

SCHEDULE 7

Article 44

“SCHEDULE 1

Constitution

Membership

1.—(1) Subject to sub-paragraph (3), the Combined Authority shall comprise ten members in addition to the Mayor as provided for in the following sub-paragraphs.

(2) Each of the constituent councils shall appoint one of its elected members as a member of the Combined Authority.

(3) The constituent councils shall agree the appointment of another elected member from three of the constituent councils, so that the constituent council members 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; in the absence of such agreement no members shall be appointed under this sub-paragraph.

(4) The non-constituent council shall appoint one of its elected members to be a member of the Combined Authority.

(5) Each constituent council and the non-constituent council shall appoint another of its elected members to act as a member of the Combined Authority in the absence of the members appointed under sub-paragraphs (2) to (4) (“the substitute member”).

(6) The substitute members for members appointed under sub-paragraph (3) must be appointed jointly by the constituent councils.

(7) The Leeds City Region Enterprise Partnership shall nominate one of its members to be a member of the Combined Authority (“Local Enterprise Partnership Member”).

(8) The Leeds City Region Enterprise Partnership shall nominate another of its members to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (7) (“the substitute member”).

(9) For the purposes of this Schedule any reference to a member is to be treated as including a reference to the Local Enterprise Partnership Member and substitute member.

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

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

(11) A person may resign as a member or substitute member of the Combined Authority by written notice served on the proper officer of the council, Combined Authority or the chair or vice-chair of the Local Enterprise Partnership (as the case may be) of—

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

and the resignation shall take effect on receipt of the notice by the proper officer of the council, Combined Authority or chair or vice-chair of the Local Enterprise Partnership (as the case may be).

(12) Where a member or substitute member’s appointment ceases by virtue of sub-paragraph (10) or (11)—

- (a) the constituent council or the non-constituent council that made the appointment shall, 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.
- (13) The Combined Authority shall appoint a member nominated under sub-paragraph (12)(b) at the next ordinary meeting of the Combined Authority.
- (14) A constituent council or the non-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 of its elected members in that person's place.
- (15) The appointment of the members and substitute members for members appointed under sub-paragraph (3) can only be terminated jointly by the constituent councils.
- (16) Where a constituent council or the non-constituent council exercises its power under sub-paragraphs (14) and (15), it shall 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 one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.
- (17) The Local Enterprise Partnership may at any time terminate the appointment of a member or substitute member nominated by it to the Combined Authority and nominate another of its members in that person's place.
- (18) Where the Local Enterprise Partnership exercises its power under sub-paragraph (17), it shall give written notice of the new nomination and the termination of the previous appointment to the Combined Authority.
- (19) The Combined Authority shall appoint a member nominated under sub-paragraph (18) and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.
- (20) For the purposes of this paragraph, an elected mayor of a constituent council or non-constituent council is to be treated as a member of the constituent council or non-constituent council.

Chairman and vice-chairman

- 2.—(1) For the period up until the Mayor begins their term of office in accordance with article 3(4) of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021, the Combined Authority must appoint a chairman and a vice chairman from amongst its members.
- (2) A person ceases to be chairman or vice-chairman of the Combined Authority if they cease to be a member of the Combined Authority.
- (3) If a vacancy arises in the office of chairman or vice-chairman, 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.

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 and substitute members, acting in place of members, present and voting on that question at a meeting of the Combined Authority.
- (2) For the period up until the Mayor begins their term of office in accordance with article 3(4)(a) of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 no business shall be transacted at a meeting of the Combined Authority unless at least three members, or substitute members acting in their place, appointed by the constituent councils are present.
- (3) Upon the Mayor beginning their term of office in accordance with article 3(4)(a) of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021, no business shall 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 of the Combined Authority appointed by constituent councils under paragraph 1(2) or the substitute member acting in their place are present.

(4) Where the deputy mayor is acting in the place of the Mayor they cannot also act in their capacity as a member of the Combined Authority.

(5) The substitute member for the deputy mayor may act in the capacity of a member of the Combined Authority when the deputy mayor is acting in the place of the Mayor.

(6) Each member appointed by a constituent council, 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.

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

(8) Members appointed by the non-constituent council, the Local Enterprise Partnership Member and non-constituent council and Local Enterprise Partnership substitute members shall be non-voting members of the Combined Authority.

(9) Proposals for decisions by the Combined Authority may be put forward by the Mayor or any member of the Combined Authority.

(10) Questions relating to functions of the Combined Authority conferred by the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 and not solely exercisable by the Mayor pursuant to article 27 cannot be carried without the Mayor's vote in favour of the question.

(11) The following decisions of the Combined Authority require those voting in favour to include at least three members appointed under paragraph 1(2) or the substitutes acting in their place—

(a) approving the Combined Authority's budget; and

(b) issuing the levy pursuant to article 29(5) of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021.

(12) Reference to a two thirds majority in article 8(4) of the Combined Authorities (Finance) Order 2017(1) is to be read as reference to a five eighths majority.

(13) Any decision of the Mayor which gives rise to a financial liability for a constituent council requires the consent of the member appointed by that constituent council or the substitute member acting in their place.

(14) The proceedings of the Combined Authority shall not be 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.

Committees

4.—(1) The Combined Authority shall appoint one or more committees as an overview and scrutiny committee or, as the case may be, committees of the Combined Authority.

(2) The Combined Authority shall appoint at least one member of each of the constituent councils and the non-constituent council to an overview and scrutiny committee appointed by the Combined Authority.

(3) Members appointed from the non-constituent council to an overview and scrutiny committee of the Combined Authority, and members appointed from the non-constituent council or the Local Enterprise Partnership to any other committee or sub-committee of the Combined Authority, shall be non-voting members of the committee or sub-committee but may be given voting rights by resolution of the Combined Authority.

Records

5.—(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) shall be received in evidence without further proof.

(5) Until the contrary is proved, a meeting of the Combined Authority, committee or subcommittee, 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

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

Remuneration

7. Subject to paragraphs 8, 9 and 10 no remuneration is to be payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme approved by the Combined Authority.

8.—(1) The Combined Authority may establish an independent remuneration panel who may make recommendations to the Combined Authority regarding the allowances payable to—

- (a) the Mayor; and
- (b) the deputy mayor provided that the deputy mayor is not a leader or elected mayor of a constituent or non-constituent council or the Chair of the Local Enterprise Partnership.

(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 or a member of a constituent council of the Combined Authority; or
- (b) is disqualified from being or becoming a member of the Combined Authority.

(3) The Combined Authority may pay the expenses incurred by the independent remuneration panel established under 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.

9. The Combined Authority may only pay an allowance to the Mayor or the deputy mayor if—

- (a) the Combined Authority has considered a report published by the independent remuneration panel established under paragraph 8(1) 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.

10. The Combined Authority must consider a report from the independent remuneration panel before approving a scheme under paragraph 7.”