

Part 2 - Articles

Article 3 – Membership of the Combined Authority¹

Membership

3.1 The Combined Authority comprises ten members² in addition to the Mayor. The Combined Authority Members are:

- the **Mayor** (by virtue of that office),
- 5 elected members, each one appointed by a Constituent Council from its elected members³ (a **Constituent Council Combined Authority Member**),
- an elected member from three of the Constituent Councils, appointed jointly by the Constituent Councils so that the elected members appointed by Constituent Councils 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 (the **Political Balance Members**),
- 1 elected member appointed by the Non-Constituent Council (the **Non-Constituent Council Combined Authority Member**), and
- 1 person nominated by the LEP and appointed by the Combined Authority (the **LEP Member**)⁴.

3.2 In the absence of agreement, no Political Balance Members will be appointed⁵.

Substitute Members

3.3 A Substitute Member is appointed to act in the absence of the following:

- each Constituent Council Combined Authority Member⁶,
- each Political Balance Member⁷,
- the Non-Constituent Council Combined Authority Member⁸, and
- the LEP Member⁹.

¹ Schedule 1 of the West Yorkshire Combined Authority Order 2014.

² Subject to 3.2 below.

³ An elected mayor of a Constituent Council or Non-Constituent Council is to be treated as a member of that Council for this purpose.

⁴ The LEP Member must be a member of the LEP.

⁵ Paragraph 3 of Schedule 1 of the 2014 Order.

⁶ appointed by each Constituent Council from its elected members.

⁷ jointly appointed by the Constituent Council from its elected members.

⁸ appointed by the Non-Constituent Council.

⁹ nominated by the LEP and appointed by the Combined Authority.

Terms of Office – Combined Authority Members Other Than The Mayor

- 3.4 A **Constituent Council Combined Authority Member** or Substitute Member ceases to be a Combined Authority Member or Substitute Member if:
- they **cease to be an elected member** of the Constituent Council that appointed them,
 - they **resign** by written notice,¹⁰ or
 - the **Constituent Council terminates the appointment**¹¹.
- 3.5 Where a Constituent Council Combined Authority Member or Substitute Member ceases to be an elected member or resigns, the Constituent Council shall notify the Combined Authority in writing as soon as practicable and appoint a replacement. A Constituent Council must give written notice to the Combined Authority of any termination and new appointment.¹²
- 3.6 A **Political Balance Member** or Substitute Member ceases to be a Combined Authority Member or Substitute Member if:
- they **cease to be an elected member** of a Constituent Council,
 - they **resign** by written notice,¹³ or
 - the **Constituent Councils jointly terminate the appointment**¹⁴.
- 3.7 Where any Political Balance Member or Substitute Member ceases to be an elected member or resigns, the Constituent Councils shall notify the Combined Authority in writing as soon as practicable and jointly appoint a replacement.
- 3.8 The Constituent Councils must give written notice to the Combined Authority of any termination and new appointment¹⁵.

¹⁰ The resignation shall take effect on receipt of the written notice by the Proper Officer of the Constituent Council or the Head of Legal and Governance Services – Schedule 1, paragraph 1 of the 2014 Order.

¹¹ A Constituent Council may terminate the appointment of a Constituent Council Combined Authority Member or Substitute Member at any time.

¹² the new appointment and termination will take effect at the end of one week from the date on which the notice is given, or any longer period specified in the notice not exceeding one month – Schedule 1, paragraph 16 of the 2014 Order.

¹³ The resignation shall take effect on receipt of the written notice by the Proper Officer of their Constituent Council or the Head of Legal and Governance Services – Schedule 1, paragraph 1 of the 2014 Order.

¹⁴ The Constituent Councils may jointly terminate the appointment of a Political Balance Member or Substitute Member at any time.

¹⁵ Any new appointment and termination will take effect at the end of one week from the date on which the notice is given or any longer period specified in the notice not exceeding one month – paragraph 16 of Schedule 1 of the 2014 Order.

- 3.9 The **Non-Constituent Council Combined Authority Member** or Substitute Member ceases to be a Combined Authority Member or Substitute Member if
- they **cease to be an elected member** of the Non-Constituent Council,
 - they **resign** by written notice,¹⁶ or
 - the **Non-Constituent Council terminates the appointment.**¹⁷
- 3.10 Where the non-Constituent Council Combined Authority Member or Substitute Member ceases to be an elected member or resigns, the Non-Constituent Council must give written notice to the Combined Authority as soon as practicable and appoint a replacement.
- 3.11 The Non-Constituent Council must give written notice to the Combined Authority of any termination and new appointment.¹⁸
- 3.12 The **LEP Member** or Substitute Member ceases to be a Combined Authority Member or Substitute Member if
- they cease to be a member of the LEP,
 - they resign by written notice,¹⁹ or
 - the LEP terminates the appointment²⁰.
- 3.13 Where the LEP Member or Substitute Member ceases to be a member of the LEP, or resigns, the LEP must as soon as practicable give written notice of that fact to the Combined Authority and nominate a replacement. The Combined Authority will appoint any member nominated at the next ordinary meeting of the Combined Authority.
- 3.14 The LEP must give written notice of any termination and new nomination to the Combined Authority²¹.

¹⁶ The resignation shall take effect on receipt of the written notice by the Proper Officer of the Non-Constituent Council or the Head of Legal and Governance Services – Paragraph 1 of Schedule 1 of the 2014 Order.

¹⁷ The Non-Constituent Council may terminate the appointment of a Non-Constituent Council Combined Authority Member or Substitute Member at any time.

¹⁸ Any new appointment and termination will take effect at the end of one week from the date on which the notice is given, or any longer period specified in the notice not exceeding one month – paragraph 16 of Schedule 1 of the 2014 Order.

¹⁹ The resignation shall take effect on receipt of the written notice by the LEP Chair or LEP Vice-Chair (Deputy Chair) as the case may be – Paragraph 1 of Schedule 1 of the 2014 Order

²⁰ The LEP may terminate the appointment at any time and nominate a replacement.

²¹ The Combined Authority shall appoint the nominated member, and the new appointment and termination will take effect at the end of one week from the date on which the notice is given, or any longer period specified in the notice not exceeding one month – Schedule 1, paragraph 19 of the 2014 Order.

Voting

3.15 Except as provided in 3.17 below, each Combined Authority Member (or Substitute Member acting in their place) has one vote²².

3.16 The following are non-voting Combined Authority Members:

- the Non-Constituent Council Combined Authority Member, and
- the LEP Member

unless the voting members of the Combined Authority resolve that this provision is not to apply²³.

3.17 No Combined Authority Member has a casting vote²⁴.

3.18 Any question will be decided in accordance with the **voting arrangements** set out in the Combined Authority Procedure Standing Orders – see further Part 4 of the Constitution.

General

3.19 The Head of Legal and Governance Services will report any change to the membership of the Combined Authority to the next meeting of the Combined Authority.

3.20 The proceedings of the Combined Authority shall not be invalidated by any vacancy among the Combined Authority Members or by any defect in the appointment or qualifications of any Member.²⁵

Conduct

3.21 Each Combined Authority Member and Substitute Member must comply with any applicable Code or Protocol set out in Part 5 of the Constitution including the Members' Code of Conduct.

Remuneration

3.22 Subject to 3.24 – 3.26 below, no remuneration is to be payable by the Combined Authority²⁶ to any Combined Authority Member, other than allowances for travel and subsistence paid in accordance with a scheme approved by the Combined Authority²⁷.

²² Paragraph 6 of Schedule 1 of the 2014 Order.

²³ Section 85 of the Local Transport Act 2008, applied by Section 104 of the Local Democracy, Economic Development and Construction Act 2009.

²⁴ Paragraph 3(6) of Schedule 1 of the 2014 Order.

²⁵ Paragraph 3(14) of Schedule 1 of the 2014 Order.

²⁶ The Mayor may provide an allowance to any Deputy Mayor for Policing and Crime – see further Article 5 (Police and Crime).

²⁷ Paragraph 7 of Schedule 1 of the 2014 Order.

- 3.23 The Combined Authority may establish an independent remuneration panel²⁸ who may make recommendations to the Combined Authority regarding the allowances payable to:
- the Mayor, and
 - the Deputy Mayor (provided that the Deputy Mayor is not a leader or elected mayor of a Constituent Council or the Non-Constituent Council, or the LEP Chair).
- 3.24 The Combined Authority may only pay an allowance to the Mayor or the Deputy Mayor if
- the Combined Authority has considered a report published by the independent remuneration panel which contains recommendations for such an allowance, and
 - the allowance paid by the Combined Authority does not exceed the amount specified in any recommendation made by the independent remuneration panel²⁹.
- 3.25 The Combined Authority must consider a report from the independent remuneration panel before approving a scheme under 3.22 above.
- 3.26 The Combined Authority's Members' Allowances Scheme is set out in Part 6 of the Constitution.

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²⁸ in accordance with paragraph 8 of Schedule 1 of the 2014 Order.

²⁹ Paragraph 9 of Schedule 1 of the 2014 Order.