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STATUTORY INSTRUMENTS

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**2017 No. 431**

**The Tees Valley Combined Authority  
(Functions and Amendment) Order 2017**

**Amendment of the Tees Valley Combined Authority Order 2016**

- 8.**—(1) The 2016 Order is amended as follows.
- (2) In article 2 (interpretation) after the definition of “the Local Enterprise Partnership” insert—  
““Mayor” means the mayor for the area of the Combined Authority; and”.
- (3) Schedule 1 (constitution) is amended as follows—
- (a) in paragraph 1(2) (membership), after “sub-paragraph 1” insert “or if that member has been appointed as the Deputy Mayor and is acting in place of the Mayor at a meeting”;
- (b) paragraph 2 (chairman and vice-chairman) is omitted<sup>(1)</sup>; and
- (c) for paragraph 3 (proceedings) there is substituted—

**“Proceedings**

**3.**—(1) Subject to the following sub-paragraphs, 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 a majority must 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 the Mayor, or the deputy Mayor acting in place of the Mayor, and at least three members, or substitute members, appointed by the constituent councils are present at the meeting.

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

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

(5) Members appointed from the Local Enterprise Partnership shall be non-voting members of the Combined Authority.

(6) Questions relating to the following matters require a unanimous vote in favour by all members appointed by the constituent councils present and voting on that question (including substitute members acting in place of those members) and the Mayor (including the deputy mayor acting in place of the Mayor) to be carried at a meeting of the Combined Authority—

- (a) adoption of an investment plan;
- (b) setting of any transport levy under section 74 of the Local Government Finance Act 1988 and in accordance with regulations made thereunder; and
- (c) such other plans and strategies as may be determined by the Combined Authority and set out in its standing orders.

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(1) Section 107C(1) of the Local Democracy, Economic Development and Construction Act 2009 provides that the mayor for the area of a combined authority must appoint one of the members of the authority to be the mayor’s deputy.

(7) 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.

(8) In sub-paragraphs (3) and (7), 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 Partnerships who has been given voting rights by resolution of the Combined Authority”;

(d) in paragraph 4 (committees)—

(i) for sub-paragraph (3) there is substituted—

“(3) No business is to be transacted at a meeting of the overview and scrutiny committee unless at least two-thirds of the total number of members of the overview and scrutiny committee are present.”; and

(ii) after sub-paragraph (10) there is inserted—

**“Independent remuneration panel**

**4A.** The Combined Authority may establish an independent remuneration panel to recommend allowances payable to the Mayor.

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

- (a) is also a member of the Combined Authority or is a member of a committee or sub-committee of the Combined Authority; and
- (b) is disqualified from being or becoming a member of the Combined Authority.

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

(4) An independent remuneration panel must produce a report in relation to the Combined Authority, making recommendations as to any allowances payable to the Mayor.

(5) A copy of a report made under paragraph (4) must be sent to the Combined Authority.”; and

(e) for paragraph 7 (remuneration) there is substituted—

“7.—(1) Subject to paragraph (2), no remuneration is payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the Combined Authority.

(2) The Combined Authority may pay the Mayor such allowances as it may agree, in accordance with any recommendations made by its independent remuneration panel.”.