

## **Appendix 3: Proposed process**

### **Step 1: Statutory review (S111 of the 2009 Act)**

The Combined Authority and the five constituent councils must **carry out a review** of any matter in respect of which the Secretary of State may make an Order relating to the constitutional arrangements for, or the transfer of functions to, the Combined Authority. A review may also include any other matter which the Combined Authority can decide itself, without needing an Order.

### **Step 2: prepare and publish a draft Scheme (S112 (1) of the 2009 Act)**

If, further to the review, one or more of the constituent councils or the Combined Authority conclude that the an Order relating to constitutional arrangements or the transfer of functions to the Combined Authority would be likely to improve the exercise of statutory functions in the Combined Authority's area, they may **prepare and publish a Scheme** relating to any such Order. The proposal to adopt a Mayoral model and to transfer other public authority's functions to the Combined Authority would also be set out in the Scheme.

### **Step 3: Public consultation on the proposals contained in the Scheme**

A public consultation exercise is required before the Secretary of State makes an order relating to constitutional arrangements or the transfer of functions to the Combined Authority. It is proposed that the Combined Authority and the constituent councils would jointly carry out a consultation exercise in connection with any Scheme.

### **Step 4: Submitting consultation responses to the Secretary of State**

A **summary of the consultation responses** must be submitted to the Secretary of State with the draft Scheme. When deciding whether to make any Order relating to constitutional arrangements or the transfer of functions, the Secretary of State must consider whether the Order is likely to improve the exercise of statutory functions in the Combined Authority's area. The Secretary of State must also have regard to the need to

- reflect the identities and interests of local communities, and
- secure effective and convenient local government.

### **Step 5: Consent to a draft Order/regulations**

Some aspects of the Deal (for example, the allocation of general functions to the Mayor) require the Combined Authority and the constituent councils to **consent to a draft Order/Regulations**.

### **Step 6: Secretary of State lays the draft Order/regulations in Parliament**

Once required consents are given, the Secretary of State will lay any draft Order/regulations before Parliament for approval.