
EXPLANATORY NOTE

(This note is not part of the Order)

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (c. 20) makes provision for the establishment of combined authorities for two or more local government areas. That Act was amended by the Cities and Local Government Devolution Act 2016 (c. 1) to provide for elected mayors for combined authorities. This Order makes provision for the conduct of elections for combined authority mayors. The Order is modelled on the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024 as amended).

Article 3 and Schedules 1 and 2 provide for the conduct of a combined authority mayoral election. The Combined Authority Mayoral Elections Rules as contained in Schedule 1 apply when the mayoral election is not combined with any other poll. Each candidate's nomination paper must be subscribed by at least 100 electors (with at least 10 electors from each constituent council), and a deposit of £5000 must be paid. If there are three or more mayoral candidates, the elected mayor will be returned under the supplementary vote system, for which provision is made in paragraph 5 of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009.

Article 3 and Schedule 2 also apply other electoral legislation, with modifications, to facilitate the conduct of combined authority mayoral elections. In particular, section 76 of the Representation of the People Act 1983 is modified so that the maximum amount that a candidate may spend in election expenses is £2,362 multiplied by the total number of constituent councils together with an additional 5.9p for every entry in the register of electors.

Article 4 makes provision for the rules for the conduct of combined authority mayoral elections to be modified when combined with other polls. The rules for conducting such elections are set out in Schedule 3. Article 4 and Schedule 4 also amend the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 and other statutory instruments to enable polls to be taken together.

Articles 5 and 6 provide for the appointment of returning officers for each local authority area that comprises the combined authority and for a combined authority returning officer with overall supervision.

Article 7 provides for combined authority mayoral elections to be questioned using the same procedures (in Part 3 of the Representation of the People Act 1983 (c. 3)) that apply to the questioning of local authority elections and mayoral elections.

Article 8 and Schedule 5 provide for the free delivery of election addresses. Candidates at mayoral elections who wish to have their election addresses included in the election booklet prepared and distributed by the returning officer are required to pay a contribution of such reasonable amount as the returning officer may determine towards the expenses incurred by the returning officer in printing the election booklet.

A full impact assessment has not been produced for this instrument because no, or no significant, impact on the private, voluntary or public sectors is foreseen.