

## SCHEDULE

Article 4

### Constitution

#### 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 another 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) The Local Enterprise Partnership must nominate one of its members to be a member of the Combined Authority.

(4) The Local Enterprise Partnership must nominate another of its members to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (3) (“the substitute member”).

(5) The Combined Authority must appoint the member nominated by the Local Enterprise Partnership under sub-paragraph (3) as a member of the Combined Authority (“Local Enterprise Partnership Member”).

(6) The Combined Authority must appoint the member nominated by the Local Enterprise Partnership under sub-paragraph (4) to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (5) (“the substitute member”).

(7) A person ceases to be a member or substitute member of the Combined Authority if they cease to be a member of—

- (a) the constituent council that appointed them; or
- (b) the Local Enterprise Partnership that nominated them.

(8) 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 or, as the case may be, the chair or vice-chair of the Local Enterprise Partnership that nominated them, and the resignation takes effect on receipt of the notice by the proper officer of the council or chair or vice-chair of the Local Enterprise Partnership (as the case may be).

(9) Where a member or substitute member of the Combined Authority’s appointment ceases by virtue of sub-paragraph (7) or (8)—

- (a) 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;
- (b) the Local Enterprise Partnership must, as soon as practicable, give written notice of that fact to the Combined Authority and nominate another of its members in that person’s place, such nomination to take effect from the date on which the written notice of nomination is received by the Combined Authority.

(10) 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.

(11) Where a constituent council exercises its power under sub-paragraph (10), it must give written notice of the new appointment and the termination of the previous appointment to the Combined Authority and the new appointment shall take effect and the previous appointment terminate at the end of 14 days beginning with the day after the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(12) The Local Enterprise Partnership may at any time terminate the appointment of a Local Enterprise Partnership Member or substitute member nominated by it to the Combined Authority and nominate another of its members in that person's place.

(13) Where the Local Enterprise Partnership exercises its power under sub-paragraph (12), it must give written notice of the new nomination and the termination of the previous appointment to the Combined Authority.

(14) The Combined Authority must appoint a Local Enterprise Partnership Member nominated under sub-paragraph (13) and the new appointment shall take effect and the previous appointment terminate at the end of one week beginning with that day after the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

(15) The Combined Authority must appoint a Local Enterprise Partnership Member nominated under sub-paragraph (9)(b) or sub-paragraph (13) at the next meeting of the Combined Authority.

### **Chair and vice-chair**

**2.—(1)** The Combined Authority must appoint a chair from among 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 on 8th May 2017<sup>(1)</sup>.

**3.—(1)** The Combined Authority must appoint a vice-chair from among its members and the appointment 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.

(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 8th May 2017.

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

### **Proceedings**

**4.—(1)** Subject to the following sub-paragraphs, any question to be decided by the Combined Authority is to be decided by a majority of the members, 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) If the office of chair exists, no business is to be transacted at a meeting of the Combined Authority unless at least five members, including the chair or substitute members, appointed by the constituent councils are present at the meeting.

---

(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.

(3) If the Mayor is in office, no business is to be transacted at a meeting of the Combined Authority unless at least five 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 four members appointed by the constituent councils, or substitute members.

(4) Each member, or substitute member acting in that member's place, 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) Members appointed from the Local Enterprise Partnership shall be non-voting members of the Combined Authority.

(7) A decision on a question relating to the following matters requires a vote in favour at a meeting of the Combined Authority, at which all members of the Combined Authority are present, by a majority of at least two-thirds of all members appointed by the constituent councils to include the members appointed by the councils for the local government areas of Cambridgeshire and Peterborough, or substitute members acting in place of those members, present and voting on that question to be carried—

- (a) the transport plan; and
- (b) any spending plans or plans for the allocation of transport-related funding.

(8) A decision to reject the mayoral budget, mayoral strategy or mayoral spending plan requires a vote in favour at a meeting of the Combined Authority, at which all members of the Combined Authority are present, by a majority of at least two-thirds of 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.

(9) 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.

(10) In sub-paragraph (4), the reference to a member includes—

- (a) the Mayor or the deputy Mayor acting in place of the Mayor;
- (b) a constituent member or a substitute member acting in that member's place; and
- (c) a member appointed from the Local Enterprise Partnership who has been given voting rights by resolution of the Combined Authority.

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

## **Overview and scrutiny committees**

**5.—**(1) The Combined Authority must appoint at least one member of each of the constituent councils to the overview and scrutiny committee appointed by the Combined Authority, so that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils.

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

(3) The Combined Authority must appoint an appropriate person<sup>(2)</sup> who is a member of one of the constituent councils to be the chair of the overview and scrutiny committee appointed by the Combined Authority.

---

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

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## **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 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 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.

## **Remuneration**

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

(2) The Combined Authority may only pay an allowance to the Mayor 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<sup>(3)</sup> 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.

---

(3) [S.I. 2003/1021](#).