

SCHEDULES

SCHEDULE 1

Constitution

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—

- (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(1) 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.

(1) [S.I. 2017/611](#).

Changes to legislation: There are currently no known outstanding effects for the The York and North Yorkshire Combined Authority Order 2023, Paragraph 4. (See end of Document for details)

(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

II Sch. 1 para. 4 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, Paragraph 4.