

SCHEDULES

SCHEDULE 1

Article 6

Constitution

Membership

1.—(1) Each constituent council must appoint two of its elected members to be members of the Combined Authority

(2) Each constituent council must designate one of the members appointed under sub-paragraph (1) as the lead member.

(3) Each constituent council must appoint two named elected members for each member appointed under sub-paragraph (1), either of whom may act as a member of the Combined Authority in the absence of a member appointed under sub-paragraph (1) (“the substitute members”).

(4) In this Schedule, “members” means a lead member, a non-lead member appointed under sub-paragraph (1) and a substitute member unless the context provides otherwise.

(5) A person ceases to be a member of the Combined Authority if they cease to be a member of the constituent council that appointed them.

(6) A person may resign as a member of the Combined Authority by written notice served on the proper officer of the constituent council that appointed them and the resignation takes effect on receipt of that notice.

(7) Where a member of the Combined Authority’s appointment ceases by virtue of sub-paragraph (5) or (6), the constituent council that made the appointment must, as soon as practicable, give written notice of that fact to the Combined Authority and appoint another of its elected members in that person’s place.

Commencement Information

II Sch. 1 para. 1 in force at 20.12.2023, see [art. 1\(2\)](#)

Chair and vice-chair

2.—(1) The Combined Authority must appoint a chair from amongst its constituent council members and the appointment is to be the first business transacted after the appointment of members of the Combined Authority, at the first meeting of the Combined Authority.

(2) A person ceases to be chair of the Combined Authority if they cease to be a member of the Combined Authority.

(3) If a vacancy arises in the office of chair, an appointment to fill the vacancy is to be made at the next ordinary meeting of the Combined Authority or, if that meeting is to be held within 14 days of the vacancy arising, at the meeting following that meeting.

(4) The chair of the Combined Authority ceases to hold office at the end of the day before the first Mayor’s term of office begins⁽¹⁾.

Commencement Information

I2 Sch. 1 para. 2 in force at 20.12.2023, see [art. 1\(2\)](#)

3.—(1) The Combined Authority must appoint a vice-chair from amongst its constituent council members and the appointment is to be the first business transacted after the appointment of members and the chair of the Combined Authority, at the first meeting of the Combined Authority.

(2) A person ceases to be vice-chair of the Combined Authority if they cease to be a member of the Combined Authority.

(3) If a vacancy arises in the office of vice-chair, an appointment to fill the vacancy is to be made at the next ordinary meeting of the Combined Authority or, if that meeting is to be held within 14 days of the vacancy arising, at the meeting following that meeting.

(4) The office of vice-chair is abolished at the end of the day before the first mayor’s term of office begins.

Commencement Information

I3 Sch. 1 para. 3 in force at 20.12.2023, see [art. 1\(2\)](#)

Commencement Information

I2 Sch. 1 para. 2 in force at 20.12.2023, see [art. 1\(2\)](#)

I3 Sch. 1 para. 3 in force at 20.12.2023, see [art. 1\(2\)](#)

Proceedings

4.—(1) Subject to sub-paragraphs (6) to (14), any decision of the Combined Authority is to be decided by a simple majority of the members present and voting on that question at a meeting of the Combined Authority, and such majority is to include the Mayor, or the Deputy Mayor acting in place of the Mayor or, in the period before the first day of the first mayor’s term of office, the chair or, in the absence of the chair, the vice-chair.

(2) Before the first Mayor’s term of office begins, no business is to be transacted at a meeting of the Combined Authority unless the chair and at least one member appointed by each constituent council is present.

(3) After the Mayor’s term of office begins, no business is to be transacted at a meeting of the Combined Authority unless the Mayor (or the Deputy Mayor acting in place of the Mayor) and at least one member appointed by each constituent council is present.

(4) Each member is to have one vote and no member is to have a casting vote.

(5) If a vote is tied on any matter it is deemed not to have been carried.

(6) The following decisions of the Combined Authority require (in addition to the requirements of sub-paragraph (1)) those voting in favour to include the lead member from each constituent council—

(1) Section 107A(6) of the 2009 Act provides that the mayor for the area of a combined authority is by virtue of that office a member of, and chair of, the combined authority.

- (a) approval or amendment of the Combined Authority’s budget (excluding approval or amendment of the Mayor’s budget);
 - (b) issuing the levy pursuant to article 29(5) (transport levy); and
 - (c) approval or amendment of the Combined Authority’s constitution or standing orders.
- (7) The exercise of the function in section 17 of the 1985 Act (insofar as that function is exercised for the compulsory purchase of land), section 9(2) of the 2008 Act and section 226 of the 1990 Act by the Combined Authority requires the consent of—
- (a) the lead member for the constituent councils whose area contains any part of the land subject to the proposed compulsory acquisition, or
 - (b) a substitute member acting in place of such a member,
- (8) Article 8(4) of the Combined Authorities (Finance) Order 2017(2) applies in relation to decisions of the Combined Authority referred to in that paragraph as if the reference to a two thirds majority were a reference to a three quarters majority.
- (9) Any decision of the Combined Authority to amend the Mayor’s transport plan requires at least three of the members to vote in favour of the amendment.
- (10) Any decision of the Mayor which gives rise to a financial liability for a constituent council requires the consent of the lead member appointed by that constituent council.
- (11) Any exercise by the Mayor of the functions corresponding to the functions contained in section 197(1) (designation of Mayoral development areas) of the 2011 Act requires the consent of—
- (a) the lead member for any constituent council whose local government area contains any part of the land to be designated as a Mayoral development area or substitute member acting in place of that member; and
 - (b) the North York Moors National Park Authority or the Yorkshire Dales National Park Authority if the Combined Authority proposes to exercise the function in respect of the whole or any part of the area of the relevant National Park Authority.
- (12) Any exercise by the Mayor of the functions corresponding to the functions contained in section 199(1) (exclusion of land from Mayoral development areas) of the 2011 Act in respect of any Mayoral development area requires the consent of the lead member for any constituent council whose local government area contains any part of the area to be excluded from a Mayoral development area or substitute member acting in place of that member.
- (13) Any exercise by the Mayor of the functions corresponding to the functions contained 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—
- (a) the lead member for any constituent council whose local government area contains any part of the area to be designated as a Mayoral development area or a substitute member acting in place of that member; and
 - (b) the North York Moors National Park Authority or the Yorkshire Dales National Park Authority if the Combined Authority proposes to exercise the function in respect of the whole or any part of the area of the relevant National Park Authority.
- (14) Any exercise by the Mayor of the functions corresponding to the functions contained in section 17(3) of the 1985 Act (acquisition of land for housing purposes) and section 9(2) of the 2008 Act (acquisition of land) requires the consent of the lead member for any constituent council whose local government area contains any part of the land subject to the proposed compulsory acquisition or a substitute member acting in place of that member.

(15) For the purpose of sub-paragraphs (7), (11)(a), (12), (13)(a) and (14) the consent must be given at a meeting of the combined authority.

Commencement Information

I4 Sch. 1 para. 4 in force at 20.12.2023, see [art. 1\(2\)](#)

Remuneration

5. Subject to paragraphs 6 and 7, no remuneration is to be payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme approved by the Combined Authority.

Commencement Information

I5 Sch. 1 para. 5 in force at 20.12.2023, see [art. 1\(2\)](#)

6.—(1) The Combined Authority may establish an independent remuneration panel to recommend a scheme to the Combined Authority regarding the allowances payable to—

- (a) the Mayor;
- (b) the Deputy Mayor provided that the Deputy Mayor is not a leader or elected mayor of a constituent council or the Chair of the Local Enterprise Partnership;
- (c) the deputy mayor for policing and crime provided that the deputy mayor for policing and crime is not a leader or elected mayor of a constituent council; and
- (d) independent persons.

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

- (a) a member of the Combined Authority or a member of a committee or sub-committee of the Combined Authority or a member of a constituent council; or
- (b) disqualified from being or becoming a member of the Combined Authority.

(3) The Combined Authority may pay the expenses incurred by the 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.

Commencement Information

I6 Sch. 1 para. 6 in force at 20.12.2023, see [art. 1\(2\)](#)

7. The Combined Authority may only pay an allowance to the people listed in paragraph 6(1)(a) to (c) if the Combined Authority has—

- (a) considered a report published by the independent remuneration panel established under paragraph 6(1) which contains recommendations for such an allowance; and
- (b) approved a scheme for the payment of the allowance providing that scheme does not provide for the payment of allowances of an amount in excess of the amount recommended by the independent remuneration panel.

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Commencement Information

I7 Sch. 1 para. 7 in force at 20.12.2023, see [art. 1\(2\)](#)

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Commencement Information

I5 Sch. 1 para. 5 in force at 20.12.2023, see [art. 1\(2\)](#)

I6 Sch. 1 para. 6 in force at 20.12.2023, see [art. 1\(2\)](#)

I7 Sch. 1 para. 7 in force at 20.12.2023, see [art. 1\(2\)](#)

Records

8.—(1) The Combined Authority must make arrangements for the names of members present at any meeting to be recorded.

(2) Minutes of the proceedings of a meeting of the Combined Authority, or any committee or sub-committee of the Combined Authority, are to be kept in such form as the Combined Authority may determine.

(3) Any such minutes are to be signed at the same or next suitable meeting of the Combined Authority, committee or sub-committee as the case may be, by the person presiding at that meeting.

(4) Any minute purporting to be signed as mentioned in sub-paragraph (3) is to be received in evidence without further proof.

(5) Unless the contrary is proved, a meeting of the Combined Authority, committee or sub-committee, a minute of whose proceedings has been signed in accordance with this paragraph, is deemed to have been duly convened and held, and all the members present at the meeting are deemed to have been duly qualified to attend.

(6) For the purposes of sub-paragraph (3), the next suitable meeting is the next following meeting or, where standing orders made by the Combined Authority provide for another meeting of the Authority, committee or sub-committee to be regarded as suitable, either the next following meeting or that other meeting.

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Commencement Information

I8 Sch. 1 para. 8 in force at 20.12.2023, see [art. 1\(2\)](#)

Standing orders

9. The Combined Authority may make standing orders for the regulation of its proceedings and business and may vary or revoke any such orders.

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Commencement Information

I9 Sch. 1 para. 9 in force at 20.12.2023, see [art. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The York and North Yorkshire Combined Authority Order 2023, SCHEDULE 1.