
STATUTORY INSTRUMENTS

2017 No. 431

**The Tees Valley Combined Authority
(Functions and Amendment) Order 2017**

Power to pay grant

3.—(1) The functions of a Minister of the Crown 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 under 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.

(4) In determining that amount, the Combined Authority must have regard to the desirability of ensuring that the 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 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 exercisable by a constituent council (in whatever capacity) in relation to the highways for which they are the highway authority.