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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**LOCAL GOVERNMENT, ENGLAND  
TRANSPORT, ENGLAND  
EDUCATION, ENGLAND  
POLICE, ENGLAND AND WALES**

The West Yorkshire Combined Authority  
(Election of Mayor and Functions) Order 2021

*Made* - - - - - **\*\*\***

*Coming into force in accordance with article 1*

**THE WEST YORKSHIRE COMBINED AUTHORITY  
(ELECTION OF MAYOR AND FUNCTIONS) ORDER 2021**

PART 1

General

1. Citation, commencement and application
2. Interpretation

PART 2

Election of Mayor

3. Election of Mayor
4. Political adviser

PART 3

Education, skills and training functions

5. Concurrent exercise of local authority functions
6. Transfer of functions from the Secretary of State to the Combined Authority in relation to the Area
7. Functions of the Secretary of State to be exercisable concurrently with the Combined Authority in relation to the Area
8. Conditions on the exercise of functions mentioned in articles 6 and 7

9. Modification of provisions in the Apprenticeships, Skills, Children and Learning Act 2009

#### PART 4

##### Housing, regeneration and planning

10. Conferral of functions corresponding to functions that the HCA has in relation to the Area
11. Acquisition and appropriation of land for planning and public purposes
12. Condition on the exercise of the functions conferred by articles 10 and 11
13. Application of provisions of the 1985 Act, the 1990 Act and the 2008 Act

#### PART 5

##### Mayoral development corporation

14. Mayoral development corporation
15. Application of provisions in the 2011 Act
16. Mayoral development corporation: incidental provisions

#### PART 6

##### Transport

17. Power to pay grant
18. Grants to bus service operators
19. Agreements between authorities and strategic highways companies
20. Traffic regulation
21. Transport functions related to traffic signs and pedestrian crossings
22. Apparatus affected by highway, bridge or transport works
23. Permit schemes
24. Bus lane contraventions

#### PART 7

##### Additional functions

25. Assessment of economic conditions
26. Data sharing

#### PART 8

##### Mayoral functions

27. Functions exercisable only by the Mayor
28. Joint committees

#### PART 9

##### Funding

29. Funding
30. Transitional provision
31. Conferral of Business Rate Supplements functions
32. (1) The functions of the Combined Authority specified in article...
33. Adaptation of BRS in consequence of article 31

## PART 10

### Police and Crime Commissioner functions

34. Police and Crime Commissioner functions
35. Transfer of police and crime commissioner functions
36. Transfer of property, rights and liabilities
37. Secondments
38. Continuity
39. Foreign property etc, perfection of vesting
40. Transfers: supplementary provision
41. Extension of financial year of Police and Crime Commissioner and Chief Constable for West Yorkshire
42. Modifications to the Local Government Act 1972

## PART 11

### Amendment of the 2014 Order

43. Amendment of the 2014 Order
44. For Schedule 1 to the 2014 Order substitute the Schedule...  
Signature

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### SCHEDULE 1 — Modification of provisions of the Apprenticeships, Skills, Children and Learning Act 2009 in their application to the Combined Authority

1. All references to provisions in this Schedule are to provisions...
2. Section 86 has effect as if— (a) in subsection (1),...
3. Section 87 has effect as if for each reference to...
4. Section 88 has effect as if in subsections (1), (2)(b),...
5. Section 90 has effect as if— (a) in subsection (1),...
6. Section 100 has effect as if— (a) in subsection (1),...
7. Section 101 has effect as if for each reference to...
8. Section 103 has effect as if— (a) for the reference...
9. Section 115 has effect as if— (a) for the reference...
10. Section 121 has effect as if— (a) in subsection (1),...

### SCHEDULE 2 —

#### PART 1 — Modification of the application of Chapter 2 of Part 1 of the 2008 Act

1. (1) Chapters 1 and 2 of Part 1 of the...

#### PART 2 — Modification of the application of Schedules 2 to 4 to the 2008 Act

2. (1) Schedules 2 to 4 to the 2008 Act apply...

### SCHEDULE 3 — Modification of the application of Part 8 of the 2011 Act

1. (1) Chapter 2 of Part 8 of the 2011 Act...

### SCHEDULE 4 — Permit schemes: modification of the application of Part 3 of the Traffic Management Act 2004

1. (1) Part 3 of the Traffic Management Act 2004 is...

SCHEDULE 5 — Modifications of police and crime commissioner enactments in their application to the Mayor

PART 1 — Primary legislation

1. Police (Property) Act 1897
2. Trustee Investments Act 1961
3. Pensions (Increase) Act 1971
4. Local Government (Miscellaneous Provisions) Act 1976
5. Local Government, Planning and Land Act 1980
6. Dartford-Thurrock Crossing Act 1988
7. Local Government Finance Act 1988
8. Road Traffic Act 1988
9. Local Government and Housing Act 1989
10. Police Act 1996
11. Police Reform Act 2002
12. Proceeds of Crime Act 2002
13. Local Government Act 2003
14. Railways and Transport Safety Act 2003
15. Local Government and Public Involvement in Health Act 2007
16. Local Democracy, Economic Development and Construction Act 2009
17. Police Reform and Social Responsibility Act 2011
18. In section 5— (a) in subsection (1), for “ordinary election”...
19. In section 7(7)— (a) in the definition of “financial year”,...
20. In section 16— (a) for subsection (1), substitute—
21. In section 18 — (a) for each reference to “deputy...
22. In section 21, after subsection (3) insert—
23. In section 28— (a) omit subsections (1A) and (1B);
24. In section 29— (a) for subsection (1), substitute—
25. In section 30— (a) in subsection (1), for “relevant police...
26. In section 31(3), for paragraphs (b) to (d) substitute—
27. In section 62— (a) for subsection (1), substitute—
28. For section 63(1) and (2), substitute— (1) Subsection (2) applies...
29. For section 64(3) to (4A), substitute— (3) A person is...
30. In section 65— (a) in subsection (1)(e), insert after paragraph...
31. In section 70— (a) for subsection (1), substitute—
32. In Schedule 1— (a) for paragraph 1, substitute— This Schedule applies in relation to the Mayor in the...
33. In Schedule 5— (a) in paragraph 1—
34. In Schedule 6— (a) for paragraph 21, substitute— The Mayor, a member of the Combined Authority appointed by...
35. In Schedule 7— (a) in paragraph 3(1)(a)(ii), for “deputy police...
36. In Schedule 8— (a) for paragraph 4(10), substitute—
37. Local Audit and Accountability Act 2014

PART 2 — Secondary legislation

38. Motor Vehicles (Third Party Risks) Regulations 1972
39. Official Secrets Act 1989 (Prescription) Order 1990
40. Police (Disposal of Sound Equipment) Regulations 1995
41. Police (Property) Regulations 1997
42. Health and Safety (Enforcing Authority) Regulations 1998
43. Motor Vehicles (Driving Licences) Regulations 1999
44. Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999
45. Motor Vehicles (Access to Driver Licensing Records) Regulations 2001

46. Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001
47. Police Regulations 2003
48. Docking of Working Dogs' Tails (England) Regulations 2007
49. REACH Enforcement Regulations 2008
50. Elected Local Policing Bodies (Specified Information) Order 2011
51. Policing Protocol Order 2011
52. Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012
53. Police Appeals Tribunals Rules 2012
54. Police and Crime Commissioner (Disqualification) (Supplementary Provisions) Regulations 2012
55. Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012
56. Local Government Pension Scheme Regulations 2013
57. Local Audit (Auditor Resignation and Removal) Regulations 2014
58. Combined Authorities (Mayors) (Filling of Vacancies) Order 2017
59. Police Appeals Tribunals Rules 2020

SCHEDULE 6 — Exclusion of legislation from application to the Combined Authority Mayor with policing and crime functions

1. Primary legislation
2. The following provisions of the Local Government Act 1972 —...
3. Section 5(3)(baa) of the Rent (Agriculture) Act 1976.
4. Section 14(1)(caa) of the Rent Act 1977.
5. Sections 95, 96A, 97 and 98 of the Local Government,...
6. Sections 33 and 41 of the Local Government (Miscellaneous Provisions)...
7. Sections 13AB(8)(f) and 13B(4)(g) of the Representation of the People...
8. Section 60 of the County Courts Act 1984.
9. Sections 80(1), 157(1), 171(2) and 573(1) of, and paragraph 2(1)...
10. Section 38 of the Landlord and Tenant Act 1985.
11. Section 7 of the Local Government Act 1986.
12. Section 58 of the Landlord and Tenant Act 1987.
13. Paragraph 12(2)(g) of Schedule 1 to the Housing Act 1988...
14. Sections 111, 113, 114 and 114A of the Local Government...
15. Section 39 of the Local Government Finance Act 1992.
16. Section 33 of the Value Added Tax Act 1994.
17. Section 94 of the Police Act 1996.
18. Paragraph 57 of Schedule 1 to the Freedom of Information...
19. Sections 21 and 22 of the Local Government Act 2003....
20. The following provisions of the Fire and Rescue Services Act...
21. The following provisions of the Police Reform and Social Responsibility...
22. Paragraph 19 of Schedule 2 to the Local Audit and...
23. Sections 5(7)(a) and (9)(a) of, and paragraph 92 of Schedule...
24. Secondary legislation
25. The Police and Crime Commissioner Elections (Functions of Returning Officers)...
26. The Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations...
27. The Police and Crime Commissioner Elections Order 2012.
28. The following provisions of Schedule 2 to the Local Government...
29. Article 7 of the Chancellor of the Duchy of Lancaster...
30. The Police and Crime Commissioner Elections Order 2015.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 No. 112

31. The Transfer of Functions (Police and Crime Commissioner Elections) Order...
32. The Police and Crime Commissioner Elections (Designation of Police Area...
33. The Police and Crime Commissioner Elections (Designation of Local Authorities)...
34. The Police and Crime Commissioner Elections (Local Returning Officers' and...
35. The Police and Crime Commissioner Elections (Amendment) Order 2016.
36. The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment)...

SCHEDULE 7 —

Explanatory Note