

AGENDA ITEM

REPORT TO THE TEES VALLEY COMBINED AUTHORITY

7 JUNE 2016

REPORT OF THE MONITORING OFFICER,

TEES VALLEY COMBINED AUTHORITY

THE TEES VALLEY COMBINED AUTHORITY (ELECTION OF MAYOR) ORDER 2016

SUMMARY

The Department for Communities and Local Government (“DCLG”) has indicated that it will shortly lay a draft of the Tees Valley Combined Authority (Election of Mayor) Order 2016 (“the Order”) before Parliament, and has invited the Combined Authority’s consent to the making of the Order.

This report seeks the Board’s confirmation of such consent.

RECOMMENDATION

It is recommended that the Tees Valley Combined Authority considers the report and determines whether or not it is willing to give its consent to the making of the Order.

DETAIL

1. As a result of the decisions of the constituent local authorities to agree the Tees Valley Devolution Deal, officers have been working with DCLG, in order to finalise the statutory instruments to give effect to the related Combined Authority mayoral governance arrangements.
2. The changes required to transform the Combined Authority into a mayoral Combined Authority necessitate a two-stage legislative process. The first stage is to legislate to provide that a mayor may be elected for the Tees Valley Combined Authority area, and the second stage is to legislate to establish the mayor’s functions and powers.
3. DCLG has provided a draft of the first stage statutory Order. The Order provides that:-
 - The Tees Valley Combined Authority area will have a directly elected mayor;
 - The first election of the mayor will be held on 4th May 2017; the second election will be on the normal election day in 2020; and subsequent elections will be on the normal election day every fourth year thereafter.
4. A copy of the Order is attached at the **Appendix** to the report.
5. DCLG has invited the Combined Authority’s consent to the making of the Order, and has asked for a response by close on Friday 3rd June 2016.
6. In consultation with the chair of the Combined Authority, consent was given to DCLG on behalf of the Combined Authority, subject to the ratification of that consent by the Combined Authority at its meeting today (7th June 2016).

7. For clarification, the Order does not grant any powers or functions whatsoever to the mayor, but it does mean that the Tees Valley Combined Authority will, in effect, become a Mayoral Combined Authority on the date the Order is made, and that once elected the mayor will be entitled to become the Chair of the Combined Authority. The mayor will not, however, have any other powers or functions at all, or any power to vote on any matter, unless and until the second stage of the legislative process is completed. The second stage of the legislative process will also be subject to prior consultation and further specific decisions by each of the constituent councils and by the Combined Authority.
8. The making of the (first stage) Order is the trigger for the release of Devolution Deal funding.

FINANCIAL IMPLICATIONS

9. The financial implications are as referred to in paragraph 8 and the Devolution Deal.

LEGAL IMPLICATIONS

10. As outlined in the report, particularly paragraph 7.

RISK ASSESSMENT

11. The risks inherent to the first stage of the legislative process are considered to be low to medium. It is the second stage of the process that will involve granting functions and powers to the directly elected mayor.

CONSULTATION

12. The proposal has been discussed with the current and prospective Chairs of the Combined Authority.

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