



Ministry of Housing,  
Communities &  
Local Government

**NORTHERN** HM Government  
**POWERHOUSE**



**DEVOLUTION:  
A MAYOR FOR  
WEST YORKSHIRE.  
WHAT DOES  
IT MEAN?**

**BRADFORD | CALDERDALE | KIRKLEES | LEEDS | WAKEFIELD**

**West  
Yorkshire**  
Combined  
Authority

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April 2021

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# INTRODUCTION

On Thursday 6 May, the residents of Bradford, Calderdale, Kirklees, Leeds, and Wakefield will elect the first ever Mayor for West Yorkshire. The Mayor will represent West Yorkshire across the country and around the world. They will be able to work with leaders of councils and businesses to create jobs, improve skills, build homes and make it easier to travel.

The directly-elected Mayor and the West Yorkshire Combined Authority will be able to:

- **Invest in local economic priorities** through an Investment Fund worth £38m per year over 30 years.
- Access a five-year **Intra-City Transport Settlement** starting in 2022/23 and explore the case for West Yorkshire Mass Transit.
- Help shape **how land should be used** to deliver the area's housing, employment and transport needs, and create new **Mayoral Development Corporations** – subject to the agreement of the West Yorkshire Combined Authority member(s) where the relevant land is located – which will support delivery on strategic sites in West Yorkshire.
- Exercise **compulsory purchase powers**, subject to the agreement of the West Yorkshire Combined Authority member where the relevant land is located.
- Take on new **transport powers**, including bus franchising and a Key Route Network of the most important local roads agreed with constituent authorities.
- Control the **Adult Education Budget** to shape local provision to respond to local needs.
- Exercise **Police and Crime Commissioner** functions from the first Mayoral election in May 2021.

This guide provides more information about the powers and budgets being passed to the West Yorkshire Mayoral Combined Authority and Mayor, and who will be responsible for what. It should be noted that only multi-year funding settlements are detailed in this document, the short-term funding agreed as part of the deal is not. A copy of the Devolution Deal between the West Yorkshire Combined Authority area and the Government – which goes into more detail on the changes that have been agreed to powers, full detail of budgets and ways of working – can be found online [here](#).

The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021, which implements the devolution deal in law, contains certain changes from the deal that was agreed in March 2020. Strategic planning powers and the power to raise a Strategic Infrastructure Tariff on new development have not been devolved, as Government's intent is to reform the planning system. Government commits to devolve these powers (or any equivalent powers established through planning reform) to the West Yorkshire Combined Authority when the position is clearer.

Additionally, the original West Yorkshire devolution deal included an agreement to work towards the transfer of Police and Crime Commissioner functions to the Mayor, with a view to electing the first Mayor with these functions in 2024. The postponement of the 2020 Police and Crime Commissioner elections to 2021 (due to covid-19) has allowed Government to transfer the Police and Crime Commissioner functions for the first election in May 2021.

An explanatory memorandum of the Order can be found online [here](#).

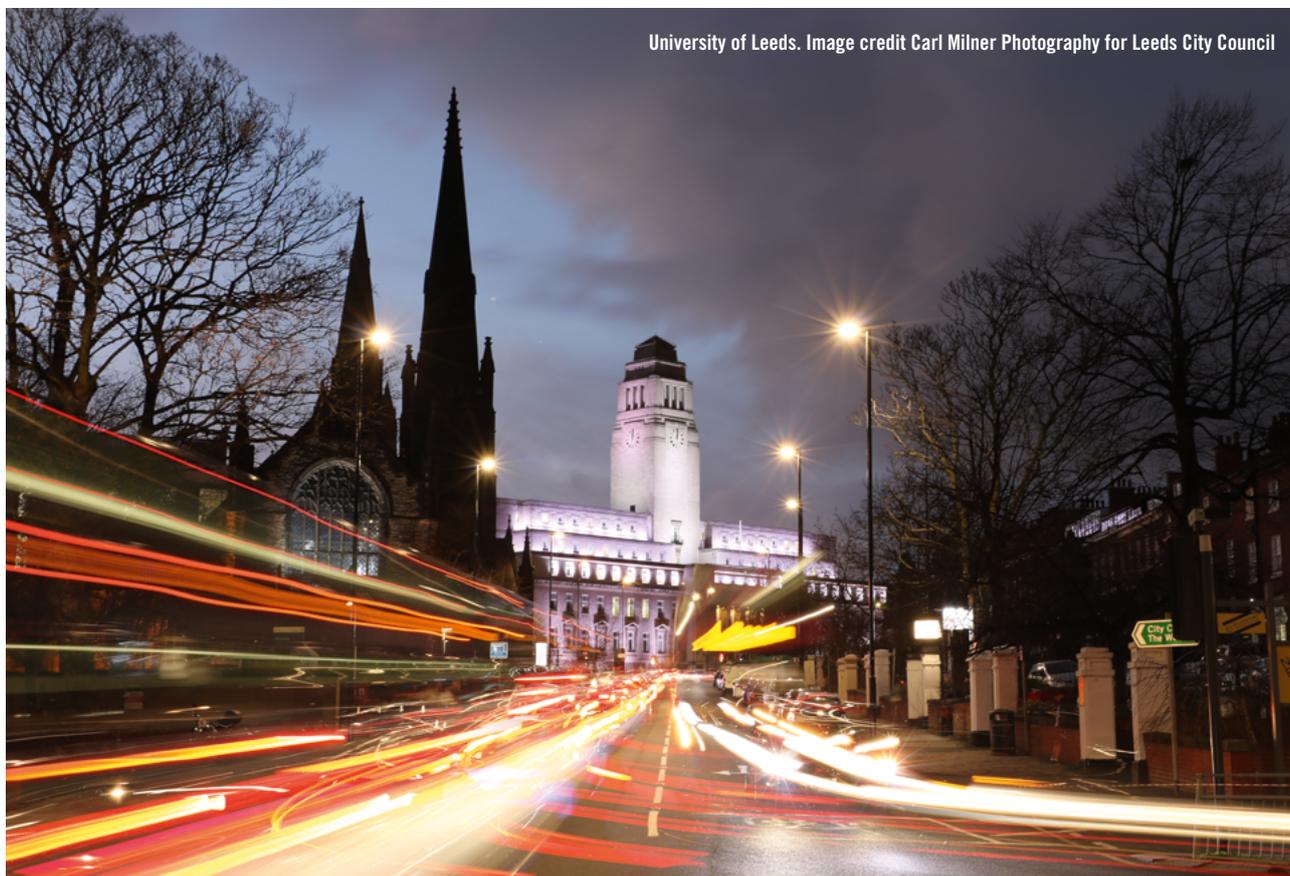


## Statement from the West Yorkshire Combined Authority

The West Yorkshire Combined Authority works in partnership with local councils and businesses. Our aspiration is that everyone in our region benefits from a strong, successful economy and a modern, accessible transport network. Our partnership has grown and strengthened over more than a decade, from the Leeds City Region Leaders Board to the West Yorkshire Combined Authority working with the Leeds City Region Enterprise Partnership.

We are now taking the next step to deepen our partnership through the devolution deal which will unlock significant long-term funding and, critically, give our region greater freedom to decide how best to meet local needs and create new opportunity.

The West Yorkshire devolution deal marks the beginning of a new era for West Yorkshire – the devolution deal will bring at least an additional £1.8 billion of public investment into local control over the next 30 years, and enable the five councils (Bradford, Calderdale, Kirklees, Leeds, Wakefield) and the Mayoral Combined Authority to improve the lives of local people by supporting transport improvements, adult education, skills and jobs, infrastructure, housing and regeneration, and the region’s economic recovery.



University of Leeds. Image credit Carl Milner Photography for Leeds City Council

# HOW WILL THE COMBINED AUTHORITY BE RUN?

The Combined Authority brings the councils in the area together to work on issues that affect everyone in West Yorkshire. It was established without a Mayor in 2014 and many of the arrangements will remain as they were before the introduction of the Mayor. The Mayor will have an initial three-year term. From 2024, Mayoral terms will last four years. The Mayor will be a member of the Combined Authority and will chair its meetings.

The Mayor is required to appoint one of the members of the Combined Authority to the role of Deputy Mayor. The Deputy Mayor will act in place of the Mayor if for any reason the Mayor is unable to act and will chair meetings of the Combined Authority in the Mayor's absence.

The West Yorkshire Combined Authority will have nine voting members. These will be the elected Mayor; five elected members that are appointed from each of the constituent councils (Bradford, Calderdale, Kirklees, Leeds and Wakefield); and a further three elected members agreed by the constituent councils to reflect the balance of political parties across the Combined Authority area. An elected member appointed by the City of York Council and an appointed member of the Leeds City Region Local Enterprise Partnership will also be members of the Combined Authority. These will be non-voting members unless the Combined Authority resolves to give them a vote on any issues.

Proposals for decision by the Combined Authority may be put forward by the Mayor or any Combined Authority Member. The Mayor will have one vote as will other voting members of the Combined Authority. Any questions that are to be decided by the Combined Authority are to be decided by a simple majority of the members present and voting, unless the law states differently. Where the decision relates to a new function which the Combined Authority acquired through the deal, or where required by the Authority's constitution, that majority must include the vote of the Mayor.

The Mayor will be required to consult the Combined Authority on her/his/their strategies. The Combined Authority will be able to amend the Mayor's transport strategy if a majority of members agree to do so.

Combined authorities are covered by the Local Government Transparency Code, which explains how all councils must make information on their decisions available to the public. More information on this is available [here](#). The formal meetings of the Combined Authority must be open to the public, and agendas, discussion papers and minutes must be published online.

The Mayor and the Combined Authority will be scrutinised and held to account by the Combined Authority's Overview and Scrutiny Committee(s). The Overview and Scrutiny arrangements currently established for the Combined Authority will be retained, subject to any amendments required to reflect the introduction of the Mayor and any new statutory provisions.

The Mayor will exercise Police and Crime Commissioner functions in West Yorkshire and will be held to account by the public for their decisions on the local approach to policing and tackling crime at the ballot box. Policing functions are kept separate to wider Combined Authority functions to preserve clear lines of accountability for policing.

For the exercise of Police and Crime Commissioner functions, the Mayor will be authorised to appoint a Deputy Mayor for Policing and Crime. This appointment cannot be to the same individual appointed as Deputy Mayor. The Police and Crime Panel for West Yorkshire will scrutinise the actions and decisions of the Mayor, Deputy Mayor for Policing and Crime and any other person who carries out Police and Crime Commissioner functions.

The activities of the Combined Authority and Mayor detailed in the deal are funded through devolved budgets explained in this document and contributions from the member councils, who agree their contributions through their own budget setting process. The Mayor must set a budget for mayoral functions which can be approved by a simple majority of West Yorkshire Combined Authority members (if at least three members vote in favour), and may set a precept (an additional amount) on council tax to fund these. The other members of the West Yorkshire Combined Authority can propose amendments to the Mayor's draft budget. The Combined Authority can insist amendments are made if at least a five eighths majority of the members agree to do so.

The West Yorkshire Combined Authority, just like its constituent councils, must be run in the way described in the Local Government Accountability System Statement. This is a document that describes how the Accounting Officer for the Ministry of Housing, Communities and Local Government makes sure they are confident that all local authorities – including combined authorities – are managing their finances appropriately. It explains how local authorities must be careful with taxpayers' money and make sure that the law is followed properly at all times.

The Accounting Officer at the Ministry of Housing, Communities and Local Government must make sure that the overall funding system for local authorities (the 'Local Government Finance System') meets the needs of local authorities, and that local authorities are being careful with taxpayers' money and following the law.

The Combined Authority's Chief Finance Officer (Section 73 Officer) must make sure that the Combined Authority manages taxpayers' money properly and secures good value for money. The audit committee arrangements currently established for the Combined Authority will be retained, subject to any amendments required to reflect the introduction of the Mayor and any new statutory provisions.

# WHAT BUDGETS WILL THE MAYOR AND COMBINED AUTHORITY HAVE?

## The Single Investment Fund

The Mayor and the West Yorkshire Combined Authority will be able to:

- **Invest in local economic priorities to drive growth in West Yorkshire through control of a £38m per year Investment Fund** grant, worth £1.14bn over 30 years.
- **Invest in adult education provision** to help local people get the skills they need, with full consideration for statutory entitlements.
- **Manage local transport funding and a network of the most important local roads** to help people travel more easily.

As part of its devolution deal, the West Yorkshire Combined Authority will have control of a 'single pot' of funding from Government to invest in local economic priorities. This will be made up of a number of different budgets. The West Yorkshire Combined Authority will have flexibility to move funding between different types of projects and between financial years, to support the local economy.

At a minimum, the different budgets from Government which are included in West Yorkshire's Single Pot are as follows:

THE SINGLE POT		
Investment Fund Grant	Adult Education Budget	Transport Grant

The local area must produce an Assurance Framework which meets the requirements set out in national guidance published by the Government. This framework explains how the Combined Authority will make decisions on spending the Single Pot funds. The Accounting Officer for the Ministry of Housing, Communities and Local Government must agree the Local Assurance Framework prior to funding being released. The West Yorkshire Assurance Framework is available online:

<https://westyorkshire.moderngov.co.uk/documents/s18893/AssuranceFramework.pdf>

## THE SINGLE INVESTMENT FUND – GRANT

### WHAT WILL THE MAYOR AND COMBINED AUTHORITY BE ABLE TO DO?

The Mayor and Combined Authority will take control of a long-term fund of £38 million per year, over 30 years, to invest in projects that drive economic growth.

They will be able to use this funding to bring in further investment from elsewhere. The funding is subject to five yearly ‘Gateway Reviews’ to review the economic impact of the Investment Fund spends.

### WHAT IS THE LOCAL AREA ACCOUNTABLE FOR, AND HOW ARE DECISIONS MADE?

#### **What is the local area accountable for?**

The Combined Authority, chaired by the Mayor, is accountable for allocating the Investment Fund. They should consider advice from business leaders (via the Local Enterprise Partnership) and from local officers. They should follow a clear and open process for choosing what projects they will deliver.

Before receiving this funding, the local area must agree an Assurance Framework with Government.

The Combined Authority’s Chief Finance Officer (Section 73 Officer) must make sure that the Combined Authority is careful with taxpayers’ money and follows the law.

#### **How are decisions made?**

The Combined Authority will aim to reach decisions by consensus. The Combined Authority is responsible for administration of the Investment Fund.

### WHAT IS CENTRAL GOVERNMENT ACCOUNTABLE FOR, AND HOW?

The Accounting Officer at the Ministry of Housing, Communities and Local Government is responsible for making sure that the overall funding system for councils (the ‘Local Government Finance System’) meets the needs of councils, and that councils are being careful with taxpayers’ money and following the law.

The Accounting Officer for the Ministry of Housing, Communities and Local Government makes sure they are confident that this is done properly through the process set out in the Accountability System Statement for Local Government. If a council is not following the law or spending money properly, the Secretary of State for Housing, Communities and Local Government can step in, as a last resort, and take more control of how the council is run until the problems are resolved.

The Accounting Officer for the Ministry of Housing, Communities and Local Government must also agree the Local Assurance Framework (see above).

An independent panel will report to the Government every five years on how investments have made a difference to the local economy. Government Ministers will then decide whether or not the funding should continue for the next five years.

**HOW MUCH MONEY IS INVOLVED?**

An annual payment of £38 million from the Ministry of Housing, Communities and Local Government to the West Yorkshire Combined Authority. The maximum value of Government funding will be £1.14bn, over the maximum 30-year lifetime.

**WHEN DOES THIS START AND END?**

The first annual payment will be made in the financial year 2020/21, with the final payment being made in the financial year 2049/50.

**ADULT EDUCATION BUDGET AND POWERS**

**WHAT WILL THE MAYOR AND COMBINED AUTHORITY BE ABLE TO DO?**

The Combined Authority will take responsibility for the Adult Education Budget in the Combined Authority area. The Adult Education Budget provides funding to engage adults and provide the skills and learning they need to equip them for work, an apprenticeship or further learning. By law, it must pay for adults 19+ without the equivalent of a pass in GCSE English or Maths, and those aged 19-23 without the equivalent of 5 GCSE passes or 2 A-level passes, to study for those qualifications.

The Adult Education Budget also pays for other training for adults up to and including Level 3 (A Level equivalent). This includes training for unemployed people, who may be referred to training by the national welfare system, and community-based learning for disadvantaged people.

**WHAT WILL THE LOCAL AREA BE ACCOUNTABLE FOR?**

The West Yorkshire Combined Authority will be accountable for the decisions it takes on funding adult education and the outcomes achieved as a result. It will have statutory duties to ensure appropriate further education for people aged 19+, funded through the Adult Education Budget.

The Combined Authority will work closely with Constituent Councils who will continue to have a key leadership role in Education and Training, and have a unique insight into local need, funding usage and the impact of the Adult Education Budget in their area.

Responsibility for traineeships, apprenticeships and higher-level further education, supported by Advanced Learner Loans, remains at the national level.

The local area must agree an Assurance Framework with Government (see above), this will need to cover adult education.

**WHAT WILL CENTRAL GOVERNMENT BE ACCOUNTABLE FOR, AND HOW?**

The Accounting Officer for the Ministry of Housing Communities and Local Government must agree the Local Assurance Framework (see above).

The Department for Education will need to agree with the Combined Authority the governance arrangements covering the operation of devolved adult education within the wider education and skills system.

The Department for Education must report to Parliament on how the central Adult Education Budget has been spent. Mayoral Combined Authorities will be accountable for spend and reporting in their area. The Department for Education and Mayoral Combined Authorities will collect data in their areas of responsibility in order to do so.

The Government will still be able to step in if the Adult Education Budget is not being effectively managed or delivered by the Mayoral Combined Authority.

**HOW MUCH MONEY WILL BE INVOLVED?**

The Department for Education will annually calculate the appropriate portion of England's Adult Education Budget for local areas.

**WHEN DOES THIS START?**

This will start in the academic year 2021/22.

## TRANSPORT GRANT

**WHAT WILL THE MAYOR AND COMBINED AUTHORITY BE ABLE TO DO?**

The Mayor will be responsible for a devolved and consolidated local transport budget for the area of the West Yorkshire Combined Authority, including all relevant devolved highways funding.

In total, the West Yorkshire Combined Authority has already been allocated £317m from the Transforming Cities Fund to progress public and sustainable transport schemes.

The Mayor will be responsible for the Local Transport Plan for West Yorkshire. The plan will outline how changes to transport will support the aspirations of the region and tackle existing problems. Members of the Combined Authority will be able to amend the plans if a majority agree to do so.

<p><b>WHAT WILL THE LOCAL AREA BE ACCOUNTABLE FOR AND HOW WILL DECISIONS BE MADE?</b></p>	<p><b>What will the local area be accountable for?</b></p> <p>The Mayor will be responsible for the Local Transport Plan for West Yorkshire.</p> <p>Constituent Councils will continue their role as highways authorities for their district area, making sure that local roads are in a good state of repair, and uphold all duties required by law. They will work with the Combined Authority and the Mayor on the Local Transport Plan and set up and coordinate a Key Route Network (KRN). Constituent Councils will continue to provide funding for the Combined Authority for Transport via the transport levy.</p> <p><b>How will decisions be made?</b></p> <p>A majority of members of the Combined Authority must agree to the Mayor’s Local Transport Plan. Specific functions relating to the KRN will be exercised with unanimous approval of the five Constituent Council members of the Combined Authority (but does not require approval of the three additional members appointed for political balance).</p>
<p><b>WHAT WILL CENTRAL GOVERNMENT BE ACCOUNTABLE FOR, AND HOW?</b></p>	<p>Highways England look after the strategic roads in the country, which includes motorways and key A roads.</p>
<p><b>HOW MUCH MONEY WILL BE INVOLVED?</b></p>	<p>In addition to funding secured through the Transforming Cities Fund and the Transport Levy, the Combined Authority and the Mayor will control its transport budget. The budget for transport will cover a range of local transport needs and will be a part of the Single Investment Fund.</p>
<p><b>WHEN DOES THIS START?</b></p>	<p>West Yorkshire Combined Authority have received Transforming Cities Fund funding since 2018/19 and will continue to receive this and their Transport Grant funding in 2021/22. Government will set out further information on arrangements for Intra-City Transport Settlements in due course.</p>

**Intra-City Transport Settlement**

The Government is committing to a five-year Intra-City Transport Settlement with West Yorkshire Combined Authority starting in 2022/23 from an England-wide £4.2bn envelope. As part of the process of agreeing this settlement, the Government commits to working with the West Yorkshire Combined Authority to explore the case for a modern, low carbon West Yorkshire Mass Transit System. It is separate from the existing 20-year transport funding already agreed with Government (that is the West Yorkshire-plus Transport Fund).

# WHAT POWERS WILL THE MAYOR AND COMBINED AUTHORITY HAVE?

## **Functional power of competence**

The Mayor and West Yorkshire Combined Authority have a ‘functional power of competence’. This means that the Mayor and Combined Authority can legally do anything that individuals generally can do if they consider this necessary to exercise their functions, unless the law specifically prohibits it.

## **Raising a precept**

The Mayor of the West Yorkshire Combined Authority will have the power to add a charge, or precept, onto council tax bills to help pay for the Mayor’s work.

When the Mayor proposes a precept as part of their draft budget, the other Combined Authority Members can propose amendments, including on the amount of precept. They can also insist that an amendment is applied if at least five eighths of the other members support a change.

The mayoral precept is separate to the Police and Crime Commissioner precept.

## **Borrowing Powers**

The West Yorkshire Combined Authority will be given powers to borrow for its new functions, which will allow it to invest in economically productive non-transport infrastructure, subject to an agreed cap with HM Treasury. The West Yorkshire Combined Authority will agree overall debt limits with HM Treasury, and provide updates about any deviation from its underlying borrowing plans.

## **Business Rate Supplement**

The Mayor and the West Yorkshire Combined Authority will have the power to introduce and raise a supplement on business rates for expenditure on a project or projects that will promote economic development in the area, subject to a ballot of affected businesses.

## **Land and Development**

The directly-elected Mayor and the West Yorkshire Combined Authority will be able to help shape how land is used to meet the area’s housing needs.

# LAND AND DEVELOPMENT POWERS

## WHAT WILL THE MAYOR AND COMBINED AUTHORITY BE ABLE TO DO?

### **Housing, regeneration and development**

The West Yorkshire Combined Authority will have broad powers to acquire and dispose of land to build homes, commercial space and infrastructure, for growth and regeneration.

They will be able to invest to deliver housing for the area.

### **Compulsory Purchase**

The Mayor will have compulsory purchase powers, subject to the agreement of the West Yorkshire Combined Authority member where the relevant land is located (but not the members appointed for political balance).

### **Mayoral Development Corporations**

The Mayor will be able to propose that particular areas should be included in 'Mayoral Development Corporations'.

A Mayoral Development Corporation is an organisation which has powers to acquire and develop land to deliver regeneration and economic development.

Within the area covered by a Mayoral Development Corporation, the Corporation may take on the task of making local plans for the area or deciding on planning applications.

## WHAT IS THE LOCAL AREA ACCOUNTABLE FOR?

### **Housing, regeneration and development**

The Combined Authority, and each of the local councils in the West Yorkshire Combined Authority area, must make sure that the homes the area needs are built, meeting targets set in local plans.

### **Mayoral Development Corporations**

The Mayor must make sure that any Mayoral Development Corporations that are set up are funded and run effectively, and that they are careful with taxpayers' money and follow the law.

Increases in the value of the land as a result of the work of the Development Corporation will be reinvested in the Corporation to deliver new schemes.

**HOW ARE  
DECISIONS MADE?**

**In General**

Decisions on combined authority business are taken by the West Yorkshire Combined Authority. The Combined Authority is comprised of nine voting members. These will be the elected Mayor; five elected members that are appointed from each of the constituent councils (Bradford, Calderdale, Kirklees, Leeds and Wakefield); and a further three elected members agreed by the constituent councils to reflect the balance of political parties across the Combined Authority area.

**Mayoral Development Corporations**

This power may be exercised only with the consent of the Combined Authority member(s) who represent the area(s) in which the Development Corporation is to be established. Consent is not required from the Combined Authority members appointed for political balance.

**WHAT IS CENTRAL  
GOVERNMENT  
ACCOUNTABLE FOR,  
AND HOW?**

**Mayoral Development Corporations**

To establish a Mayoral Development Corporation the Secretary of State for Housing, Communities and Local Government must lay before Parliament an Order which will automatically become law unless there is an objection from either House of Parliament.

**HOW MUCH MONEY  
IS INVOLVED?**

Spending on these functions will be a decision for the Mayor and Combined Authority as part of its budget setting process.

# TRANSPORT

The Mayor and the West Yorkshire Combined Authority will be able to manage local transport to help people get around more easily.

## TRANSPORT POWERS

### WHAT WILL THE MAYOR AND THE COMBINED AUTHORITY BE ABLE TO DO?

#### **Local Transport Plan**

The Mayor will be responsible for the Local Transport Plan for the area. This plan can include details of how transport will support local housing and jobs, and how the Mayor and combined authority will tackle problems like traffic jams and air pollution. The Mayor can agree to work with the individual councils in the West Yorkshire Combined Authority area, and with central government (through the national government agency, Highways England), on building, improving and maintaining roads.

#### **Key Route Network (KRN)**

The Mayor and Combined Authority will be able to set up a 'Key Route Network' of the most important local roads and help decide how these roads are managed.

The Combined Authority will have powers to operate a permit scheme to control works and collect contributions from utility companies for diversionary works needed as a result of highways works.

Key Route Network and permit scheme powers require the unanimous agreement of all constituent councils.

#### **Electric Vehicle Charging Points**

Through the Automated and Electric Vehicles Act, the Mayor will have the power to request from the Secretary of State for Transport local regulations requiring large fuel retailers to provide Electric Vehicle charging points within the Combined Authority area.

**WHAT MUST THE LOCAL AREA DO, AND HOW ARE DECISIONS MADE?**

**What must the local area do?**

The Mayor of the West Yorkshire Combined Authority will be responsible for producing a Local Transport Plan. Local voters can hold the Mayor to account for the quality of the roads that are part of the Key Route Network. The individual councils that are members of the West Yorkshire Combined Authority must continue to make sure that local roads are in a good state of repair, as required by law.

**How are decisions made?**

A majority of members of the Combined Authority must agree to the Mayor's Local Transport Plan. Specific functions relating to the Key Route Network will be exercised with unanimous approval of the five Constituent Council members of the Combined Authority (but not the members appointed for political balance).

**WHAT WILL THE GOVERNMENT DO?**

Highways England look after the strategic roads in the country, which includes motorways and key A roads.

**HOW MUCH MONEY IS INVOLVED?**

The Combined Authority and Mayor will control a transport budget, covering a range of local transport needs, as part of the Single Pot.

**WHEN DOES THIS START?**

This can start as soon as the Mayor has been elected.

# BUS FRANCHISING POWERS

The Mayor and West Yorkshire Combined Authority will be able to set the rules for local bus services, including the routes, timetables and fares.

## BUS FRANCHISING POWERS

### WHAT WILL THE MAYOR AND THE COMBINED AUTHORITY BE ABLE TO DO?

The Mayor will be able to decide which bus services should run in the West Yorkshire Combined Authority area. This includes deciding on routes, timetables and fares.

These powers are known as 'bus franchising powers' and will be similar to the Mayor of London's powers to make decisions about bus services in the capital.

The Mayor can make grants to bus service operators.

### WHAT MUST THE LOCAL AREA DO?

If the Mayor decides to use these powers, local voters will be able to hold the Mayor to account for the quality of local bus services.

A decision on franchising will be subject to an assessment through a business case.

### WHAT WILL THE GOVERNMENT DO?

Central government provides some funding for bus services, but does not decide which bus services should run.

### HOW MUCH MONEY IS INVOLVED?

The Government provides some funding towards bus services through the Bus Services Operator Grant and concessionary fares payments made as part of the Local Government Finance Settlement. If the Mayor decides to take responsibility for bus services, the Bus Services Operator Grant that is currently paid to bus operators will instead be paid to the Combined Authority. The Combined Authority would then need to pay for the running costs of any franchised bus services.

### WHEN DOES THIS START?

This can start as soon as the Mayor has been elected. The Mayor of West Yorkshire Combined Authority will be able to decide whether they would like to take responsibility for bus services in the area.

# POLICING AND CRIME RESPONSIBILITIES

The Mayor will exercise the Police and Crime Commissioner functions for West Yorkshire.

## POLICING AND CRIME POWERS

### WHAT WILL THE MAYOR AND THE COMBINED AUTHORITY BE ABLE TO DO?

The West Yorkshire Mayor will exercise Police and Crime Commissioner functions for the local area, as the elected individual responsible for holding the police to account on behalf of the public and ensuring that the force is efficient and effective.

The core Police and Crime Commissioner functions that the Mayor will exercise include setting the police and crime objectives through an annual police and crime plan; setting the force budget and determining the council tax precept; bringing together community safety and criminal justice partners to promote collaboration and; appointing the Chief Constable, holding them to account for running the force and, if necessary, dismissing them.

### HOW ARE DECISIONS MADE AND SCRUTINISED?

#### How are decisions made?

The Mayor is ultimately accountable to the electorate for all decisions in relation to their Police and Crime Commissioner functions. The Mayor may appoint a Deputy Mayor for Policing and Crime to whom they can delegate certain Police and Crime Commissioner functions. The Mayor can also delegate certain Police and Crime Commissioner functions to other persons, including staff of the Combined Authority.

This does not extend to key strategic functions (e.g. issuing a police and crime plan, appointing and suspending a Chief Constable and calculating a budget requirement), which only the Mayor can direct.

#### How are decisions scrutinised?

The public holds the Mayor to account for their decisions on the local approach to policing and tackling crime at the ballot box.

The Police and Crime Panel currently established for West Yorkshire will be retained, with powers to effectively scrutinise the actions and decisions of the Mayor, Deputy Mayor for Policing and Crime and any other person who carries out Police and Crime Commissioner functions, enabling the public to hold them to account. This includes specific powers of veto as well as oversight of key documents, decisions and reports.

Police and Crime Panels are required to meet the 'balanced appointment objective', ensuring that their members, when taken together, have the relevant skills, knowledge and experience to be able to carry out their functions. They must also be geographically and politically representative of the police force area.

**WHAT WILL THE GOVERNMENT DO?**

The Home Secretary remains accountable to Parliament for policing in England.

The Accounting Officer of the Home Office is accountable to Parliament for the money which is provided to Police and Crime Commissioners, and to the West Yorkshire Mayor, by central government (the police grant) and must report to Parliament regularly on this.

The Home Secretary makes grants to local policing bodies in England and Wales each year in order to fund policing, and must report on this each year to Parliament.

**HOW IS POLICING FUNDED IN WEST YORKSHIRE?**

Police and crime funding for West Yorkshire Police will continue to come from central government grants and a council tax precept. This precept is separate to the mayoral precept.

In the mayoral model, policing functions are kept separate to wider combined authority functions to preserve clear lines of accountability for policing. The Mayor is therefore required to keep a separate fund for policing.

**WHEN DOES THIS START?**

The Mayor will exercise the functions from 10 May 2021, following the first Mayoral election.

# ANNEX A: COMBINED AUTHORITIES: ORIGINS, POWERS AND RESPONSIBILITIES

## **Origins – Local Democracy, Economic Development and Construction Act 2009**

The power to create a Combined Authority is contained in the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This gave the Government the power to establish combined authorities, which, as originally provided for, would only have powers to deliver transport functions and local authority functions relating to economic development and regeneration.

## **Changes in 2016**

The Cities and Local Government Devolution Act 2016 (the 2016 Act) became law on 28 January 2016. This amended the 2009 Act to allow combined authorities to receive a wider range of powers and functions and to have directly-elected mayors. By making secondary legislation, called an Order, the Government may:

- give any local authority power to a Combined Authority;
- give any public authority power (except for the power to make laws or to regulate the use of any powers that the Combined Authority itself uses) to a Combined Authority;
- create an elected Mayor for a Combined Authority's area, to take on particular responsibilities directly, and to work with and chair the Combined Authority.

## **Secondary legislation**

The legislation establishing the office of Mayor for the West Yorkshire Combined Authority and transferring powers be found online:

<https://www.legislation.gov.uk/uksi/2021/112/contents/made>

# ANNEX B:

## USEFUL WORDS AND PHRASES

<b>ACCOUNTABLE / ACCOUNTABILITY FOR PUBLIC MONEY</b>	<p>Accountability, or being accountable, for public money means that a person or organisation is responsible for using public money in an appropriate way and within the law.</p> <p>Local councillors, government Ministers and other holders of public offices must answer for their decisions and how they spend public money.</p>
<b>ACCOUNTABILITY SYSTEM STATEMENT (FOR LOCAL GOVERNMENT)</b>	<p>A document written by a government department which sets out how their Accounting Officer ensures that funding is allocated and spent legally and in a way that represents good value for public money.</p>
<b>ACCOUNTABLE BODY</b>	<p>An organisation with the responsibility for holding and spending public money legally and in a way that presents good value for money for taxpayers.</p>
<b>ACCOUNTING OFFICER</b>	<p>The most senior civil servant within a central government department who is personally responsible for assuring Parliament and the public that funding is being spent legally and in a way that represents good value for public money.</p>
<b>AUDIT</b>	<p>An independent examination leading to an opinion on the financial accounts of an organisation. For local public bodies, an audit also leads to a conclusion on the organisation's arrangements to secure value for money in the use of its resources.</p>
<b>BEST VALUE DUTY</b>	<p>This is the legal duty for various types of organisation, including councils, to aim to make continuous improvement when making decisions, delivering services and spending money; and to take into account economy, efficiency and effectiveness. The duty is set out at Section 3 of the Local Government Act 1999.</p>
<b>BUSINESS CASE</b>	<p>A document that sets out the case for spending money on a particular project.</p>
<b>CALL-IN</b>	<p>To review a decision.</p>

<b>CENTRAL GOVERNMENT</b>	Government Departments and their Arms Length Bodies: Executive Agencies, Non-Departmental Public Bodies, non-Ministerial Departments, and any other non-market bodies controlled and mainly financed by them.
<b>COMBINED AUTHORITY</b>	A corporate body formed of two or more local government areas (county councils or district councils in England) which may be given powers to exercise specified functions of both local authorities and public authorities.
<b>CONSTITUENT COUNCIL / CONSTITUENT MEMBER</b>	A constituent council, or a constituent member of a particular combined authority, is a local authority whose area is within the area of that combined authority. A combined authority's area is defined by its constituent council members. It is possible for only some of the district councils within a county council area to be constituent members of a particular combined authority.
<b>CONSTITUTION</b>	A set of principles and rules by which an organisation, such as a combined authority, is governed.
<b>COUNCIL (LOCAL AUTHORITY)</b>	A democratically elected organisation that is responsible for delivering various local public services.  They receive funding for these services directly from Government and by raising money themselves locally (such as through council tax).
<b>(MAYORAL) DEVELOPMENT CORPORATION</b>	Organisations set up to improve a defined area using a range of powers, including planning powers and the powers to acquire land.
<b>DEVOLUTION</b>	When local areas take on new powers, budgets and responsibilities from Government.
<b>DEVOLUTION DEAL</b>	An agreement between Government and local areas in England to devolve new powers, budgets and responsibilities.
<b>GRANT FUNDING</b>	Grants are payments made from one organisation to another which do not need to be repaid. Government is providing a range of grants to combined authorities as part of devolution deals. Depending on the terms of the grant, funds can be clawed back by Government.
<b>LOCAL ASSURANCE FRAMEWORK</b>	A document written by the Combined Authority which explains how decisions will be taken to invest in and monitor the progress of projects, to make sure that any such investments present good value for money for taxpayers.

<b>LOCAL ENTERPRISE PARTNERSHIPS</b>	Local Enterprise Partnerships bring together business and civic leaders across a functional economic area to shape local decisions and prioritise investment in order to drive local growth.
<b>LOCAL GOVERNMENT FINANCE SYSTEM</b>	The way in which local government funding works, including the requirements which local authorities must follow to make sure that funding is being spent legally and in a way that represents good value for money for taxpayers.
<b>ORDER</b>	A type of 'Secondary Legislation'. Also referred to as a 'Statutory Instrument'.
<b>OVERVIEW AND SCRUTINY COMMITTEE(S)</b>	An independent, politically balanced group of elected councillors that led on all scrutiny work. This acts as a 'check and balance' to decision makers at the West Yorkshire Combined Authority, Leeds City Region Local Enterprise Partnership and their partners. It holds them to account for the policies they adopt, the money they spend and the services they provide.
<b>PRECEPT</b>	An additional amount on an existing tax, such as council tax.
<b>PRIMARY LEGISLATION</b>	A law passed by Parliament.
<b>PUBLIC AUTHORITY</b>	Generally, organisations including Government, local authorities, combined authorities, etc.
<b>PUBLIC AUTHORITY FUNCTIONS</b>	Any public authority function can be transferred to a Combined Authority. These functions can include Government powers, but do not include local authority (council) functions.
<b>SCRUTINY / SCRUTINISE</b>	Scrutiny is the process of taking a close look at the decisions of an organisation (such as a local authority). All combined authorities must establish at least one overview and scrutiny committee and an audit committee to scrutinise the decisions of the Mayor and Combined Authority, to help make sure that the decisions being made are well thought-through and legal.
<b>SECONDARY LEGISLATION / STATUTORY INSTRUMENT</b>	Additional legislation passed by Parliament which often puts primary legislation into action. For example, an Order is a type of secondary legislation which is needed to set up combined authorities and devolve powers to an area.

**SECTION 151  
OFFICER / SECTION  
73 OFFICER**

The finance director of a council, named after Section 151 of the Local Government Act 1972. Section 151 of this Act set out in law that the finance director must make sure that funding is being spent legally and in a way that presents good value for money for taxpayers.

The Section 73 officer, named after Section 73 of the Local Government Act 1985, does the same thing, but for a Combined Authority.

**SINGLE POT**

An agreement in a devolution deal which brings together different sources of funding into one consolidated fund held by the Combined Authority.