



*making our region more prosperous, sustainable and fairer, helping our people and businesses to create and seize opportunities*

## **EAST MIDLANDS COMBINED COUNTY AUTHORITY BOARD**

<b>Date</b>	<b>20 March 2024</b>				
<b>Report Title</b>	<b>MAYORAL ELECTION</b>				
<b>Accountable EMCCA Board Member</b>	<i>No Member identified due to nature of this being first EMCCA Board meeting</i>				
<b>Accountable Chief Officer</b>	Mark Rogers Interim Chief Officer				
<b>Accountable Employee</b>	Jodie Townsend Interim Monitoring Officer				
<b>Report has been considered by</b>	Informal Leaders Meeting				
<b>Key decision</b>	No	<b>Public Report</b>	Yes	<b>Voting Arrangements</b>	By simple majority of Constituent Members

**Recommendation(s) for action or decision:**

**The East Midlands Combined County Authority Board is recommended to:**

- 1 Confirm the decision taken by the Constituent Councils to appoint the CCARO as set out in 3.1 of this report**
- 2 Agree the CCARO Fees as set out in 3.6 of this report**

### **1. Purpose**

- 1.1 To confirm the approvals provided by the Constituent Councils for the appointment of Melbourne Barrett as the Combined County Authority Returning Officer (CCARO).
- 1.2 To agree the fees to be paid to the Combined County Authority Returning Officer (CCARO).

## **2. Background**

- 2.1 The East Midlands devolution deal signed in August 2022 enabled the creation of England's first Combined County Authority. In doing so it secured significant funds and powers for the region and empowered local people to make the decisions that influence jobs and skills, the quality of the region's transport infrastructure, housing investment, and the region's diverse natural environment. The four constituent councils' subsequent approval of the creation of EMCCA in December 2023 will see the region benefit in the first instance from a £1.14 billion investment fund over 30 years, alongside £1.5 billion in transport funding, £53m for adult education, and £18m for housing, brownfield land and other investments. Alongside this, as a result of the creation of EMCCA, the region is working with national government to establish an 'Investment Zone', which will attract £160 million of support over ten years, with tax incentives for businesses, which will help boost economic growth across the region.
- 2.2 These initial powers and funds are the starting point for an ambitious programme that integrates social, environmental and economic initiatives in innovative ways to improve opportunity and wellbeing in the East Midlands. The period since August 2022 has been one of designing how EMCCA will operate. In March 2024, the need is to confirm the governance, oversight, plan and staffing of the organisation in order for it to start to deliver.
- 2.3 The first election for a Mayor of the East Midlands Combined County Authority will take place on the 2<sup>nd</sup> May 2024.
- 2.4 Each Combined County Authority must appoint one of its officers, or one of the officers of a constituent council, to be the Combined County Authority Returning Officer (CCARO) in relation to the election.
- 2.5 The CCARO will have overall responsibility for running the election of the Mayor and be responsible for accepting nominations and co-ordinating the regional result.
- 2.6 It is proposed to make the appointment which mirrors as closely as possible the arrangements that were put in place for the Police and Crime Commissioner elections that cover the same electoral area, noting that there are separate PAROs for both PCC elections
- 2.7 The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2023 (the Elections Regulations) came into force on the 6<sup>th</sup> February 2024. The Elections Regulations permit the appointment by the Constituent Councils of a combined county authority returning officer (CCARO) for the mayoral election ahead of the creation of the EMCCA. This was in order that preparations for the election could be commenced prior to the creation of the EMCCA.
- 2.8 Each Constituent Council considered a report on the appointment of the CCARO as follows:
  - Derby City Council – Full Council 7<sup>th</sup> December 2023
  - Derbyshire County Council – Full Council 7<sup>th</sup> December 2023
  - Nottingham City Council – Full Council 7<sup>th</sup> December 2023
  - Nottinghamshire County Council – Full Council 7<sup>th</sup> December 2023

## **3. Appointment of CCARO**

- 3.1 All four Constituent Councils considered a report on 7<sup>th</sup> December 2023 at their Full Councils which approved that Melbourne Barrett, Chief Executive and Returning Officer of Nottingham City Council, is appointed as the first CCARO.
- 3.2 The Board is reminded that the role CCARO is separate from that of Chief Executive, operating entirely independently from Nottingham City Council.
- 3.3 The CCARO will be required to print and post a mayoral election booklet to every elector in the combined county authority area, 1.6m individuals in total. The booklet will include information from the CCARO about the election and an election address from each candidate. The costs of this will be

incorporated in the overall costs of running the election, which are to be borne by the Combined County Authority.

- 3.4 In County areas, the Elections Regulations also make provision for the CCARO to direct district/borough council local returning officers to discharge the CCARO's functions at the election. This means that the usual arrangements where district/borough councils deliver the election for county areas will apply, where the election is a mayoral election for the Combined County Authority.
- 3.5 Given that this is the first meeting of the Combined County Authority as an entity, Members are asked to confirm the appointment of the CCARO taken by each Constituent Council.

### **CCARO Fees**

- 3.5 The Combined County Authority electoral area covers both Derbyshire and Nottinghamshire, there will be Police and Crime Commissioner elections for each County with a Police Area Returning Officer (PARO) responsible for each Police & Crime Commissioner election with these elections on the same day as the Mayoral election.
- 3.6 As this is the first Combined County Authority election it is suggested that the appropriate fee for the CCARO should be based on a multiplier of 1.5 times the fee for a Police Area Returning Officer (PARO). This is proposed on the area coverage being that of both the Police and Crime Commissioner elections but accepting that the joint nature of the elections provides opportunity for a reduction in some areas of operation.
- 3.7 The PARO fee is met by Cabinet Office a part of the overall cost of the PCC election. These fees remain subject to confirmation by Government but are currently proposed to be £8000 per Police Area and are exclusive of any expenses and any separate Local Returning Officer (LRO) fee payable to all Local Returning Officers within their own authority areas.
- 3.8 These LRO fees will also be payable by the Combined County Authority as part of the overall expense of the election. On this basis the CCARO fee for this election would be £12,000 exclusive of expenses.
- 3.9 The proposed CCARO fee also recognises that the CCARO's responsibilities extend over 2 counties.

### **Mayoral Election**

- 3.10 Once elected, the term of office of the Mayor returned at the election usually begins with the fourth day after the day of the poll. However, as the 6th May 2024 is a bank holiday, the Mayor will take office on Tuesday 7th May 2024. The Mayor's term of office is four years

## **4. Appendices**

- 4.1 There are no appendices attached to this report.

## **5. Implications**

### Financial Implications

- 5.1 The costs of running a mayoral election are to be met by the Combined County Authority. The cost of the inaugural mayoral election is provisionally estimated to be between £3-4 million. Wherever possible, efficiencies will be delivered through sharing infrastructure with Police and Crime Commissioner elections happening on the same day.
- 5.2 The operational costs of the mayoral election will not fall to the Constituent Councils, as it has been agreed with government that funding for set up the new combined county authority can be used for this purpose. Provision has been made in the budget for these costs.

- 5.3 Amendments to the Combined Authority (Mayoral Elections) Order 2017 make provision for expenditure properly incurred by a CCARO in relation to the holding of a mayoral election to be paid by the constituent councils, should this be necessary, and subsequently recovered from the Combined County Authority.

#### Legal Implications

- 5.2 The legal issues arising from the proposed recommendations are alluded to in the body of the report.

#### Other Significant Implications

- 5.3 There are no other implications identified.

#### Background Papers

- 5.4 The East Midlands Combined County Authority Regulations 2024: [The East Midlands Combined County Authority Regulations 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk)