

SCHEDULE 1

Article 4

Membership

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

(2) Each constituent council must appoint two of its elected members to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (1) (“the substitute member”).

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

(4) A person may resign as a member or substitute 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 the notice by the proper officer of the council.

(5) Where a member or substitute member of the Combined Authority’s appointment ceases by virtue of sub-paragraph (3) or (4), 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.

(6) A constituent council may at any time terminate the appointment of a member or substitute member appointed by it to the Combined Authority and appoint another one of its elected members in that person’s place.

(7) Where a constituent council exercises its power under sub-paragraph (6), it must give written notice of the new appointment and the termination of the previous appointment to the Combined Authority and the new appointment is to take effect and the previous appointment terminate at the end of 14 days from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

Chair and vice-chair

2.—(1) The Combined Authority must appoint a chair from among its 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 on 8th May 2017⁽¹⁾.

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

(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 the chair of, the combined authority.

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(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 vice-chair of the Combined Authority ceases to hold office on 7th May 2017.

(5) The office of vice-chair of the Combined Authority is abolished with effect from 8th May 2017.

Proceedings

4.—(1) Any questions that are to be decided by the Combined Authority are to be decided by a 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, and substitute members, acting in place of members.

(2) No business is to be transacted at a meeting of the Combined Authority unless at least two members appointed by the constituent councils, including the Chair or substitute members acting in place of members are present at the meeting.

(3) If the Mayor is in post, no business is to be transacted at a meeting of the Combined Authority unless at least three members are present at the meeting, and such members include—

- (a) the Mayor, or the deputy Mayor acting in place of the Mayor; and
- (b) at least two members appointed by the constituent councils or substitute members acting in place of members.

(4) Each member, or substitute member acting in that member's place, is to have one vote and no member or substitute member is to have a casting vote.

(5) Decisions must be carried by a majority of the Mayor and members of the Combined Authority appointed by the constituent councils, or substitute members acting in place of those members, present and voting on that question.

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

(7) A decision on a question relating to the following matters requires a unanimous vote in favour by the Mayor and all members of the Combined Authority appointed by the constituent councils, or substitute members acting in place of those members, present and voting on that question at a meeting of the Combined Authority at which all members of the Combined Authority are present to be carried—

- (a) approval of the Combined Authority's constitution and standing orders and any amendments; and
- (b) adoption of a spatial development strategy.

(8) A decision on a question relating to the following matters requires a unanimous vote in favour at a meeting of the Combined Authority at which all members of the Combined Authority are present, by all members appointed by the constituent councils, or substitute members acting in place of those members, present and voting on that question to be carried—

- (a) approval of borrowing limits; and
- (b) treasury management strategy including reserves, investment strategy, borrowing and budget of the Combined Authority, the amount of any expenses to be met by the constituent councils and the amount of any levy.

(9) A decision on a question relating to the exercise of the functions of the Combined Authority requires a vote in favour at a meeting of the Combined Authority at which all members of the Combined Authority are present, except for—

- (a) where responsibility for the exercise of the function has been delegated in accordance with the constitution of the Combined Authority (and which may include delegation of such powers and functions of the Combined Authority to sub-committees or to officers as the Combined Authority considers appropriate); and
- (b) matters which fall to be considered by the Combined Authority's overview and scrutiny committee and audit committee⁽²⁾.

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

(11) The provisions in this Schedule relating to the Mayor or deputy Mayor only have effect where the Mayor, or deputy Mayor, as the case may be, are in office.

Overview and scrutiny committees

5.—(1) An overview and scrutiny committee appointed by the Combined Authority may not include any substitute member of the Combined Authority.

(2) No business is to be transacted at a meeting of an overview and scrutiny committee unless at least two members from each constituent council are present at the meeting.

(3) The Combined Authority must appoint an appropriate person⁽³⁾ who is a member of one of the constituent councils to be the chair of any overview and scrutiny committee or a sub-committee of such a committee, appointed by the Combined Authority.

Records

6.—(1) The Combined Authority must make arrangements for the names of members and substitute 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) Until 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 and substitute members present at the meeting are deemed to have been duly qualified.

(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.

Standing orders

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

(2) Paragraphs 1(1) and 4(1) of Schedule 5A to the 2009 Act require a combined authority to arrange for the appointment of one or more overview and scrutiny committees and for the appointment of an audit committee.

(3) See paragraph 3(5) of Schedule 5A to the 2009 Act.

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Remuneration

8.—(1) Save as provided for in sub-paragraph (2), no remuneration is to be payable by the Combined Authority to its members other than allowances for travel and subsistence.

(2) The Combined Authority may only pay an allowance to the Mayor or to a member or substitute member of the Combined Authority if—

- (a) the Combined Authority has considered a report published by an independent remuneration panel established by one or more of the constituent councils under regulation 20 of the Local Authorities (Members' Allowances) (England) Regulations 2003⁽⁴⁾ which contains recommendations for such an allowance; and
- (b) the allowance paid by the Combined Authority does not exceed the amount specified in the recommendation made by the independent remuneration panel.

⁽⁴⁾ S.I. 2003/1021.