

Part 4

Mayoral Procedure Rules

1. Mayoral General Functions

Key Decisions

- 1.1 The Mayor and any other decision-maker must give **notice of any Key Decision** on the Forward Plan, in accordance with the Access to Information Annex, subject to the general exception and cases of special urgency provisions.
- 1.2 Any Key Decision to be taken by the Mayor acting individually or by a Combined Authority Member on the Mayor's behalf must **be taken at a meeting of the Combined Authority**, unless the decision-maker has obtained agreement from the Chair of any relevant overview and scrutiny committee that the making of the Key Decision is urgent and cannot be deferred.

Statutory Consent Requests for Mayoral General Functions

- 1.3 A Statutory Consent is required in relation to the exercise of Mayoral General Functions as follows:
 - where the function is a **Concurrent Function** conferred by the 2021 Order¹ which requires the Statutory Consent of a Constituent Council Combined Authority Member (or Substitute Member), or
 - any decision of the Mayor which gives rise to a **financial liability for a Constituent Council** requires the Statutory Consent of the Constituent Council Combined Authority Member appointed by that Constituent Council (or Substitute Member).
- 1.4 Where a Statutory Consent is required, the Statutory Consent Request should be sought at a meeting of the Combined Authority.
- 1.5 The Mayor must seek any Statutory Consent Request in a timely way. To facilitate this and to promote transparency, the Mayor should publish a notice of the Statutory Consent Request (a Statutory Consent Request Notice) on the Combined Authority's **Forward Plan** at least 28 clear days before the meeting of the Combined Authority at which the Statutory Consent Request

¹ See further Part 3 of the Constitution (responsibility for functions), Mayoral General Functions Table D

will be sought, subject to this requirement being waived in exceptional circumstances by any relevant Chief Executive.

- 1.6 Any consent given will be **recorded in the minutes** of the meeting.

Other Decisions

- 1.7 The Mayor (or person with delegated authority from the Mayor) may take any decision which is not a Key decision nor a Statutory Consent Request outside of a meeting of the Combined Authority, subject to the requirements below in relation to decision-making, recording and publishing decisions.

Decision-making principles

- 1.8 The Mayor, or person making any decision about Mayoral General Functions, should have regard to the principles set out in Article 13 in Part 2 of this Constitution (Decision-making) and make a decision only after considering a written report setting out advice from the Managing Director, the Section 73 Chief Finance Officer and the Monitoring Officer.

Recording and publishing decisions

- 1.9 Any decision taken at a meeting of the Combined Authority will be recorded in the minutes of the meeting.
- 1.10 Where a decision has been taken outside the meeting:
- a decision taken by the Mayor or a Combined Authority Member acting on their behalf will be recorded and published on the Combined Authority's website in accordance with the Access to Information Annex, together with a copy of the report in respect of the decision.
 - a decision taken by an Officer will be recorded as a written record of their decision in accordance with the Access to Information Annex.

Conflict of interest provisions

- 1.11 Any decision-maker in respect of Mayoral General Functions must comply with the relevant Code of Conduct (Member or officer) as set out at Part 5 of this Constitution.

2. PCC Functions

To be confirmed at the April Combined Authority meeting