

Mayoral Combined Authority Board

Tuesday, 04 June 2024

Amended MCA Constitution

Is the paper exempt from the press and public? No

Reason why exempt: Not applicable

Purpose of this report: Governance

Is this a Key Decision? No

Has it been included on the Forward Plan of Key Decisions? No

Author, and Director Approving Submission of the Report:

Steve Davenport, Director of Legal and Governance

Executive Summary

This report seeks endorsement to the amendments to the MCA's Constitution that were made with effect from the 7th May 2024 as a consequence of the transfer of the Police and Crime Commissioner functions to the Mayor.

What does this mean for businesses, people and places in South Yorkshire?

The amendments accurately reflect the role and functions of the Mayor and MCA and assist in ensuring that the MCA has robust and transparent governance and decision-making processes.

Recommendations

That the Board endorses the amendments made to the MCA Constitution to reflect the transfer of Police and Crime Commissioner functions with effect from 7th May 2024 and other minor amendments.

Consideration by any other Board, Committee, Assurance or Advisory Panel

Mayoral Combined Authority Board

12 March 2024

1. Background

1.1 At its meeting on 14th November 2023 the MCA Board formally endorsed proposals to transfer the Police and Crime Commissioner (PCC) functions to the Mayor with effect from May 2024. The formal Transfer Order set out that all Police and Crime Commissioner (PCC) functions would transfer to the South Yorkshire Mayor, and all PCC assets, rights and liabilities transfer to the Authority on 7th May 2024.

1.2 Further, at its meeting on 12th March 2024 the Board authorised the Monitoring Officer to make all amendments required to the MCA Constitution to accommodate the transfer of PCC functions to the Mayor with effect from 7th May 2024 **and agreed that a final version showing the amendments made would be brought to the MCA Board in June for endorsement.**

1.3 In summary the amendments proposed include;

- A new Part 7 – Police and Crime Commissioner Functions – Governance Framework
- Provision in Article 12.1 that the cost of discharging the PCC functions will be met from precepting in accordance with the provisions of The Combined Authorities (Finance) Order 2017 (To note the PCC component of any precept is a decision of the Mayor in accordance with Regulations).
- Unrelated to PCC, at Part 4D a clearer process for Scrutiny Committee Call-in reflecting the legislative requirements.
- Minor amendments for clarity.

2. Key Issues

N/A

3. Options Considered and Recommended Proposal

3.1 Option 1

The Constitution needs to be amended to reflect the transfer of the PCC functions to the Mayor

4. Consultation on Proposal

N/A

5. Timetable and Accountability for Implementing this Decision

5.1 The transfer of PCC Functions took place on 7th May 2024.

6. Financial and Procurement Implications and Advice

6.1 None arising specifically from this report. The Constitution includes PCC specific financial regulations that form part of Part 7 of the Constitution.

7. Legal Implications and Advice

7.1 The Constitution of the MCA needs to be updated to reflect the changes required as a consequence of the transfer of PCC functions to the South Yorkshire Mayor.

8. Human Resources Implications and Advice

8.1 None

9. Equality and Diversity Implications and Advice

None

10. Climate Change Implications and Advice

10.1 None

11. Information and Communication Technology Implications and Advice

11.1 None

12. Communications and Marketing Implications and Advice

12.1 None

List of Appendices Included:

A. Amended Constitution

Background Papers:

None