

Part 2 - Articles

Article 4 – The Mayor

Election of the Mayor ¹

- 4.1 The Mayor is elected by the local government electors for the Combined Authority's Area.
- 4.2 The first election of the Mayor took place on 6 May 2021. Subsequent elections of the Mayor will take place:
- in the ordinary day of election in 2024,
 - in every fourth year after that on the same day as the ordinary day of election.
- 4.3 The Mayor's term of office:
- begins with the fourth day after the day of the poll at an election of the Mayor; and
 - ends with the third day after the day of the poll at the next election for the return of the Mayor.

General

- 4.4 The Mayor is the Chair of the Combined Authority.²
- 4.5 The Mayor is a member of the LEP, for which the Combined Authority is the accountable body - see further Article 10 (the LEP).

Deputy Mayor - Appointment and Term of Office³

- 4.6 The Mayor must appoint one of the Combined Authority Members to be the Mayor's deputy (the Deputy Mayor).
- 4.7 The Mayor must notify the Deputy Director Legal, Governance & Compliance of any such appointment in writing⁴. The Deputy Director Legal, Governance & Compliance shall report the appointment to the next meeting of the Combined Authority.

¹ Article 3 of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021.

² This is by virtue of that office - Section 107A of the Local Democracy, Economic Development and Construction Act 2009.

³ Section 107C of the 2009 Act.

⁴ Any appointment shall take effect on receipt by the Deputy Director Legal, Governance & Compliance of a written notice from the Mayor, or such later date as the notice may specify. The Mayor should copy the notice to the person to be appointed as Deputy Mayor.

- 4.8 A person appointed as Deputy Mayor holds the office until the end of the Mayor's term of office, unless:
- the Mayor removes the person from office,
 - the person resigns as Deputy Mayor⁵, or
 - the person ceases to be a Combined Authority Member.
- 4.9 The Mayor may remove a person from the office of Deputy Mayor at any time, subject to 4.11 below.
- 4.10 If a vacancy occurs in the office of Deputy Mayor, the Mayor must appoint another Combined Authority Member to be Deputy Mayor.
- 4.11 The Mayor must give written notice to the Deputy Director Legal, Governance & Compliance of any removal.⁶

Incapacity or Vacancy in the Office of the Mayor

- 4.12 The Deputy Mayor must act in place of the Mayor if for any reason:
- the Mayor is unable to act, or
 - the office of Mayor is vacant.
- 4.13 If for any reason:
- the Mayor is unable to act, or the office of Mayor is vacant, and
 - the Deputy Mayor is unable to act or the office of Deputy Mayor is vacant,

the other Combined Authority Members must act together in place of the Mayor, taking decisions by a simple majority⁷.

Deputy Mayor for Policing and Crime

- 4.14 The Mayor may also appoint a Deputy Mayor for Policing and Crime – see further Article 5 (PCC Functions)⁸.

⁵ The resignation shall take effect on receipt by the Deputy Director Legal, Governance & Compliance of a written notice, or such later date as the notice may specify.

⁶ Any removal shall take effect on receipt by the Deputy Director Legal, Governance & Compliance of a written notice from the Mayor, or such later date as the notice may specify. The notice should specify the date of removal and the new appointment. The Mayor should copy the notice to the Deputy Mayor.

⁷ Section 107C of the 2009 Act; see further Article 5 in relation to PCC Functions.

⁸ The Mayor cannot appoint as the Deputy Mayor for Policing and Crime

- the Deputy Mayor, or
- a person listed in Section 18(6) of the Police Reform and Social Responsibility Act 2011.

Mayoral Functions

4.15 The **Mayoral Functions** of the Combined Authority are functions of the Combined Authority exercisable only by the Mayor.

4.16 Mayoral Functions comprise:

- **Mayoral General Functions**, and
- **PCC Functions** – see further Article 5 (PCC Functions)

See further Part 3 of the Constitution (responsibility for functions).

Mayoral General Functions – Mayor’s Arrangements

4.17 **Mayoral General Functions** of the Combined Authority are exercised by the Mayor acting individually, or in accordance with arrangements made by the Mayor.

4.18 With the exception of any function reserved by law to the Mayor, the Mayor may arrange for any of the following to exercise any Mayoral General Function:

- the Deputy Mayor,
- another Combined Authority Member, or
- an officer of the Combined Authority.

4.19 The Mayor may enter arrangements jointly⁹ with the Combined Authority, the Constituent Councils and other councils¹⁰ for the discharge of the Mayoral General Functions.

4.20 The Mayor is **not** authorised by law¹¹ to delegate a Mayoral General Function to:

- the Deputy Mayor for Policing and Crime, nor
- a committee of the Combined Authority.

4.21 Part 3 of the Constitution sets out the arrangements made by the Mayor in relation to Mayoral General Functions.

4.22 The Mayor may make or amend the Mayor’s arrangements for Mayoral General Functions at any time. The Mayor must notify the Deputy Director Legal, Governance & Compliance of any arrangements or amendment in

⁹ Article 28 of the 2021 Order.

¹⁰ Other councils means the council for a county or district – Article 28(2) of the 2021 Order.

¹¹ The 2021 Order does not provide for this.

writing¹². The Deputy Director Legal, Governance & Compliance shall report any amendment to the next meeting of the Combined Authority.

PCC Functions – Mayor’s Arrangements

- 4.23 Any PCC Function exercisable by the Mayor of the Combined Authority is to be taken as a function of the Combined Authority exercisable
- by the Mayor acting individually, or
 - by a person acting under arrangements with the Mayor.¹³
- 4.24 Article 5 sets out the scope of any arrangements the Mayor may make for a person to exercise PCC Functions. Part 3 of the Constitution sets out the arrangements made by the Mayor in relation to PCC Functions.

Mayoral Decision-Making

- 4.25 The Mayor must comply with the Mayoral Procedure Rules in Part 4 and make decisions in accordance with the principles of decision-making set out in Article 13 (Decision-making).
- 4.26 Combined Authority Members and officers may assist the Mayor in the exercise of specified Mayoral General Functions¹⁴.

Working Groups

- 4.27 The Mayor may appoint a working group to inform the development of strategic and policy matters which relate to any Mayoral General Function. The Mayor cannot delegate authority to any working group to act on behalf of the Mayor nor on behalf of the Combined Authority¹⁵.
- 4.28 The Mayor must provide details of the membership and terms of reference of any working group set up by the Mayor to the Deputy Director Legal, Governance & Compliance.

Conduct

- 4.29 The Mayor must comply with any applicable Code or Protocol set out in Part 5 of the Constitution, including the Members’ Code of Conduct.

¹² Any arrangements or amendment shall take effect on receipt by the Deputy Director Legal, Governance & Compliance Services of the written notice from the Mayor, or such later date as the notice may specify. The notice must set out the arrangements or the extent of any amendment to the arrangements. The Mayor should copy the notice to any person from whom any delegation is to be given or withdrawn.

¹³ made in accordance with provision made under Schedule 5C of the Local Democracy, Economic Development and Construction Act 2009 - see further Article 5 (PCC Functions).

¹⁴ in accordance with Article 27 of the 2021 Order.

¹⁵ and shall have regard to any guidance issued by the Deputy Director Legal, Governance & Compliance about working groups.

Remuneration

- 4.30 Any allowance payable to the Mayor shall not exceed a sum determined by the Independent Remuneration Panel – see further Article 3 (Membership of the Combined Authority). The Mayor’s allowance is set out in the Members’ Allowances Scheme in Part 6 of this Constitution.

Budget and Finance

- 4.31 The Mayor must comply with the Part 4 of this Constitution including Budget and Policy Procedure Rules, Contracts Standing Orders and Financial Regulations; see further also Article 14 (Finance, Contracts and Legal matters).

Mayor’s Political Adviser¹⁶

- 4.32 The Mayor may appoint one person as the Mayor’s Political Adviser.
- 4.33 The Mayor’s Political Adviser shall be an employee of the Combined Authority and be regarded as holding a politically restricted post.¹⁷

Document Version Control	
Municipal Year:	2023-24
Version:	2 - 23/24
Document approved by:	Deputy Director Legal, Governance & Compliance
Date:	31 October 2023
To be of effect from:	31 October 2023

¹⁶ Article 4 of the 2021 Order

¹⁷ For the purposes of Part 1 of the Local Government and Housing Act 1989