
STATUTORY INSTRUMENTS

2023 No. 1432

**LOCAL GOVERNMENT, ENGLAND
TRANSPORT, ENGLAND
POLICE, ENGLAND
FIRE AND RESCUE SERVICES, ENGLAND**

The York and North Yorkshire Combined Authority Order 2023

Made - - - - 19th December 2023

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by sections 103(1), 104(1), 105(1) and (3), 105A(1), (2), (3), (4)(b) and (7), 107A, 107D(1), (3)(c)(ii), (4), (5), (7) and (8), 107E(1) to (4), 107F(1), (5) and (6), 114(1) and (3), 115, 116 and 117(1A) and (5) of, and paragraph 3 of Schedule 5B and Schedule 5C to, the Local Democracy, Economic Development and Construction Act 2009(1) (“the 2009 Act”).

The Secretary of State, having had regard to a scheme prepared and published under section 109 of the 2009 Act(2), considers that—

- (a) the making of this Order is likely to improve the exercise of statutory functions in the area to which the Order relates; and
- (b) any consultation required by section 110(2) of the 2009 Act(3) has been carried out.

The Secretary of State is satisfied that the area to which this Order relates meets the conditions set out in section 103(2) and (5) of the 2009 Act.

In making this Order, the Secretary of State has had regard to the need to reflect the identities and interests of local communities and the need to secure effective and convenient local government(4).

-
- (1) 2009 c. 20. Section 104 was amended by sections 8 and 14 of, and Schedule 5 to, the Cities and Local Government Devolution Act 2016 (c. 1) (“the 2016 Act”). Section 105 was amended by sections 6, 9, and 14 of the 2016 Act. Section 105A was inserted by section 7 of the 2016 Act. Sections 107D, 107E and 107F were inserted by section 4 of the 2016 Act. Section 114 was amended by Schedule 5 to the 2016 Act. Section 117 was amended by section 13(2) of the Localism Act 2011 (c. 20) (“the 2011 Act”) and Schedule 5 to the 2016 Act. Schedule 5A was inserted by Schedule 2 to the 2016 Act.
 - (2) Section 109 was amended by sections 6 and 12 of the 2016 Act. Section 62(9) of the Levelling-up and Regeneration Act 2023 (c. 55) (“the 2023 Act”) provides that the amendments made by section 62 of that Act to section 109 do not apply to the preparation and publication of a scheme following a review under section 108 of the 2009 Act that began before section 62 of the 2023 Act came into force.
 - (3) Section 110 was amended by section 14(7) of the 2016 Act. Section 62(10) of the 2023 Act provides that the amendments made by section 62 of that Act to section 110 do not apply to section 110 as it has effect in relation to the making of an order in response to a scheme under section 109 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”).
 - (4) Section 110(4) of the 2009 Act requires the Secretary of State when making an order to establish a combined authority to have regard to the need to reflect the identities and interests of local communities, and to secure effective and convenient local government.

In accordance with sections 104(10), 105(3A), 105B(1) and (2), 107D(9) and 107F(4) of the 2009 Act, the councils for the local government areas of North Yorkshire and the City of York have consented to the making of this Order.

In accordance with section 105B(9) of the 2009 Act the Secretary of State has laid before Parliament a report explaining the effect of this Order and why the Secretary of State considers it appropriate to make this Order.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 117(2) of the 2009 Act.

Accordingly, the Secretary of State makes the following Order—