



Officer Decision/Mayoral Decision No.:	ODN192-2020
DECISION TITLE: Amendment to the constitution	
NAME OF OFFICER/MAYOR EXERCISING DELEGATED POWERS: Robert Parkin Monitoring Officer	
DATE OF OFFICER/MAYORAL DECISION: 28/5/20	

Responsible Director/Mayor:	Robert Parkin
Report Author and contact details:	Rochelle White, Deputy Monitoring Officer
Is it a key decision?	No
All reports will be published on the CA website. Does your report include exempt or confidential information?	No
KEY DECISIONS ONLY	
Insert forward plan ref number	
Date when Mayor intend to make decision.	
Date report published on the website	
Implementation Date	
Does the report have any annex that contains exempt information?	

Decision taken	<p><i>Please provide the exact details of the decision taken.</i></p> <p>Amendment to the constitution, deleting the following words from page 176, 'Neither the Mayor nor the Combined Authority have any express power to appoint staff and' which appear in the second paragraph under the title 'The Legal Basis of Mayoral Appointments'</p>
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<p>Authorisation (<i>delete as appropriate</i>)</p>	<p>General authorisation (<i>those decisions delegated to officers as per the Constitution</i>):</p> <p>Delegation to the Monitoring Officer, Chapter 17, section 6</p> <p>6.4 To monitor and review the operation of the Constitution on an annual basis, and to make changes to the Constitution in the circumstances set out below:</p> <p>(a) a legislative requirement;</p> <p>(b) a minor variation which is of a non-substantive nature to enable them to be kept up to date and in order;</p> <p>(c) required to be made to remove any inconsistency or ambiguity; or</p> <p>(d) required to be made so as to put into effect any decision of the Combined Authority or its committees or any organisational changes.</p>	
<p>Background Information</p>	<p>The constitution currently states that <i>'Neither the Mayor nor the Combined Authority have any express power to appoint staff'</i></p> <p>This is inaccurate as the power to appoint staff is provided to the Combined Authority through the operation of s146A LGA 1972, extending the power to appoint staff in s112 LGA 1972 applicable to Local Authorities, to Combined Authorities.</p>	
<p>Alternative options considered.</p>	<p><i>List alternative options considered and rejected and the reasons for rejection. Do not leave this section blank or put 'None'. There is always an alternative even if it is to do nothing.</i></p> <p>There is no alternative, the constitution must accurately reflect the law.</p>	
<p>Financial Implications</p>	<p><i>Please include the total costs and how the project will be funded. Please include budget codes for your directorate</i></p> <p>None</p>	
<p>Consultation</p>	<p><i>List any relevant consultation undertaken in relation to the decision. For example portfolio holders, other Chief Officers.</i></p>	<p><i>Name and Date approved (or indicate if not applicable) –</i></p>
	<p><i>Chief Executive</i></p>	
	<p><i>Responsible Director/Chief Officer</i></p>	



	<i>Monitoring Officer</i>	
	<i>S73</i>	
	<i>Portfolio Holder</i>	
	<i>Other</i>	
Declarations / Conflicts of Interests (only if the decision falls under the 'Express Authorisation' category)	<i>List the names of any member who has been consulted on and declared an interest in relation to the decision.</i> None	
Supporting documentation	<i>List any supporting documentation available in relation to this decision (all of this information must be retained for public inspection for a period of at least 4 years – there is no provision for the release of exempt/confidential information).</i> Revised version of the constitution	

Officer/Mayor signature	Robert Parkin	Date 28.05.20
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