
STATUTORY INSTRUMENTS

2023 No. 1432

The York and North Yorkshire Combined Authority Order 2023

PART 2

Establishment of the Combined Authority and election of the Mayor

Establishment

3.—(1) There is established as a body corporate a combined authority for the areas of the constituent councils.

(2) The combined authority is to be known as the York and North Yorkshire Combined Authority.

(3) The functions of the Combined Authority are those functions conferred or imposed upon it by this Order or by any other enactment (whenever passed or made), or as may be delegated to it by or under this Order or any other enactment (whenever passed or made).

Mayor

4.—(1) There is to be a mayor for the Area.

(2) The first election for the return of the Mayor is to take place on 2nd May 2024.

(3) Subsequent elections for the return of the Mayor for the Area must take place in every fourth year thereafter on the same day as the ordinary day of election.

(4) The term of office of the Mayor returned at an election for the return of a mayor for the Area in 2024—

(a) begins with 7th May 2024; and

(b) ends with the third day after the day of the poll at the next election for the return of the Mayor for the Area.

(5) The term of office of the Mayor returned in each subsequent fourth year—

(a) begins with the fourth day after the day of the poll at the election for the return of the Mayor for the Area; and

(b) ends with the third day after the day of the poll at the next election for the return of the Mayor for the Area.

(6) In this article “ordinary day of election” in relation to any year, means the day which is the ordinary day of election in that year of councillors for counties and districts in England as determined in accordance with section 37 of the Representation of the People Act 1983⁽¹⁾.

Political adviser

5.—(1) The Mayor may appoint one person as their political adviser.

⁽¹⁾ 1983 c. 2. Section 37 was amended by the Representation of the People Act 1985 (c. 50), section 18, the Greater London Authority Act 1999 (c. 29), section 17 and Schedule 3, paragraphs 1 and 5 and the Wales Act 2017 (c. 4), section 6. There are other amendments not relevant to this instrument.

(2) Any appointment under paragraph (1) is an appointment as an employee of the Combined Authority.

(3) No appointment under paragraph (1) may extend beyond—

- (a) the term of office for which the Mayor who made the appointment was elected; or
- (b) where the Mayor who made the appointment ceases to be the Mayor before the end of the term of office for which the Mayor was elected, the date on which the Mayor ceases to hold that office.

(4) A person appointed under paragraph (1) is to be regarded for the purposes of Part 1 of the 1989 Act (political restriction of officers and staff) as holding a politically restricted post under a local authority.

(5) Section 9(1), (8), (9) and (11) of the 1989 Act (assistants for political groups)(2) applies in relation to an appointment under paragraph (1) as if—

- (a) any appointment to that post were the appointment of a person in pursuance of that section; and
- (b) the Combined Authority were a relevant authority for the purposes of that section.

(6) Subsection (3) of section 9 of the 1989 Act applies in relation to an appointment under paragraph (1) as if the words from “and that the appointment terminates” to the end of that subsection were omitted.

Constitution

6. Schedule 1 (which makes provision about the constitution of the Combined Authority) has effect.

(2) Section 9 was amended by sections 61 and 204 of, and paragraph 2 of Schedule 2 to, the Local Government and Public Involvement in Health Act 2007 (c. 28) and by S.I. 2001/2237. There are other amendments not relevant to this instrument.