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STATUTORY INSTRUMENTS

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**2021 No. 112**

The West Yorkshire Combined Authority  
(Election of Mayor and Functions) Order 2021

**PART 8**

Mayoral functions

**Functions exercisable only by the Mayor**

**27.**—(1) The functions of the Combined Authority specified in paragraph (2) are general functions exercisable only by the Mayor.

(2) The functions referred to in paragraph (1) are the functions of the Combined Authority corresponding to the functions in the following enactments—

- (a) section 17(3) of the 1985 Act;
- (b) sections 108 (local transport plans), 109 (further provision about plans: England), 112 (plans and strategies: supplementary) and 154(1) (grants to bus service operators) of the Transport Act 2000<sup>MI</sup>;
- (c) section 31 of the 2003 Act;
- (d) section 9(2) of the 2008 Act;
- (e) sections 197, 199, 200, 202, 204, 214 to 217 and 219 to 221 of, and paragraphs 1 to 4, 6 and 8 of Schedule 21 to, the 2011 Act.

(3) 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) each member of the Combined Authority appointed under paragraph 1(2) of Schedule 1 to the 2014 Order by a constituent council whose local government area contains any part of the area to be designated as a Mayoral development area or substitute members acting in place of those members; and
- (b) the Peak District 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 Peak District National Park.

(4) 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 each member of the Combined Authority appointed under paragraph 1(2) of Schedule 1 to the 2014 Order by a constituent council whose local government area contains any part of the area to be excluded from a Mayoral development area or substitute members acting in place of those members.

(5) 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) each member of the Combined Authority appointed under paragraph 1(2) of Schedule 1 to the 2014 Order whose local government area contains any part of the area to be designated as a Mayoral development area or substitute members acting in place of those members; and
- (b) the Peak District National Park Authority if the Combined Authority proposes to exercise the functions in respect of the whole or any part of the area of the Peak District National Park.

(6) 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 each member of the Combined Authority appointed under paragraph 1(2) of Schedule 1 to the 2014 Order whose local government area contains any part of the land subject to the proposed compulsory acquisition or substitute members acting in place of those members.

(7) For the purposes of the exercise of the general functions mentioned in paragraph (2) the members and officers may assist the Mayor in the exercise of the function.

(8) The members of the Combined Authority can amend plans made pursuant to sections 108, 109 and 112 of the Transport Act 2000 if a majority of members or substitute members acting in their place agree.

(9) For the purpose of paragraphs (3)(a), (4), (5)(a), and (6) the consent must be given at a meeting of the Combined Authority.

(10) For the purposes of the exercise of the functions mentioned in paragraph (2) the Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act (general power of EPB or combined authority).

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#### **Commencement Information**

**II** [Art. 27](#) in force at 10.5.2021, see [art. 1\(3\)](#)

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#### **Marginal Citations**

**M1** 2000 c .38. Section 108 was amended by section 3 of and paragraph 2 of the Schedule to the [Transport \(Wales\) Act 2006 \(c. 5\)](#); [sections 7 to 9, 77](#) and 131 of and paragraphs 41 and 42 of Schedule 4 to and Part 1 of Schedule 7 to the Local Transport Act 2008; and by section 119 and paragraph 96 of Schedule 6 to the 2009 Act. Section 109 was amended by section 3 of and paragraph 3 of the Schedule to the Transport (Wales) Act 2006, section 9 of the Local Transport Act 2000, and by section 119 of and paragraph 97 of Schedule 6 to the 2009 Act. Section 112 was amended by sections 10, 11 and 131 of and Part 1 of Schedule 7 to the Local Transport Act 2008, and by section 222 of and paragraph 48 of Schedule 26 to the Equality Act 2010.

**Changes to legislation:**

There are currently no known outstanding effects for the The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021, Section 27.