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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**LOCAL GOVERNMENT, ENGLAND  
TRANSPORT, ENGLAND  
POLICE, ENGLAND  
FIRE AND RESCUE SERVICES, ENGLAND**

The York and North Yorkshire Combined Authority Order 2023

*Made* - - - - *\*\*\**

*Coming into force in accordance with article 1*

**THE YORK AND NORTH YORKSHIRE  
COMBINED AUTHORITY ORDER 2023**

PART 1

General

1. Citation, commencement and extent
2. Interpretation

PART 2

Establishment of the Combined Authority and election of the Mayor

3. Establishment
4. Mayor
5. Political adviser
6. Constitution

PART 3

Housing, regeneration and planning

7. Conferral of functions corresponding to functions that the HCA has in relation to the Area
8. Acquisition and appropriation of land for planning and public purposes
9. Application of provisions of the 1985 Act, the 1990 Act and the 2008 Act

#### PART 4

##### Mayoral development corporation

10. Mayoral development corporation
11. Application of provisions in the 2011 Act
12. Mayoral development corporation: incidental provisions

#### PART 5

##### Transport

13. Local Transport
14. Agreements between authorities and strategic highways companies
15. Civil enforcement of road traffic contraventions
16. Grants to bus service operators
17. Traffic regulation
18. Transport functions related to traffic signs and pedestrian crossings
19. Apparatus affected by highway, bridge or transport works
20. Permit schemes
21. Lane rental schemes
22. Power to pay grant
23. Amendment of the Sub-national Transport Body (Transport for the North) Regulations 2018

#### PART 6

##### Additional functions

24. Data sharing
25. Assessment of economic conditions
26. Incidental provisions

#### PART 7

##### Mayoral functions

27. Functions exercisable only by the Mayor
28. Joint committees

#### PART 8

##### Funding

29. Funding
30. Conferral of Business Rate Supplements functions
31. Adaptation of BRS in consequence of article 30

#### PART 9

##### Police and crime commissioner functions

32. Police and crime commissioner functions
33. Transfer of police and crime commissioner functions
34. Transfer of property, rights and liabilities
35. Secondments
36. Continuity
37. Foreign property etc, perfection of vesting

38. Transfers: supplementary provision
39. Extension of financial year of Police and Crime Commissioner and Chief Constable for North Yorkshire
40. Modification to the Local Government Act 1972

#### PART 10

##### Fire and rescue functions

41. Transfer of functions of the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority
42. General functions of the Combined Authority exercisable only by the Mayor
43. Arrangements for exercise of fire and rescue functions
44. Members of fire committee
45. Fire and rescue functions excluded from the power to make arrangements
46. Police, Fire and Crime Panel: oversight functions in relation to fire and rescue functions
47. Police, Fire and Crime Panel: scrutiny of the community risk management plan
48. Notification of proposed allocation of budget for fire and rescue functions
49. Police, Fire and Crime Panel review of proposed budget

##### *Transitional arrangements and asset transfers*

50. Transfer of property, rights and liabilities
51. Secondments
52. Continuity
53. Transfers: supplementary provision
54. Extension of financial year of fire and rescue authority
55. Revocation  
Signature

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## SCHEDULES

### SCHEDULE 1 — Constitution

1. Membership
2. Chair and vice-chair
3. (1) The Combined Authority must appoint a vice-chair from amongst...
4. Proceedings
5. Remuneration
6. (1) The Combined Authority may establish an independent remuneration panel...
7. The Combined Authority may only pay an allowance to the...
8. Records
9. Standing orders

### SCHEDULE 2 —

#### PART 1 — Modification of the application of Part 1 of the 2008 Act

1. (1) Chapters 1 and 2 of Part 1 of the...

#### PART 2 — Modification of the application of Schedules 2 to 4 to the 2008 Act

2. (1) Schedules 2 to 4 to the 2008 Act apply...

SCHEDULE 3 — Modification of the application of Part 8 of, and schedule 21 to the 2011 Act

1. (1) Chapter 2 of Part 8 of the 2011 Act...

SCHEDULE 4 — Permit schemes: modification of the application of Part 3 of the Traffic Management Act 2004

1. (1) Part 3 of the TM Act is modified as...

SCHEDULE 5 — Modifications of police and crime commissioner enactments in their application to the Mayor

PART 1 — Primary legislation

1. Police (Property) Act 1897
  2. Trustee Investments Act 1961
  3. Pensions (Increase) Act 1971
  4. Local Government (Miscellaneous Provisions) Act 1976
  5. Local Government, Planning and Land Act 1980
  6. Dartford-Thurrock Crossing Act 1988
  7. Local Government Finance Act 1988
  8. Road Traffic Act 1988
  9. Local Government and Housing Act 1989
  10. Police Act 1996
  11. Police Reform Act 2002
  12. Proceeds of Crime Act 2002
  13. Local Government Act 2003
  14. Railways and Transport Safety Act 2003
  15. Local Government and Public Involvement in Health Act 2007
  16. Local Democracy, Economic Development and Construction Act 2009
  17. Police Reform and Social Responsibility Act 2011
  18. In section 5 (police and crime commissioners to issue police...
  19. In section 7(7) (police and crime plans)—
  20. In section 16 (appointment of persons not employed by elected...
  21. In section 18 (delegation of functions by police and crime...
  22. In section 21 (police fund), after subsection (3) insert—
  23. In section 28 (police and crime panels outside London)—
  24. In section 29 (power to require attendance and information)—
  25. In section 30 (suspension of police and crime commissioner)—
  26. In section 31(3) (conduct), for paragraphs (b) to (d) substitute—...
  27. In section 62 (appointment of acting commissioner)—
  28. For section 63 (vacancy where acting commissioner acts for 6...
  29. For section 64(3) to (4A) (disqualification from election as police...
  30. In section 65 (disqualification from election or holding office as...
  31. In section 70 (declaration of acceptance of office of police...
  32. In Schedule 1 (police and crime commissioners)—
  33. In Schedule 5 (issuing precepts)— (a) in paragraph 1—
  34. In Schedule 6 (police and crime panels)—
  35. In Schedule 7 (regulations about complaints and conduct matters)—
  36. In Schedule 8 (appointment, suspension and removal of senior police...
  37. Local Audit and Accountability Act 2014
- PART 2 — Secondary legislation
38. Motor Vehicles (Third Party Risks) Regulations 1972
  39. Official Secrets Act 1989 (Prescription) Order 1990
  40. Police (Disposal of Sound Equipment) Regulations 1995
  41. Police (Property) Regulations 1997

42. Health and Safety (Enforcing Authority) Regulations 1998
43. Motor Vehicles (Driving Licences) Regulations 1999
44. Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999
45. Motor Vehicles (Access to Driver Licensing Records) Regulations 2001
46. Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001
47. Police Regulations 2003
48. Docking of Working Dogs' Tails (England) Regulations 2007
49. REACH Enforcement Regulations 2008
50. Elected Local Policing Bodies (Specified Information) Order 2011
51. Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012
52. Police Appeals Tribunals Rules 2012
53. Police and Crime Commissioner (Disqualification) (Supplementary Provisions) Regulations 2012
54. Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012
55. Local Government Pension Scheme Regulations 2013
56. Local Audit (Auditor Resignation and Removal) Regulations 2014
57. Combined Authorities (Mayors) (Filling of Vacancies) Order 2017
58. Police Appeals Tribunals Rules 2020
59. Policing Protocol Order 2023

SCHEDULE 6 — Exclusion of legislation from application to the Combined Authority Mayor with policing and crime functions

PART 1 — Primary legislation

1. Section 28 of the Leasehold Reform Act 1967 (retention or...
2. The following provisions of the Local Government Act 1972—
3. Section 5(3)(baa) of the Rent (Agriculture) Act 1976 (no statutory...
4. Section 14(1)(caa) of the Rent Act 1977 (landlord's interest belonging...
5. Sections 95, 96A, 97 and 98 of the Local Government,...
6. Sections 33 (enforceability by local authorities of certain covenants relating...
7. Section 13AB(8)(f) and 13B(4)(g) of the Representation of the People...
8. Section 60 of the County Courts Act 1984 (right of...
9. The following provisions of the Housing Act 1985—
10. Section 38 of the Landlord and Tenant Act 1985 (minor...
11. Section 7 of the Local Government Act 1986 (transfer requires...
12. Section 58 of the Landlord and Tenant Act 1987 (exempt...
13. Sections 111, 113, 114 and 114A of the Local Government...
14. Paragraph 12(2)(g) of Schedule 1 to the Housing Act 1988...
15. Section 39 of the Local Government Finance Act 1992 (precepting...
16. Section 33 of the Value Added Tax Act 1994 (refunds...
17. Section 94 of the Police Act 1996 (financing of new...
18. Paragraph 57 of Schedule 1 to the Freedom of Information...
19. Sections 21 and 22 of the Local Government Act 2003...
20. The following provisions of the Fire and Rescue Services Act...
21. The following provisions of the PRSR Act —
22. Paragraph 19 of Schedule 2 to the Local Audit and...
23. The following provisions of the Policing and Crime Act 2017—...

PART 2 — Secondary legislation

24. The Police and Crime Commissioner Elections Order 2012.

25. The Police and Crime Commissioner Elections (Functions of Returning Officers)...
26. The Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations...
27. The Police and Crime Commissioner Elections (Declaration of Acceptance of...
28. The following provisions of Schedule 2 to the Local Government...
29. The Police and Crime Commissioner Elections Order 2015.
30. Article 7 of the Chancellor of the Duchy of Lancaster...
31. The Transfer of Functions (Police and Crime Commissioner Elections) Order...
32. The Police and Crime Commissioner Elections (Designation of Local Authorities)...
33. The Police and Crime Commissioner Elections (Designation of Police Area...
34. The Police and Crime Commissioner Elections (Local Returning Officers' and...

SCHEDULE 7 — Modification of enactments in their application to the Combined Authority as fire and rescue authority

PART 1 — Primary legislation

1. Local Government Act 1972
2. Local Government Finance Act 1988
3. Local Government and Housing Act 1989
4. Crime and Disorder Act 1998
5. Local Government Act 2003
6. Fire and Rescue Services Act 2004
7. Local Democracy, Economic Development and Construction Act 2009
8. Police Reform and Social Responsibility Act 2011

PART 2 — Secondary legislation

9. Pipelines Safety Regulations 1996
10. Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009
11. Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012
12. Local Government Pension Scheme Regulations 2013
13. Explosives Regulations 2014
14. Control of Major Accident Hazards Regulations 2015
15. Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017

Explanatory Note