

## **Appendix 4 – Detail of the Order**

- 1.1 The Secretary of State has now formally decided that the statutory tests have been met and that the implementation of the devolution deal should proceed. The Mayoral Order has therefore been drafted.
- 1.2 The draft Order, which is appendix 2 to the main report, has been reviewed to ensure it reflects the 'minded to' devolution deal and Scheme and includes the expected functions and supporting legislation. Upon review there are two areas of deviation from the 'minded to' devolution deal or the Scheme namely, Spatial Planning and Highways powers.
- 1.3 Functions relating to the Spatial Development Strategy (SDS) and Strategic Infrastructure Tariff (SIT) were a part of the 'minded to' devolution deal and the Scheme. Due to the ongoing national planning reforms that are underway, through the Planning White Paper, Government have decided to remove the SDS and SIT from the draft Order at this time. A letter from the Minister for Regional Growth and Local Government, explaining these changes is included at appendix 3 to the main paper.
- 1.4 Government officials have indicated that once the outcome of the planning reform is complete, the relevant equivalent functions will be conferred to West Yorkshire. It is currently unknown what this will look like, or the timescales associated, further correspondence is expected from Government.
- 1.5 Officers will develop proposals, in line with the Scheme, regarding how local collaboration on spatial planning will continue in the interim, particularly with regards to mass transit and the climate emergency, which were planned to be at the heart of any Spatial Development Strategy.
- 1.6 The operational highways functions within the Order are consistent with the 'minded to' devolution deal and Scheme. The highways functions conferred will cover the Combined Authority area of West Yorkshire. The functions can however only be exercised with the unanimous approval of the five Combined Authority members appointed by Constituent Councils.
- 1.7 The KRN and the roads which constitute it, in respect of which the concurrent powers of the Combined Authority will apply, will be defined locally at a subsequent time and agreed with the consent of the Constituent Councils. This model offers flexibility to define and change the KRN locally and over time by agreement.