

# Part 1

## Introduction

### Background

- 1.1 The West Yorkshire Combined Authority (the Combined Authority) was established by Order in 2014<sup>1</sup> to bring together local councils and businesses to champion the region's interests nationally and internationally, securing investment from Government and other sources to drive the economy forward, by carrying out **economic regeneration and development functions** as well as acting as the **local transport authority** for West Yorkshire. The Combined Authority was established for the **Combined Authority's Area**, which is the area consisting of the areas of the Constituent Councils.
- 1.2 The **Constituent Councils** of the Combined Authority are:
  - City of Bradford Metropolitan District Council,
  - Borough Council of Calderdale,
  - the Council of the Borough of Kirklees,
  - Leeds City Council, and
  - the Council of the City of Wakefield.
- 1.3 The **Non-Constituent Council** of the Combined Authority is the City of York Council.
- 1.4 In March 2020, the West Yorkshire councils and the Combined Authority agreed a "minded to" devolution deal with Government. The deal detailed £1.8bn of Government investment (including £1.14bn over 30 years), to be subject to local influence and decision making (enabling spend on local priorities), together with a range of new devolved functions. The devolution deal was subject to the Combined Authority adopting the model of a directly elected mayor (the Mayor) over the Combined Authority's Area (West Yorkshire), that is becoming a **mayoral combined authority**.
- 1.5 The Combined Authority has now been established by Order<sup>2</sup> as a mayoral combined authority, with the first election of a **West Yorkshire Mayor** taking place in May 2021. The Mayor is directly elected by the local Government electors in West Yorkshire.

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<sup>1</sup> The West Yorkshire Combined Authority Order 2014 (2014/864)

<sup>2</sup> The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (2021/112)

1.6 The additional functions exercised by the Combined Authority as a mayoral combined authority include:

- **Transport-related powers** including in relation to highways, traffic management and permit scheme functions.
- **Adult education and skills functions** (enabling decision-makers to closer align spending on skills with the opportunities and needs in the local economy in order to engage adults and provide them with the skills needed for entering and sustaining employment, an apprenticeship, traineeship, or other further learning).
- **Housing functions** relating to compulsory purchase, plus provision of housing and land, land acquisition and disposal, and development and regeneration of land.
- **Economic development** – duty to prepare an assessment of economic conditions.
- **Police and Crime Commissioner functions** (previously exercised by the Police and Crime Commissioner (PCC) for West Yorkshire).

1.7 Functions of the Combined Authority are

- **Non-Mayoral Functions** (functions which are not the responsibility of the Mayor) which are exercisable by the Combined Authority, or
- **Mayoral Functions** (functions which are the responsibility of the Mayor and include PCC Functions).

## The Constitution

2.1 This Constitution sets out the governance arrangements for the West Yorkshire Combined Authority, including for Non-Mayoral and Mayoral Functions. It sets out how decisions are made and the procedures that are followed to ensure that the Combined Authority operates efficiently, effectively and is transparent and accountable.

2.2 The Constitution has seven parts:

Part 1: **Introduction** to the Combined Authority and the Combined Authority's Constitution, including how the Constitution is arranged and an index of definitions used in the Constitution.

Part 2: **Articles** of the Constitution which set out the underpinning legal framework of the Combined Authority and signpost readers to relevant aspects throughout the Constitution.

Part 3: **Responsibility for Functions** setting out who is responsible for exercising each function of the Combined Authority.

Part 4: **Procedure Rules** which govern how the Combined Authority and its decision-makers operate, including:

- formal meetings of the Combined Authority and its committees,
- how to access information, and
- procedures relating to finance and contracts.

Part 5: **Ethical Standards** including codes of conduct for Members and officers of the Combined Authority, and protocols relating to conduct, conflicts of interest and relationships between officers and members.

Part 6: **Members' allowances** scheme.

Part 7: **Senior officer management structure.**

## Definitions

3.1 Throughout the Constitution, unless otherwise expressly stated, the following definitions shall apply:

Reference	Meaning
"2009 Act"	Local Democracy, Economic Development and Construction Act 2009
"2011 Act"	Police Reform and Social Responsibility Act 2011 as modified by the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021
"2014 Order"	West Yorkshire Combined Authority Order 2014 (SI 2014/864) as modified by the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021
"2021 Order"	West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (SI 2021/112)
"Chief Constable"	The Chief Constable of the West Yorkshire Police Force

“Combined Authority”	West Yorkshire Combined Authority
“Combined Authority’s Area”	Area of the Combined Authority consisting of the areas of the Constituent Councils – see below
“Combined Authority Member”	A member of the Combined Authority <sup>3</sup>
“Concurrent Function”	Any function of the Combined Authority (including a function exercisable by the Mayor) conferred by the 2021 Order which is exercisable concurrently with the Constituent Councils. That is, both the Combined Authority and Constituent Councils may exercise the function.
“Constituent Councils”	The metropolitan district councils for the local government areas of Bradford, Calderdale, Kirklees, Leeds, and Wakefield
“Constituent Council Combined Authority Member”	Combined Authority Member appointed by a Constituent Council under paragraph 1(2) of Schedule 1 of the 2014 Order 2014
“Constitution”	Parts 1 – 7 of this document
“Co-optee”	Person who is not a Combined Authority Member but is a member of a committee of the Combined Authority.
“Deputy Mayor”	The person appointed by the Mayor as the Mayor’s deputy, under Section 107C of 2009 Act
“Deputy Mayor for Policing and Crime”	The person appointed by the Mayor as the Deputy Mayor for Policing and Crime under Section 18 of the 2011 Act.
“the Force”	The West Yorkshire Police Force

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<sup>3</sup> The Combined Authority comprises ten members in addition to the Mayor – Schedule 1 of the 2014 Order

“Function”	A power or duty; any reference to a Function is to be taken as including a reference to doing anything which is calculated to facilitate or is conducive or incidental to the discharge of the function, except where the context requires otherwise.
“Head of Paid Service”	The officer designated by the Combined Authority as the Head of Paid Service under Section 4 of the Local Government and Housing Act 1989
“Key Decision”	A Key Decision within the meaning of Article 11 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017/68
“the LEP”	The Leeds City Region Enterprise Partnership
“LEP Member”	Combined Authority Member nominated by the Leeds City Region Enterprise Partnership under paragraph 1(7) of Schedule 1 of the 2014 Order
“Local Auditor”	Local Auditor appointed under Section 7 of the Local Audit and Accountability Act 2014 or provision made under the 2014 Act
“Local Authority Co-optee”	Co-optee who has been nominated by a Constituent Council or the Non-Constituent Council
“Mayor”	Person elected as the West Yorkshire Mayor under Article 3 of the 2021 Order
“Mayoral Function”	Function of the Combined Authority exercisable only by the Mayor - Section 107G(7) of the 2009 Act <sup>4</sup>
“Mayoral General Function”	Mayoral Function other than any PCC Function - Section 107D(2) of the 2009 Act

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<sup>4</sup> Mayoral Functions comprise Mayoral General Functions and PCC Functions – see further below

“Monitoring Officer”	Officer designated by the Combined Authority under Section 5 of the Local Government and Housing Act 1989
“Non-Constituent Council”	Council for the local government area of York
“Non-Constituent Council Combined Authority Member”	Combined Authority Member appointed by the Non-Constituent Council under paragraph 1(4) of Schedule 1 of the 2014 Order
“Non-Mayoral Function”	Function of the Combined Authority which is not a Mayoral Function
“the Offices of the Combined Authority”	40-50 Wellington House, Wellington Street, Leeds, LS1 2DE
“the Police Area”	The metropolitan districts of Bradford, Calderdale, Kirklees, Leeds and Wakefield <sup>5</sup>
“PCC Function”	Function of the Combined Authority exercisable by the Mayor acting individually, or by a person acting under arrangements made by the Mayor – Section 107F of the 2009 Act
“Political Balance Member”	Combined Authority Member appointed under paragraph 1(3) of Schedule 1 of the 2014 Order
“Private Sector Representative”	Co-optee who has been nominated by the LEP
“Section 73 Chief Finance Officer”	Officer responsible for the administration of the Combined Authority’s financial affairs under Section 73 of the Local Government Act 1985
“Statutory Officer”	Head of Paid Service, Section 73 Chief Finance Officer, or Monitoring Officer
“Substitute [Combined Authority] Member”	Person appointed under Schedule 1 of the 2014 Order to act in the absence of a Combined Authority Member

## Document version control

<sup>5</sup> Paragraph 1 of Schedule 1 of the Police Act 1996

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