown Middleway/Dartmouth Middleway/A5127 Aston Road;

(b) Park Circus roundabout with the B4132 Waterlinks Boulevard/B4144 Victoria Road;

(c) M6 junction 6; and

(d) Southern entry to the A5127 Gravelly Hill/Lichfield Road roundabout.

4. A41 from the northern Wolverhampton Borough boundary just north of Yew Tree Lane/Westcroft Road to the M42 junction 5, including its junctions with—

(a) B4161 Henwood Road/Lower Street;

(b) A454 Compton Road/Chapel Ash;

(c) Chapel Ash Island roundabout with A4150 Ring Road St Andrews/St Marks (begins again on east side of A4150 Wolverhampton ring road);

(d) Bilston Street Island roundabout with A4150 Ring Road St Davids/St Georges/A454 Middle Cross;

(e) A4126 Ettingshall Road;

(f) Hadley Road/Hall Park Street roundabout;

(g) B4484 Mount Pleasant/Walsall Street;

(h) Hall Street roundabout;

(i) A463 Black Country Route/Brook Street roundabout;

(j) B4163 Loxdale Street/Vulcan Road;

(k) A4098 Great Bridge Road;

(l) Moxley Junction Roundabout with the A4444 Black Country New Road/A4038 Moxley Road;

(m) Patent Shaft Roundabout with Patent Drive/Bilston Road/Holyhead Road;

(n) Steel Roundabout with the A461 Dudley Street/Hallens Drive;

(o) Parkway Roundabout with the A4037 Leabrook Road/Atlantic Way;

(p) Navigation Roundabout with the A461 Great Western Way/George Henry Road;

(q) Swan Roundabout with the B4149 New Swan Lane/Great Bridge Street;

(r) Albion Roundabout with the A4196 Old Meeting Street/Carter's Green;

(s) A4031 All Saints Way/Cronehills Linkway roundabout;

(t) A4031 Trinity Way;

(u) M5 junction 1/A4252 Kenrick Way/Birmingham Road roundabout;

(v) A4040 Island Road;

(w) B4136 Booth Street/Oakland Road;

(x) A4040 Rookery Road/Queens Head Road;

(y) A4040 Boulton Road;

(z) B4144 Villa Road/St Michael's Road;

(aa) B4124 Hamstead Road;

(bb) Hockley Circus roundabout with the B4100 Hockley Hill/B4515 Hunters Road/A4540 Heaton Street (begins again at the junction with the A34 (see paragraph 1(o)));

(cc) B4145 Golden Hillock Road/Baker Street roundabout;

(dd) Albion Road/Percy Road roundabout;

(ee) B4146 Wharfdale Road;

(ff) B4146 Tyseley Hill Road/Knights Road;

(gg) A4040 Stockfield Road/Fox Hollies Road;

(hh) B4146 Dudley Park Road;

(ii) B4146 Westley Road/Shirley Road roundabout;

(jj) B4514 Olton Boulevard East/Gospel Lane;

(kk) B425 Warwick Road;

(ll) B425 Lode Lane;

(mm) B4102 Hampton Lane/Yew Tree Lane;

(nn) B4102 Hampton Lane/Marsh Lane; and

(oo) Northern entry to the M42 junction 5 roundabout and the whole of the circulatory carriageway.

5. A45 from the Stivichall Interchange roundabout with the A444/A46 in Coventry to the Solihull Borough boundary just east of Maxstoke Lane; and from the A452 Chester Road/Kenilworth Road roundabout to the Bordesley Circus roundabout with the A4540 Watery Lane Middleway/Bordesley Middleway/B4128 Coventry Road, including its junctions with—

(a) B4113 Leamington Road/St Martins Road roundabout;

(b) A429 Kenilworth Road;

(c) Sir Henry Parkes Road roundabout;

(d) B4101 Tile Hill Lane/Vanguard Avenue;

(e) Broad Lane roundabout;

(f) A4114 Pickford Way/Parhill Drive/Rye Hill roundabout;

(g) B4104 Birmingham Road (West Midlands Combined Authority area begins again at the A452 Chester Road/Kenilworth Road roundabout);

(h) Bickenhill Interchange roundabout with the M42 junction 6;

(i) B4438 Bickenhill Lane/Catherine De Barnes Lane roundabout;

(j) B425 Sheaf Lane/Hobs Moat Road;

(k) A4040 Yardley Road roundabout;

(l) Heybarnes Circus roundabout with Coventry Road/Fordrough;

(m) Poets Corner Roundabout with the B4515 Golden Hillock Road;

(n) Lawden Road/Bolton Road roundabout; and

(o) Eastern entry to the Bordesley Circus roundabout with the A4540 Watery Lane Middleway/Bordesley Middleway/B4128 Coventry Road.

6. A47 from the Ashted Circus roundabout with the A4540 Dartmouth Middleway/Lawley Middleway to the Spitfire Island roundabout with the A452 Chester Road, including its junction with:

(a) B4132 Goodrick Way/Melvina Road roundabout;

(b) B4114 Saltley Viaduct/Nechells Place/Mainstream Way roundabout;

(c) Aston Church Road roundabout;

(d) B4137 Cuckoo Road/Watson Road roundabout;

(e) A4040 Bromford Lane roundabout;

(f) Wingfoot Way roundabout;

(g) East Drive roundabout; and

(h) Western entry to the Spitfire Island roundabout with the A452 Chester Road.

7. A428 from its junction with the A4600 Sky Blue Way/Walsgrave Road/Far Gosford Street to the A46 Coventry Eastern Bypass roundabout, including its junctions with—

(a) A444/B4110 Humber Road roundabout;

(b) A4082 Allard Way/Hipswell Highway;

(c) B4082 Brinklow Road;

(d) Harry Weston Road/Willenhall Lane roundabout;

(e) Kynner Way/Herald Way roundabout;

(f) Premier Inn/B&Q roundabout; and

(g) Western entry to the A46 Coventry Eastern Bypass roundabout.

8. A429 from its junction with the A4053 Ringway Queens/Ringway St Patricks to its junction with the A452 Bridge Street, including its junctions with—

(a) Central Six Retail Park roundabout;

(b) B4113 Leamington Road;

(c) B4107 Earlsdon Avenue;

(d) A45 Kenpas Highway/Fletchamstead Highway (see paragraph 5(b);

(e) Gibbet Hill Road/Stoneleigh Road roundabout; and

(f) Northern entry to the junction with the A452 Bridge Street.

9. A435 from the Haden Circus roundabout with the A4540 Highgate Middleway/Belgrave Middleway/A4167 Highgate Road to the Druids Lane/Maypole Lane roundabout, including its junctions with—

(a) B4217 Salisbury Road/St Mary's Row;

(b) B4122 Vicarage Road;

(c) B4146 Addison Road;

(d) A4040 Howard Road; and

(e) Northern entry to the Druids Lane/Maypole Lane roundabout.

10. A441 from the Belgrave Interchange roundabout with the A4540 Belgrave Middleway/Sherlock Street to the southern Birmingham Borough boundary just south of the Longbridge Lane roundabout, including its junctions with—

(a) B4217 Priory Road/Edgbaston Road;

(b) A4029 Pebble Mill Road;

(c) Umberslade Road roundabout;

(d) A4040 Fordhouse Lane;

(e) A4040 Watford Road roundabout;

(f) B4121 Middleton Hall Road roundabout;

(g) The Green/Wharf Road/Masshouse Lane roundabout;

(h) Redhill Road roundabout; and

(i) Longbridge Lane roundabout.

11. A444 from the northern Coventry Borough boundary just north of the Winding House Lane/Judds Lane roundabout to the Stivichall Interchange roundabout with the A45 Stonebridge Highway/A46, including its junctions with—

(a) Winding House Lane/Judds Lane roundabout;

(b) B4118 Holbrook Way roundabout;

(c) B4113 Foleshill Road roundabout;

(d) B4109 Bell Green Road/Stoney Stanton Road;

(e) Heath Crescent/Waterman Road roundabout;

(f) A4600 Walsgrave Road;

(g) Northern entry to the A428 Binley Road/B4110 Humber Road roundabout ((see paragraph 7(a) (begins again at the A4082/A4114 London Road roundabout)); and

(h) Northern entry to the Stivichall Interchange roundabout with the A45 Stonebridge Highway/A46 (see paragraph 5).

12. A449 from the southern exit from the M54 junction 2/A4510 roundabout to the southwestern Wolverhampton Borough boundary just north of the Warstones Road/Showell Lane roundabout; and from the northern Dudley Borough boundary just north of Holbeache Lane to the western Dudley Borough boundary just south of its junction with the A4101 Lodge Lane, including its junctions with—

(a) Wobaston Road roundabout;

(b) Marsh Lane/Three Tuns Lane roundabout;

(c) Greenwood Road/Mercury Drive roundabout;

(d) Bushbury Lane roundabout;

(e) Gorsebrook Road/McDonald's roundabout;

(f) Fox's Lane/Dunstall Road/Waterloo Road roundabout;

(g) A460 Cannock Road;

(h) A4150 Ring Road St Peters/Ring Road St Patricks (begins again on south side of A4150 Wolverhampton ring road);

(i) Penn Road Island roundabout with the A4150 Ring Road St Marks/Ring Road St Johns;

(j) B4161 Stubbs Road/Rookery Lane;

(k) A4039 Goldthorn Hill/Coalway Road (the combined area begins again just north of Holbeache Lane);

(l) A491 Wolverhampton Road roundabout;

(m) B4175 Dudley Road roundabout;

(n) Enville Road roundabout;

(o) B4178 Swindon Road roundabout; and

(p) A4101 Lodge Lane.

13. A452 from its junction with the A446 Stonebridge Road to the Rising Sun Island roundabout with the A5 Watling Street, including its junctions with—

(a) A446 Stonebridge Road/B4438/Solihull Parkway roundabout;

(b) Coleshill Heath Road roundabout;

(c) Chester Road/Moorend Avenue roundabout;

(d) B4114 Birmingham Road roundabout;

(e) M6 junction 5/Newport Road roundabout;

(f) Spitfire Island roundabout with A47 Fort Parkway/Tangmere Drive (see paragraph 6(h));

(g) Tyburn House Island roundabout with A38 Kingsbury Road (see paragraph 2(c));

(h) B4148 Tyburn Road/Eachelhurst Road roundabout;

(i) Orphanage Road roundabout;

(j) A5127 Sutton Road;

(k) B4142 Boldmere Road/Gravelly Lane;

(l) A453 College Road;

(m) B4149 Kings Road/Jockey Road;

(n) B4138 Sutton Oak Road;

(o) A4041 Queslett Road East/B4138 Thornhill Road roundabout;

(p) B4151 Foley Road;

(q) A454 Little Aston Road roundabout;

(r) A461 Lichfield Road;

(s) B4152 Lindon Road;

(t) B5011 Ogley Road;

(u) A4124 Pelsall Road/B4155 Lichfield Road/Silver Street roundabout; and

(v) Rising Sun Island roundabout with the A5 Watling Street.

14. A453 from its junction with the A34 Walsall Road (see paragraph 1(i)) to its junction with the A5127 Birmingham Road, including its junctions with—

(a) B4138 Kingstanding Road;

(b) Warren Road/The Ridgeway roundabout;

(c) Brackenbury Road/Dovedale Road roundabout;

(d) A452 Chester Road (see paragraph 13(l));

(e) Jockey Road/Maxstoke Road roundabout;

(f) B4142 Boldmere Road/Stonehouse Road; and

(g) A5127 Birmingham Road.

15. A454 from the western boundary of Wolverhampton just west of Sabrina Road to the A452 Chester Road roundabout (see paragraph 13(q)), including its junctions with—

(a) B4161 Henwood Road roundabout;

(b) B4161 Finchfield Hill;

(c) A41 Tettenhall Road/Chapel Ash ((see paragraph 4(b))(begins again at the Bilston Street Island roundabout with the A4150 Ring Road St Davids/Ring Road St Georges/A41 Bilston Road (see paragraph 4(d))));

(d) B4464 Somerford Place/New Street roundabout;

(e) B4484 Bilston Road roundabout;

(f) A463 Black Country Route/Armstrong Way roundabout;

(g) Marshland Way roundabout;

(h) M6 junction 10/B4464 Wolverhampton Road roundabout;

(i) A4148 Pleck Road/Blue Lane (begins again at the A461 Lichfield Street/Buchanan Avenue roundabout);

(j) Calderfields Golf Club roundabout;

(k) Airfield Drive/Longwood Lane roundabout;

(l) B4154 Bosty Lane;

(m) Westfield Drive roundabout;

(n) Leighswood Road roundabout;

(o) B4152 Northgate/High Street/Anchor Road roundabout; and

(p) Western entry to the A452 Chester Road roundabout (see paragraph 13(q)).

16. A456 from the Five Ways roundabout with the A4540 Ladywood Middleway/Islington Row Middleway/B4284 Harborne Road/B4217 Calthorpe Road/Broad Street in Birmingham to the southern Dudley Borough boundary just west of Lutley Lane, including its junctions with—

(a) B4532 Plough and Harrow Road/Highfield Road;

(b) B4124 Monument Road/Chad Road;

(c) B4125 Portland Road;

(d) B4129 Rotton Park Road/Norfolk Road;

(e) B4182 Sandon Road;

(f) A4040 Barnsley Road;

(g) A4030 Bearwood Road/A4040 Lordswood Road;

(h) A4123 Wolverhampton Road;

(i) Trevanie Avenue/Quinton Lane roundabout;

(j) A458 Hagley Road/Walters Road/Stoney Lane roundabout;

(k) Ridgeway roundabout;

(l) M5 junction 3 roundabout;

(m) B4043 Manor Lane;

(n) A459 Grange Road/B4551 Grange Hill roundabout; and

(o) B4183 Hagley Road roundabout.

17. A457 from its junction with the A4123 Birmingham New Road to the Spring Hill roundabout with the A4540 Icknield Street/Ladywood Middleway/B4135 Summer Hill Road, including its junctions with—

(a) A4037 Hurst Lane/Dudley Road;

(b) B4517 Owen Street/High Street roundabout;

(c) A461 Dudley Port;

(d) A4033 Dudley Road West;

(e) Roway Lane/Brades Road roundabout;

(f) A4034 Olbury Ringway/Freeth Street roundabout;

(g) Rounds Green Road/Sainsbury's roundabout;

(h) A4034 Churchbridge/Halesowen Street roundabout;

(i) Rood End roundabout;

(j) A4031 Spon Lane South/Mallin Street roundabout;

(k) A4252 Telford Way/Fenton Street roundabout;

(l) A4030 High Street;

(m) B4136 Soho Street;

(n) B4135 Cranford Street/B4136 Windmill Lane roundabout;

(o) A4092 Cape Hill/Barrett Street roundabout;

(p) B4129 Rotton Park Road;

(q) A4040 City Road;

(r) A4040 Winson Green Road/B4126 Icknield Port Road;

(s) B4135 Heath Street; and

(t) Western entry to the Spring Hill roundabout with the A4540 Icknield Street/Ladywood Middleway/B4135 Summer Hill Road.

18. A458 from the western Dudley Borough boundary just west of Wollaston Court/Wolverley Avenue to the A456 Quinton Expressway/Hagley Road West/Walters Road/Stoney Lane roundabout (see paragraph 16(j)), including its junctions with—

(a) B4186 Highpark Avenue;

(b) A461 High Street/Meriden Avenue roundabout;

(c) its junction with the A491 Bath Road (begins again on east side of A491 Stourbridge ring road);

(d) A491 St John's Road;

(e) A4036 Dudley Road/Pedmore Road;

(f) B4174 Park Lane;

(g) B4173 Colley Lane;

(h) Grammar School Lane/Furnace Lane/High Street roundabout;

(i) A459 Dudley Road/Bromsgrove Street roundabout;

(j) B&Q roundabout;

(k) A4034 Long Lane/Kent Road roundabout; and

(l) A456 Quinton Expressway/Hagley Road West/Walters Road/Stoney Lane roundabout (see paragraph 16(j)).

19. A459 from its junction with the A4150 Ring Road St Johns/Ring Road St Georges to where it meets the A456 (Manor Way) in Birmingham, including its junctions with—

(a) A4123 Birmingham Road;

(b) A4039 Goldthorn Hill/Parkfield Road;

(c) A463 Bilston Street;

(d) Bull Ring roundabout with the A463 Gospel End Street/Ettymore Road/Mill Bank;

(e) A457 Tipton Street;

(f) B4175 Jew's Lane/Eve Lane;

(g) B4558 Burton Road;

(h) A4168 Priory Road roundabout;

(i) B4171 Trindle Road;

(j) Castle Gate Island roundabout with the A461 Birmingham Road/Duncan Edwards Way/A4037 Tipton Road/Castlegate Way (begins again at the Cinder Bank Island roundabout with the A461 Duncan Edwards Way/B4177 Blower's Green Road/Peartree Lane);

(k) B4173 Cradley Road;

(l) A4100 Reddal Hill Road/Highgate Street/Halesowen Road roundabout;

(m) A4100 Highgate Street/Elbow Street roundabout;

(n) Halesowen Road/Station Road roundabout;

(o) A4099 Coombs Road/Furnace Hill;

(p) A458 Whitehall Road/Mucklow Hill roundabout (see paragraph 18(i));

(q) Halesmere Way/Woodman Close/Quuensway/Centre Lane roundabout; and

(r) A456 Manor Way/B4551 Grange Hill roundabout (see paragraph 16(n)).

20. A460 from the northwestern Wolverhampton boundary just south of Old Hampton Lane to its junction with the A449 Stafford Street, including its junctions with—

(a) B4156 Blackhalve Lane/Willow Avenue/Primrose Lane/Chesterton Road roundabout;

(b) Old Fallings Lane/Park Lane roundabout;

(c) Victoria Road roundabout; and

(d) A449 Stafford Street.

21. A461 from the northwestern Walsall Borough boundary just south of Barracks Lane/Cartersfield Lane to the Cinder Bank Island roundabout with the A459 Cinder Bank/B4177 Blower's Green Road/Peartree Lane (see paragraph 19(j)), including its junctions with—

(a) A452 Chester Road (see paragraph 13(r));

(b) B4152 Brownhills Road/Salters Road;

(c) B4154 Pelsall Lane/Daw End Lane/Station Road/Springfields;

(d) A454 Mellish Road/Buchanan Avenue roundabout (see paragraph 15(i));

(e) A4148 Littleton Street/Broadway/Lower Rushall Street (begins again on southwest side of A4148 Walsall ring road);

(f) M6 junction 9 roundabout;

(g) A462 Trouse Lane/Upper High Street roundabout;

(h) A4196 Holyhead Road roundabout;

(i) Steel roundabout with the A41 Black Country New Road/Hallens Drive ((see paragraph 4(n). (begins again at the Navigation roundabout with the A41 Black Country New Road/George Henry Road (see paragraph 4(p))));

(j) B4517 New Road/Market Place roundabout;

(k) B4166 Tame Road;

(l) B4163 Lower Church Lane;

(m) A457 Sedgley Road East (see paragraph 17(c));

(n) A4123 Birmingham New Road;

(o) Castle Gate Island roundabout with the A459 Castle Hill/A4037 Tipton Road/Castlegate Way (see paragraph 19(j));

(p) Flood Street Island roundabout with Flood Street/Blackacre Road; and

(q) Cinder Bank Island roundabout with the A459 Cinder Bank/B4177 Blower's Green Road/Peartree Lane (see paragraph 19(j)).

22. A462 from the western boundary of Walsall between Sneyd Lane and Upper Sneyd Road to the A461 High Bullen/Upper High Street roundabout (see paragraph 21(g)), including its junctions with—

(a) A4124 Lichfield Road roundabout;

(b) Coppice Lane roundabout;

(c) Charles Street roundabout;

(d) B4464 Walsall Road;

(e) B4464 Wolverhampton Road/The Crescent;

(f) B4590 Bilston Lane/William Harper Road;

(g) A463 Armstrong Way/Downs Road roundabout;

(h) The Green roundabout;

(i) Willenhall Street/The Leys/New Street roundabout;

(j) A4038 Pinfold Street/Walsall Road/King Street;

(k) B4200 Whitley Street; and

(l) A461 High Bullen/Upper High Street roundabout (see paragraph 21(g)).

23. A463 from the A454 The Keyway/Armstrong Way roundabout (see paragraph 15(f)) to where it meets the A4123 Birmingham New Road; and from its junction with the A4123 Birmingham New Road to the northwestern Dudley Borough boundary just west of Southerndown Road, including its junctions with—

(a) A4444 Black Country New Road roundabout;

(b) Hare Street roundabout;

(c) A41 Oxford Street/Brook Street roundabout (see paragraph 4(i));

(d) Coseley Road roundabout;

(e) Springvale Way roundabout;

(f) Overfield Drive roundabout;

(g) A4123 Birmingham New Road (begins again at the junction with the A4123 Birmingham New Road/Shaw Road);

(h) A4126 Ettingshall Road/Upper Ettingshall Road;

(i) A459 High Street (see paragraph 19(c)); and

(j) Bull Ring roundabout with the A459 Dudley Street/Ettymore Road/Mill Bank (see paragraph 19(d)).

24. A491 from the A449 Wolverhampton Road/Holbeache Road roundabout (see paragraph 12(l)) to the southern Dudley Borough boundary just south of Cherrington Gardens, including its junctions with—

(a) B4175 Dudley Road/Stalling's Lane;

(b) A4101 Summer Hill/High Street;

(c) B4180 Brierley Hill Road;

(d) A461 Brettell Lane/Platts Road;

(e) A4102 Collis Street/Wollaston Road;

(f) A458 Birmingham Street (see paragraph 18(c));

(g) A458 Bridgnorth Road (see paragraph 18(c));

(h) B4186 Heath Lane/Glasshouse Hill;

(i) B4187 Worcester Lane; and

(j) A4036 Ham Lane/Pedmore Lane/Redlake Road roundabout.

25. A4031 from its junction with the A4148 Broadway/Weston street to the A4182 Kenrick Way/Kelvin Way/Spon Lane South roundabout, including its junctions with—

(a) Hall Green Road roundabout;

(b) A4041 Newton Road;

(c) A41 The Expressway/Cronehills Linkway roundabout (see paragraph 4(s)); and

(d) A4182 Kenrick Way/Kelvin Way/Spon Lane South roundabout.

26. A4034 from the A4182 Kelvin Way/Brandon Way/Bromford Lane roundabout to the A457 Dudley Road/Oldbury Ringway/Freeth Street roundabout (see paragraph 17(f)); and from the A457 Oldbury Ringway/Halesowen Road roundabout (see paragraph 17(h)) to the A458 Mucklow Hill/Halesowen Road/Kent Road roundabout (see paragraph 18(k)), including its junctions with—

(a) Church Street roundabout;

(b) A457 Dudley Road/Oldbury Ringway/Freeth Street roundabout (see paragraph 17(f));

(c) Birchley Island roundabout with the A4123 Wolverhampton Road;

(d) A4100 Henderson Way/Archer Way;

(e) A4099 Horner way/Long Lane;

(f) Nimmings Road/Belgrave Road roundabout; and

(g) A458 Mucklow Hill/Halesowen Road/Kent Road roundabout (see paragraph 18(k)).

27. A4036 from its junction with the A461 Stourbridge Road/Pensnett Road/Hallchurch Road to the A491 Hagley Road/Redlake Road/Pedmore Lane roundabout (see paragraph 24(j)), including its junctions with—

(a) A4100 Mount Pleasant/High Street;

(b) A458 Lye Bypass/Stourbridge Road (see paragraph 18(e));

(c) B4186 Grange Road;

(d) Wollescote Road/Chawn Hill/Prescot Road roundabout; and

(e) A491 Hagley Road/Redlake Road/Pedmore Lane roundabout (see paragraph 24(j)).

28. A4037 from the Parkway roundabout with the A41 Black Country New Road (see paragraph 4(o)) to the Castle Gate Island roundabout with the A459 Castle Hill/A461 Birmingham New Road/Duncan Edwards Way/Castlegate Way (see paragraph 19(j), including its junctions with—

(a) Ocker Hill roundabout with Ocker Hill Road/Blakeley Wood Road/Toll End Road;

(b) A4098 Bilston Road/Farmer Way;

(c) B4163 Upper Church Lane;

(d) A457 Sedgley Road West (see paragraph 17(a));

(e) B4517 High Street/Castle Road;

(f) A4123 Birmingham New Road; and

(g) Castle Gate Island roundabout with the A459 Castle Hill/A461 Birmingham New Road/Duncan Edwards Way/Castlegate Way (see paragraph 19(j)).

29. A4038 from its junction with the A4148 Old Pleck Road/Bescot Road/Wednesbury Road to the Moxley Junction roundabout with the A41 High Street/Black Country New Road/A4444 Black Country New Road (see paragraph 4l), including its junctions with—

(a) Heath Road/Steelmans Road roundabout;

(b) B4200 Park Lane roundabout;

(c) A462 St Lawrence Way/Darlaston Road/King Street (see paragraph 22(j)); and

(d) Moxley Junction roundabout with the A41 High Street/Black Country New Road/A4444 Black Country New Road (see paragraph 4 (l)).

30. A4040 going clockwise from its junction with the A41 Holyhead Road (see paragraph 4(v)) to its junction with the A4040 Oxhill Road/Rookery Road/Stockwell Road, including its junctions with—

(a) College Road/Grove Lane roundabout;

(b) B4124 Handsworth Wood Road/Hamstead Road roundabout;

(c) A34 Birchfield Road roundabout (see paragraph 1(j));

(d) B4137 Witton Lane/B4140 Witton Road roundabout;

(e) B4531 Streetly Road/Slade Road;

(f) A5127 Gravelly Hill North/High Street roundabout;

(g) A38 Tyburn Road (see paragraph 2(e));

(h) A47 Heartlands Parkway/Fort Parkway roundabout (see paragraph 6(e));

(i) B4114 Washwood Heath Road/Coleshill Road;

(j) B4147 Stechford Road;

(k) Burney Lane/Cotterills Lane roundabout;

(l) B4128 Bordesley Green East;

(m) Hob Moor Road/Church Road roundabout;

(n) Harvey Road roundabout;

(o) A45 Coventry Road roundabout (see paragraph 5(k));

(p) Yardley Road roundabout;

(q) B4146 Wharfdale Road;

(r) A41 Warwick Road (see paragraph 4(gg));

(s) B4146 Westley Road/Summer Road;

(t) B4514 Olton Boulevard East roundabout;

(u) B4146 School Road roundabout;

(v) A34 Stratford Road (see paragraph 1(q));

(w) Highfield Road/Robin Hood Lane roundabout;

(x) Sarehole Road/Cole Valley Road roundabout;

(y) Yardley Wood Road roundabout;

(z) B4146 Brook Lane/Coldbath Road/Swanshurst School roundabout;

(aa) Barn Lane/Hollybank Road roundabout;

(bb) Haunch Lane/Wheeler's Lane roundabout;

(cc) A435 Alcester Road South (see paragraph 9(d));

(dd) B4122 Vicarage Road;

(ee) A441 Pershore Road (see paragraph 10(d));

(ff) A441 Pershore Road roundabout (see paragraph 10(e));

(gg) Bristol Road (see paragraph 2(o));

(hh) Harborne Lane Island roundabout with the A38 Aston Webb Boulevard (see paragraph 2(m));

(ii) B4129 Matchley Lane/Vincent Drive roundabout;

(jj) B4124 High Street;

(kk) War Lane/Albert Road roundabout;

(ll) A4123 Court Oak Road/Crosbie Road roundabout;

(mm) A456 Hagley Road/A4030 Bearwood Road (see paragraph 16(g));

(nn) A456 Hagley Road (see paragraph 16(f));

(oo) B4182 Sandon Road;

(pp) B4125 Portland Road;

(qq) B4129 Rotton Park Road;

(rr) A457 Dudley Road (see paragraph 17(q));

(ss) A457 Dudley Road/B4126 Icknield Port Road (see paragraph 17(r));

(tt) B4135 Heath Street;

(uu) A41 Soho Road (see paragraph 4(y));

(vv) A41 Soho Road/Queens Head Road (see paragraph 4(x)); and

(ww) A4040 Oxhill Road/Rookery Road/Stockwell Road.

31. A4041 from the A452 Chester Road/B4138 Thornhill Road roundabout (see paragraph 13(o)) to its junction with the A4031 All Saints Way/Hollyhedge Road/Heath Lane (see paragraph 25(b)), including its junctions with—

(a) Aldridge Road/Bakers Lane roundabout;

(b) B4149 Kings Road/Collingwood Drive/Romney Way/Lambeth Road roundabout;

(c) B4154 Beacon Road/Aldridge Road roundabout;

(d) A34 Birmingham Road/Walsall Road (see paragraph 1(g));

(e) B4167 Hamstead Road; and

(f) A4031 All Saints Way/Hollyhedge Road/Heath Lane (see paragraph 25(b)).

32. A4053 Coventry ring road going clockwise, including its junction with:

(a) B4113 Foleshill Road/Tower Street roundabout;

(b) White Street/Hales Street roundabout;

(c) A4600 Sky Blue Way;

(d) A4114 London Road;

(e) Mile Lane/Quinton Road/New Union Street/Ringway St Johns roundabout;

(f) A429/B4544 Warwick Road (see paragraph 8);

(g) B4106 Butts Road/Croft Road roundabout;

(h) A4114 Holyhead Road roundabout; and

(i) B4098 Radford Road/Upper Well Street roundabout.

33. A4082 from its junction with the A428 Binley Road/Hipswell Highway (see paragraph 7(b)) to the A444/A4114 London Road roundabout (see paragraph 11(g)), including its junctions with—

(a) B4110 Humber Road/London Road roundabout; and

(b) A444/A4114 London Road roundabout (see paragraph 11(g)).

34. A4098 from its junction with the A41 Oxford Street/High Street (see paragraph 4(k)) to its junction with the A4037 Wednesbury Oak Road/Gospel Oak Road/Farmer Way (see paragraph 28(b)).

35. A4100 from its junction with the A461 Venture Way/Mill Street to its junction with the A4034 Oldbury Road/Archer Way (see paragraph 26(d)), including its junctions with—

(a) Boulevard roundabout;

(b) B4172 Delph Road/Amblecote Road roundabout;

(c) A4036 Merry Hill/Thorns Road (see paragraph 27(a));

(d) Oak Street/Park Road roundabout;

(e) B4174 Cradley Forge;

(f) B4173 St Anne's Road;

(g) B4173 Newtown Lane;

(h) A459 Halesowen Road roundabout;

(i) A459 Heathfield Way/Elbow Street roundabout;

(j) Powke Lane/Harvest Road/Moor Lane roundabout;

(k) B4171 Birmingham Road roundabout; and

(l) A4034 Oldbury Road/Archer Way (see paragraph 26(d)).

36. A4101 from its junction with the A449 Kidderminster Road (see paragraph 12(p)) to the Scotts Green Island roundabout with the A461 Duncan Edwards Way/Stourbridge Road/Scotts Green Close, including its junctions with—

(a) B4178 Swindon Road/Cot Lane;

(b) A491 Moss Grove/Market Street (see paragraph 24(b));

(c) B4179 Commonside;

(d) Pensnett Road roundabout; and

(e) Scotts Green Island roundabout with the A461 Duncan Edwards Way/Stourbridge Road/Scotts Green Close.

37. A4114 from the A45 Dunchurch Highway/Parkhill Drive/Rye Hill roundabout (see paragraph 5(f)) to the A4053 Ringway Rudge/Ringway Hill Cross roundabout (see paragraph 32(h)); and from the A4053 Ringway Whitefriars/Ringway St Johns (see paragraph 32(d)) to the A444/A4082 London Road/Daventry Road roundabout (see paragraph 11(f)), including its junctions with—

(a) B4076 Coundon Wedge Drive/B4106 Allesley Old Road/Birmingham Road roundabout;

(b) B4107 Four Pounds Avenue/Moseley Avenue;

(c) Alvis Retail Park/Sytner BMW roundabout;

(d) A4053 Ringway Rudge/Ringway Hill Cross roundabout ((see paragraph 32(h))(continued on southeast side of A4053 Coventry ring road));

(e) A4053 Ringway Whitefriars/Ringway St Johns (see paragraph 32(d)); and

(f) A444/A4082 London Road/Daventry Road roundabout (see paragraph 11(f)).

38. A4123 from its junction with the A4150 Ring Road St Johns/Ring Road St Georges/Snow Hill to its junction with the A456 Hagley Road (see paragraph 16(h)), including its junctions with—

(a) A459 Grove Street (see paragraph 19(a));

(b) A4039 Parkfield Road;

(c) A4126 Spring Road/Rookery Road;

(d) A463 Black Country Route (see paragraph 23(g));

(e) A463 Shaw Road (see paragraph 23(g));

(f) A457 Sedgley Road (see paragraph 17);

(g) A4168 Priory Road;

(h) A4037 Dudley Road/Tipton Road (see paragraph 28(f));

(i) A461 Burnt Tree/Birmingham Road (see paragraph 21(n));

(j) A4033 Tividale Road/Bunn's Lane;

(k) Birchley Island roundabout with the A4034 Churchbridge/Birchfield Lane (see paragraph 26(c));

(l) M5 junction 2 roundabout;

(m) B4169 Causeway Green Road; and

(n) A456 Hagley Road (see paragraph 16(h)).

39. A4124 from its junction with the A4150 Ring Road St Patricks/Ring Road St Davids to the A452 Chester Road/High Street/B4155 Lichfield Road/Silver Street roundabout (see paragraph 13(u)), including its junctions with—

(a) New Cross Avenue/Planetary Road roundabout;

(b) Bentleybridge Way roundabout;

(c) Neachells Lane roundabout;

(d) Steelpark Way roundabout;

(e) B4484 Waddens Brook Lane;

(f) B4484 Lichfield Road/Hyde Road roundabout;

(g) Linthouse Lane roundabout;

(h) Stubby Lane roundabout;

(i) A462 Easington Road/Cannock Road roundabout (see paragraph 22(a));

(j) Pooles Lane roundabout;

(k) Crab Lane roundabout;

(l) B4210 Broad Lane/Sand Bank;

(m) A34 Stafford Road/High Street (see paragraph 1(a));

(n) B4154 Norton Road; and

(o) A452 Chester Road/High Street/B4155 Lichfield Road/Silver Street roundabout (see paragraph 13(u)).

40. A4148 Walsall ring road going clockwise, including its junctions with—

(a) A461 Lichfield Street/Lower Rushall Street (see paragraph 21(e));

(b) The Crescent roundabout;

(c) B4151 Sutton Road/Gillity Avenue roundabout;

(d) A34 Birmingham Road roundabout (see paragraph 1(e));

(e) A4031 West Bromwhich Road/Weston Street (see paragraph 25);

(f) A461 Bescot Road/Montfort Road roundabout (see paragraph 21(e));

(g) A4038 Darlaston Road/Wednesbury Road (see paragraph 29);

(h) A454 Wolverhampton Road (see paragraph 15(i));

(i) A34 Green Lane (see paragraph 1(d)); and

(j) B4210 Stafford Street.

41. A4150 Wolverhampton ring road going clockwise, including its junctions with—

(a) A449 Stafford Street (see paragraph 12(h));

(b) A4124 Wednesfield Road/Broad Street (see paragraph 39);

(c) A454 Horseley Fields;

(d) Bilston Street Island with the A41 Bilston Road/A454 Middle Cross/Bilston Street (see paragraph 4(d));

(e) A459 Dudley Road/A4150 Birmingham Road/Snow Hill (see paragraph 19);

(f) Penn Road Island roundabout with the A449 Penn Road/School Street/Worcester Street (see paragraph 12(i)); and

(g) Chapel Ash Island roundabout with the A41 Chapel Ash/Darlington Street (see paragraph 4(c)).

42. A4182 from the A4034 Bromford Road/Bromford Lane/Brandon Way roundabout (see paragraph 26) to the A4252 Kenrick Way/Telford Way/Dartmouth Road roundabout, including its junctions with—

(a) A4031 Trinity Way/Spon Lane South roundabout (see paragraph 25(d)); and

(b) A4252 Kenrick Way/Telford Way/Dartmouth Road roundabout.

43. A4252 from the M5 junction 1/A41 The Expressway/Birmingham Road roundabout (see paragraph 4(u)) to the A457 Oldbury Road/Tollhouse Way/Fenton Street roundabout (see paragraph 17(k)), including its junctions with—

(a) A4182 Kenrick Way roundabout (see paragraph 42(b)); and

(b) A457 Oldbury Road/Tollhouse Way/Fenton Street roundabout (see paragraph 17(k)).

44. A4444 from the A463 Black Country Route roundabout (see paragraph 23(a)) to the Moxley Junction roundabout with the A41 Black Country New Road/High Street/A4038 Moxley Road (see paragraph 4(l)).

45. A4540 Birmingham ring road going clockwise, including its junctions with—

(a) A34/B4114 New Town Row (see paragraph 1(m));

(b) Dartmouth Circus roundabout with the A38(M) Aston Expressway/A4540 Dartmouth Middleway/A5127 Aston Road (see paragraph 3(a));

(c) Ashted Circus roundabout with the A47 Nechells Parkway/Jennens Road (see paragraph 6);

(d) Curzon Circus roundabout with the B4132 Curzon Street/Vauxhall Road;

(e) Garrison Circus roundabout with Garrison Lane/Lower Dartmouth Street/Great Barr Street;

(f) Bordesley Circus roundabout with the A45 Small Heath Highway/B4128 Coventry Road (see paragraph 5(o));

(g) Camp Hill Circus roundabout with the A34 Stratford Road/B4100 Camp Hill (see paragraph 1(m));

(h) Haden Circus roundabout with the A435 Haden Way/A4167 Highgate Road (see paragraph 9);

(i) Belgrave Interchange roundabout with the A441 Pershore Road/Sherlock Street (see paragraph 10);

(j) A38 Bristol Street/Bristol Road (see paragraph 2(j));

(k) B4127 Bath Row/George Road;

(l) Five Ways roundabout with the A456 Hagley Road/Broad Street/Harborne Road/Calthorpe Road (see paragraph 16);

(m) Ladywood Circus roundabout with the B4124 Alston Street/B4126 Wood Street;

(n) Spring Hill roundabout with the A457 Spring Hill/B4135 Summer Hill Road (see paragraph 17(t));

(o) Key Hill Circus roundabout with the A4540 Heaton Street;

(p) Hockley Circus roundabout with the A41 Soho Hill/B4100 Hockley Hill/B4515 Hunters Road (see paragraph 4(bb)); and

(q) Lucas Circus roundabout with the A4540 New John Street West/Great King Street North/Well Street.

46. A4600 from its junction with the A4053 Ringway Whitefriars (see paragraph 32(c)) to the southern entry to the Ansty Interchange roundabout with the M6 junction 2/A46/B4065 Hinckley Road, including its junctions with—

(a) Lower Ford Street/Gosford Street roundabout;

(b) A428 Binley Road (see paragraph 7);

(c) A444 (see paragraph 11(f));

(d) Longfellow Road/Burns Road roundabout;

(e) B4082 Clifford Bridge Road;

(f) B4082 Woodway Lane/Hall Lane;

(g) Wigston Road/Brade Drive roundabout;

(h) Eden Road/Parkway roundabout; and

(i) Southern entry to the Ansty Interchange roundabout with the M6 junction 2/A46/B4065 Hinckley Road.

47. A5127 from the northern Birmingham Borough boundary just south of the A4026 Blake Street/Watford Gap Road roundabout to the Dartmouth Circus roundabout with the A38(M) Aston Expressway/A4540 Newtown Middleway/Dartmouth Middleway (see paragraph 3(a)), including its junctions with—

(a) B4151 Mere Green Road/Belwell Lane/Hill Village Road roundabout;

(b) A454 Four Oaks Road/Wentworth Road/Station Drive roundabout;

(c) A453 Tamworth Road/Anchorage Road Coleshill Street roundabout;

(d) Manor Road roundabout;

(e) A453 Jockey Road/Pilkington Avenue (see paragraph 14(g));

(f) B4148 Penns Lane;

(g) A452 Chester Road (see paragraph 13(j));

(h) B4531 Station Road/Edwards Road;

(i) B4142 Summer Road roundabout;

(j) A4040 Reservoir Road/Wood End Road/High Street roundabout (see paragraph 30(f));

(k) Salford Circus roundabout with the A38 Tyburn Road (see paragraph 2(f));

(l) B4137 Cuckoo Bridge;

(m) B4137 Aston Hall Road;

(n) B4132 Waterlinks Boulevard/Lynton Road roundabout;

(o) B4144 Park Lane/Rocky Lane roundabout; and

(p) Dartmouth Circus roundabout with the A38(M) Aston Expressway/A4540 Newtown Middleway/Dartmouth Middleway (see paragraph 3(a)).

'B' Roads (in numerical order)

48. B4082 from its junction with the A4600 Ansty Road (see paragraph 46(e)) to its junction with the A428 Binley Road/Brandon Road (see paragraph 7(c)), including its junctions with—

(a) Tesco roundabout;

(b) B4082 to A46 Coventry Eastern Bypass Link Road roundabout;

(c) Western entry to A46 Coventry Eastern Bypass roundabout;

(d) B4027 Brinklow Road; and

(e) A428 Binley Road/Brandon Road (see paragraph 7(c)).

49. B4098 from the A4053 Ringway Hill Cross/Ringway St Nicholas/Upper Well Street roundabout (see paragraph 32(i)) to the northern Coventry Borough boundary just north of Fivefield Road**,** including its junctions with—

(a) B4107 Engleton Road;

(b) Brownshill Green Road/Sadler Road roundabout;

(c) Norman Place Road/Wallace Road roundabout; and

(d) Keresley Green Road/The Scotchill roundabout.

50. B4106 from the A4053 Ringway Rudge/Ringway Queens/Croft Road roundabout (see paragraph 32(g)) to the A4114 Pickford Way/Holyhead Road/B4076 Coundon Wedge Drive/Birmingham Road roundabout (see paragraph 37(a)), including its junctions with—

(a) B4101 Hearsall Lane/Spon End;

(b) B4107 Four Pounds Avenue/Queensland Avenue; and

(c) A4114 Pickford Way/Holyhead Road/B4076 Coundon Wedge Drive/Birmingham Road roundabout (see paragraph 37(a)).

51. B4110 from the A428 Binley Road/A444 roundabout (see paragraph 7(a)) to the Northern entry to the A45 Stonebridge Highway/London Road/A46 Coventry Eastern Bypass/Siskin Drive/Rowley Road roundabout, including its junctions with—

(a) Terry Road roundabout;

(b) Humber Road/Sunbeam Way roundabout;

(c) A4082 London Road/Allard Way roundabout (see paragraph 33(a));

(d) Retail Park roundabout; and

(e) Northern entry to the A45 Stonebridge Highway/London Road/A46 Coventry Eastern Bypass/Siskin Drive/Rowley Road roundabout.

52. B4113 from the A4053 Ringway St Nicholas/Ringway Swanswell/Tower Street roundabout (see paragraph 32(a)) to the northern Coventry Borough boundary just south of the Wilsons Lane/Longford Road roundabout, including its junctions with—

(a) B4118 Lockhurst Lane;

(b) A444 roundabout (see paragraph 11(c)); and

(c) Old Church Road roundabout.

53. B4118 from its junction with the B4113 Foleshill Road (see paragraph 52(a)) to the A444 Phoenix Way roundabout (see paragraph 11(b)), including its junctions with—

(a) Burnaby Road roundabout;

(b) Holbrook Lane/Colledge Road roundabout;

(c) Arena Avenue roundabout; and

(d) A444 Phoenix Way roundabout (see paragraph 11(b)).

54. B4121 from the A4123 Wolverhampton Road/Court Oak Road/Ridgacre Road to its junction with Great Stone Road, including its junctions with—

(a) Tennel Lane/Selcroft Avenue roundabout;

(b) Quinton Road West/West Boulevard roundabout;

(c) Stonehouse Lane/California Way roundabout;

(d) Senneleys Park Road/Weoley Castle Road roundabout; and

(e) A38 Sir Herbert Austin Way (see paragraph 2(p)).

55. B4135 from the A457 Soho Way/Grove Lane/B4136 Windmill Lane roundabout (see paragraph 17(n)) to its junction with the A457 Dudley Road (see paragraph 17(s)), including its junctions with—

(a) A4040 Winson Green Road (see paragraph 30(tt); and

(b) A457 Dudley Road (see paragraph 17(s)).

56. B4144 from its junction with the A41 Soho Road/Soho Hill/St Michael's Road (see paragraph 4(z)) to the Park Circus roundabout with the A38(M) Aston Expressway/B4132 Waterlinks Boulevard (see paragraph 3(b)), including its junctions with—

(a) B4124 Hamstead Road;

(b) The A34 High Street/B4140 Witton Road roundabout (see paragraph 1(k)); and

(c) Park Circus roundabout with the A38(M) Aston Expressway/B4132 Waterlinks Boulevard (see paragraph 3(b)).

57. B4151 from the A4148 Broadway North (see paragraph 40(c)) to its junction with the B4138 Thornhill Road, including its junctions with—

(a) B4154 Longwood Road/Beacon Road;

(b) Erdington Road/Aldridge Road roundabout;

(c) A452 Chester Road (see paragraph 13(p)); and

(d) B4138 Thornhill Road.

58. B4152 from the A454 Leighswood Road/Little Aston Road/Anchor Road/High Street roundabout (see paragraph 15(o)) to its junction with the A461 Lichfield Road (see paragraph 21(b)), including its junctions with—

(a) Leighswood Avenue roundabout;

(b) Northgate Way/Sussex Avenue roundabout; and

(c) A461 Lichfield Road (see paragraph 21(b)).

59. B4171 from its junction with the A459 Castle Hill (see paragraph 19(i)) to the A4100 Henderson Way/Archer Way/Birmingham Road roundabout (see paragraph 35(k)), including its junctions with—

(a) Oakham Road roundabout; and

(b) A4100 Henderson Way/Archer Way/Birmingham Road roundabout (see paragraph 35(k)).

SCHEDULE 2

Article 8

Permit schemes: modification of the application of Part 3 of the 2004 Act

1.—(1) Part 3 of the 2004 Act is modified as follows.

(2) Section 33A (implementation of permit schemes of strategic highways companies and local highway authorities in England) has effect as if—

(a) subsection (1) were omitted;

(b) for subsection (2) there were substituted—

"(2) A permit scheme prepared in accordance with section 33(1) or (2) by the Combined Authority shall not have effect in the combined area unless the Combined Authority gives effect to it by order."; and

(c) subsection (3) were omitted.

(3) Section 36 (variation and revocation of permit schemes) has effect as if, for subsections (1) to (3) there were substituted—

"(1) The Combined Authority may by order vary or revoke a permit scheme to the extent that it has effect in the combined area by virtue of an order made by the Combined Authority under section 33A(2).

(2) The Secretary of State may direct the Combined Authority to vary or revoke a permit scheme by an order under subsection (1).

(3) An order made by the Combined Authority under subsection (1) may vary or revoke an order made by the Combined Authority under section 33A(2), or an order previously made by the Combined Authority under subsection (1)."

SCHEDULE 3

Article 11

Modification of the application of Chapters 1 and 2 of Part 1 of the 2008 Act

1.—(1) Chapters 1 and 2 of Part 1 of the 2008 Act are modified in accordance with the following provisions.

(2) Sections 5 (powers to provide housing or other land), 6 (powers for regeneration, development or effective use of land), 7 (powers in relation to infrastructure), 8 (powers to deal with land etc), 9 (acquisition of land), 10 (restrictions on disposal of land), 11 (main powers in relation to acquired land), and Schedules 2 to 4 to, the 2008 Act as applied by article 11 shall have effect as if for every reference to—

(a) "the HCA" there were substituted a reference to "the West Midlands Combined Authority";

(b) "Part 1" of that Act there were substituted a reference to "Part 3 of the West Midlands Combined Authority (Functions and Amendment) Order 2017";

(c) "the HCA's land" or land acquired or held by the HCA there were substituted a reference to "the West Midlands Combined Authority's land" or land acquired or held by the West Midlands Combined Authority.

(3) Sections 5, 6, 8, 9 and 10 of the 2008 Act shall have effect as if for every reference to "land" there were substituted a reference to "land in the combined area of the West Midlands Combined Authority".

(4) Section 57(1) of the 2008 Act shall have effect as if there were inserted at the appropriate place—

> ""the West Midlands Combined Authority" means the body corporate established by the West Midlands Combined Authority Order 2016;".

(5) Part 1 of Schedule 2 to the 2008 Act (compulsory acquisition of land) shall have effect as if for every reference to "section 9" of that Act there were substituted a reference to "article 10" of this Order.

(6) Schedule 3 to the 2008 Act (main powers in relation to land acquired by the HCA) shall have effect as if for references to land which has been vested in or acquired by the HCA there were substituted references to land which has been vested in or acquired by the Combined Authority.

(7) Schedule 4 to the 2008 Act (powers in relation to, and for, statutory undertakers) shall have effect as if for every reference to the HCA under Part 1 of that Act there were substituted a reference to the functions conferred on the Combined Authority under article 10.

SCHEDULE 4

Article 13

Modification of the application of the 2011 Act

1.—(1) Part 8 of the 2011 Act (Mayoral development corporation) is modified in accordance with the following provisions.

(2) Section 196 of the 2011 Act (interpretation of Chapter) is to be read as if—

(a) ""the Mayor" means the Mayor of London" were omitted; and

(b) at the appropriate place there were inserted —

> ""the combined area" means the combined area of the Combined Authority;";
>
> ""the Combined Authority" means the West Midlands Combined Authority established by the West Midlands Combined Authority Order 2016;";

""constituent council" means the councils for the local government areas of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton;"; and

""Corporation" means a corporation established by the Secretary of State in accordance with the provisions in section 198 of the Localism Act 2011, as modified by Schedule 4 to the West Midlands Combined Authority (Functions and Amendment) Order 2017, following the designation of an area of land by the Combined Authority."

(3) Sections 196 to 222 of the 2011 Act shall have effect as if for every reference to—

"the Greater London Authority" there were substituted "the Combined Authority";

"the Mayor" there were substituted "the Combined Authority"; and

"an MDC" or "the MDC" there were substituted "a Corporation" or "the Corporation", as the case may be.

(4) Section 197 of the 2011 Act (designation of Mayoral development areas) shall have effect as if —

(a) in subsection (1) for "Greater London" there were substituted "the combined area";

(b) in subsection (3)—

(i) in paragraph (a) for "any one or more of the Greater London Authority's principal purposes" there were substituted "economic development and regeneration in the combined area(**a**)";

(ii) in paragraph (d) for "the London Assembly or" there were substituted "the Combined Authority" and for "subsection (4)(d), (e), (f) or (g)" there were substituted "subsection 4(d)"; and

(iii) in subsection (e)—

(aa) for "the London Assembly" there were substituted "each constituent council whose local government area contains any part of the combined area to be designated as a mayoral development area"; and

(bb) for "the Greater London Authority" substitute "that constituent council";

(c) in subsection (4)—

(i) paragraph (a) were omitted;

(ii) paragraph (b) were omitted;

(iii) in paragraph (d) for "each London borough council whose borough" there were substituted "each district council or county council whose local government area";

(iv) paragraphs (e) to (g) were omitted;

(d) in subsection (5)—

(i) in paragraph (a) for "the London Assembly in accordance with standing orders of the Greater London Authority" there were substituted "each constituent council whose local government area contains any part of the combined area to be designated as a mayoral development area in accordance with standing orders of each council";

(ii) in paragraph (b) for "the London Assembly" there were substituted "a constituent council";

(iii) in paragraph (b)(i) for "the Assembly" there were substituted "the constituent council";

(iv) in paragraph (b)(ii) for "Assembly members voting" there were substituted "members of the constituent council present and voting on that motion";

(v) for "the London Assembly rejects a proposal if it" substitute "the constituent councils reject a proposal if it";

(**a**) Article 10 of, and Schedule 3 to, the West Midlands Combined Authority Order 2016 confer on the Combined Authority functions exercisable for the purpose of economic development and regeneration.

(e) in subsection (6)(c) for "Mayoral development corporation" there were substituted "Corporation"; and

(f) subsection (7) were omitted.

(5) Section 198 of the 2011 Act (Mayoral development corporations: establishment) shall have effect as if—

(a) in the heading for "Mayoral development corporation" there were substituted "Corporation"; and

(b) for every other reference to "Mayoral development corporation" there were substituted "Corporation".

(6) Section 199 of the 2011 Act (exclusion of land from Mayoral development areas) shall have effect as if in subsection (2) for "the London Assembly" there were substituted "the Combined Authority".

(7) Section 200 of the 2011 Act (transfers of property etc to a Mayoral development corporation) shall have effect as if—

(a) in subsection (3)—

(i) in paragraph (a), for "a London borough council" there were substituted "a district council or county council wholly or partly in the combined area";

(ii) paragraph (b) were omitted;

(iii) in paragraphs (d) and (e), for "in Greater London" there were substituted "in the combined area";

(iv) paragraphs (f) to (h) were omitted; and

(v) paragraph (k) were omitted;

(b) in subsection (4) paragraph (b) were omitted;

(c) subsection (7) were omitted;

(d) subsection (8) were omitted; and

(e) in subsection (10) the definitions of a "functional body" and "public authority" were omitted.

(8) Section 201 of the 2011 Act (object and powers) shall have effect as if subsection (8)(b) were omitted.

(9) Section 202 of the 2011 Act (functions in relation to town and country planning) shall have effect as if in subsection (7)—

(a) in paragraph (c) for "the London Assembly or an affected local authority" there were substituted "the Combined Authority"; and

(b) in the definition of "affected authority" for "subsection 197(4)(d), (e), (f) or (g)" there were substituted "section 197(4)(d)".

(10) Section 203 of the 2011 Act (arrangements for discharge of, or assistance with, planning functions) shall have effect as if for each reference to "a London borough council or the Common Council of the City of London" there were substituted "a district council or a county council wholly or partly within the combined area".

(11) Section 207 of the 2011 Act (acquisition of land) shall have effect as if—

(a) in subsection (2) for "in Greater London" there were substituted a reference to "in the combined area"; and

(b) in subsection (3) for the words "the Mayor of London" there were substituted "the Combined Authority".

(12) Section 214 of the 2011 Act (powers in relation to discretionary relief from non-domestic rates) shall have effect as if—

(a) in subsection (4)(c) for "the London Assembly or an affected local authority" there were substituted "each district council or county council whose local government area contains any part of the area"; and

(b) in subsection (4) the definition of "an affected local authority" were omitted.

(13) Section 216 of the 2011 Act (transfers of property, rights and liabilities) shall have effect as if—

(a) in subsection (2) ", (e)" were omitted; and

(b) in subsection (4)—

(i) the definition of "functional body" were omitted; and

(ii) in the definition of "permitted recipient"—

(aa) paragraph (b) were omitted;

(bb) in paragraph (d) for "a London borough council" there were substituted "a district council or county council wholly or partly within the combined area"; and

(cc) paragraph (e) were omitted.

(14) Schedule 21 to the 2011 Act (Mayoral development corporations) shall have effect as if—

(a) for each reference to "the Mayor" there were substituted "the Combined Authority", except for the reference in paragraph 1(1);

(b) for each reference to "an MDC" or "the MDC" there were substituted "a Corporation" or "the Corporation", as the case may be;

(c) in paragraph 1(1)—

(i) for the reference to "Mayoral development corporation ("MDC")" there were substituted "the Corporation";

(ii) for the reference to "the Mayor of London ("the Mayor")" there were substituted "the Combined Authority";

(d) in paragraph 1(2) for the reference to "each relevant London council" there were substituted "each relevant district council or county council";

(e) in paragraph 1(3)—

(i) sub-paragraph (a) were omitted, and

(ii) in sub-paragraph (b) for "a London council" there were substituted "a district council or county council";

(f) in paragraph 2(5)(d) for "a relevant London council" there were substituted "a relevant district council or county council";

(g) in paragraph 4(4) for the reference to "the London Assembly" there were substituted "the Combined Authority";

(h) in paragraph 9(c) for "each relevant London council" there were substituted "each relevant district council or county council"; and

(i) in paragraph 10(1)(c) the words "and to the London Assembly" were omitted.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the conferral of functions of local authorities and other public authorities on the West Midlands Combined Authority ("the Combined Authority").

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 ("the 2009 Act") provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise specified functions of a local authority under sections 104 and 105 of the 2009 Act, and power to exercise specified functions of any other public authority under section 105A of the 2009 Act.

Part 2 of the Order concerns the transport functions of the Combined Authority. Article 3 confers on the Combined Authority the functions of a Minister of the Crown under section 31 of the Local Government Act 2003, enabling it to pay grant to the constituent councils. Articles 4 to 9 provide for certain transport functions of the constituent councils to be exercisable by the Combined Authority in relation to the Combined Authority's area.

Part 3 of and Schedule 3 to the Order confer on the Combined Authority functions in relation to housing and regeneration which are to be exercised concurrently with the Homes and Communities Agency.

Part 4 of and Schedule 4 to the Order confer on the Combined Authority functions corresponding to those of the Mayor of London in relation to the designation of a Mayoral development area. Schedule 4 to the Order modifies Part 8 of and Schedule 21 to the Localism Act 2011 which makes provision about the establishment of a Mayoral development corporation, its objects and powers as well as its constitution and governance.

Part 5 of the Order confers on the Combined Authority functions in relation to air quality; smoke-free premises, places and vehicles; culture and anti-social behaviour which are exercisable in relation to the Combined Authority's area by the constituent councils. The functions are to be exercisable concurrently with the Combined Authority.

Part 6 of the Order makes provision for the funding, by the constituent councils, of the costs of the Combined Authority and the Mayor.

Part 7 makes additional provision for the Mayor for the area of the Combined Authority. Article 22 sets out the functions of the Combined Authority which are to be only exercisable by the Mayor, and article 23 provides for the appointment of a political adviser to the Mayor.

Part 8 of the Order amends the West Midlands Combined Authority Order 2016, which established the Combined Authority. Article 24 makes some general and incidental provisions relating to the Combined Authority, enabling the Combined Authority to carry out its functions effectively and pay allowances to its members. Article 25 modifies the application of section 85 of the Local Transport Act 2008 (provision that may be made in an order under section 84: membership of ITA), which provides that an order which includes provision about the number and appointment of members of the Combined Authority must provide for a majority of the members of the Authority to be appointed by the Authority's constituent councils. The modification provides for section 85 of the Transport Act 2008 to be applied without including the Mayor in any calculation of whether a majority of the members of the Combined Authority have been appointed by the constituent councils.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.

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