



East Midlands Combined County Authority

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

Combined County Authority Board		Agenda Item 16
Date	16 September 2024	
Report Title	Transparent Decision-Making	
Accountable EMCCA Board Member	Claire Ward Mayor of the East Midlands Combined County Authority	
Accountable Chief Officer	Mark Rogers Interim Chief Executive	
Accountable Employee	Jodie Townsend Interim Director of Law & Governance and Monitoring Officer	
Report has been considered by	This report has been considered by the EMCCA Pre-Board process	
Key decision	No	
Public Report	Yes	
Voting Arrangements	By simple majority including the Mayor	

Recommendation(s) for action or decision:

The Combined County Authority is recommended to:

A Note decisions taken via urgency provision, Officer Decision Notice and Mayoral Decision Notice.

1. Purpose

- 1.1 EMCCA is dedicated to maintaining the highest standards of governance and transparency, adhering to principles of openness and clarity in all decision-making processes. We are committed to ensuring value for money and continuously review and assess the effectiveness of our arrangements when delivering projects across the region.
- 1.2 To maintain complete transparency, the Combined County Authority and its committees make decisions in public meetings. However, there are circumstances under which decisions are taken by officers and/or the Mayor outside of meetings in line with their delegated authority. Such decisions are published in accordance with EMCCAs publication scheme.
- 1.3 This report provides a further mechanism to inform Board and the public of delegated decisions that have been taken in-between Board meetings.

2. Transparent Decision-Making

- 2.1 The Constitution delegates certain decisions to be made by authorised officers. These are decisions which do not meet the criteria for a formal key decision to be taken at a policy committee meeting but are considered to be important enough to be open to public scrutiny. The Mayor can make decisions on behalf of the Combined County Authority in line with Mayoral Powers set out within the Combined County Authority's Constitution.
- 2.2 For transparency, decisions made by the Mayor and officers in this way are published on our website so anyone can access them. Our Overview and Scrutiny Committee can also 'call in' a decision of this kind to scrutinise it further. Decision notices will contain key information on the decision taken, financial and legal implications, and whether the decision can be called in for review by an Overview and Scrutiny Committee.
- 2.3 An Officer Decision Notice (ODN) would normally be produced for a Key Decision, however as an interim measure to ensure appropriate process and subsequent transparency, officers are currently required to complete ODNs when incurring expenditure over £100k. Key Decisions would normally be £500k or over.
- 2.4 There is no requirement however to publish in full ODNs that fall within this interim measure (therefore that are not key decisions). Those ODNs that are required to be published in full such as Key Decisions will be.

Officer Decision Notices

- 2.5 ODNs that are required to be published can be viewed by selecting the Officer Decision Notices drop down list at: [Meetings and Decisions - East Midlands Combined County Authority \(eastmidlands-cca.gov.uk\)](https://meetingsanddecisions-eastmidlands-cca.gov.uk)

Decisions taken under urgency provision

- 2.6 This report also seeks to provide a link to decisions that have been taken under urgency provision. There has been one such decision taken under urgency provision since the 17 June Board meeting, that decision is the Derbyshire Student Bus Pilot.
- 2.7 This decision meets the definition for a Key Decision and was therefore taken as one, the ODN for the decision can be viewed at: [ODN-Derbyshire-Student-Bus-Pilot-Final.pdf \(eastmidlands-cca.gov.uk\)](https://eastmidlands-cca.gov.uk/ODN-Derbyshire-Student-Bus-Pilot-Final.pdf)
- 2.8 The reasons for the taking of the decision under urgency provision are set out in the ODN.

Mayoral Decision Notices

- 2.9 A Mayoral Decision Notice is required for decisions taken by the Mayor under her delegated authority. There has been one Mayoral decision taken since the 17 June Board meeting, that decision relates to the Brownfield Housing Fund.
- 2.10 The decision was taken by the Mayor under delegated authority provided by the Combined County Authority Board on 17 June 2024. The Mayoral Decision Notice (MDN) can be accessed via: [MDN20240001-Brownfield-Housing-Fund-14.08.24.pdf \(eastmidlands-cca.gov.uk\)](#)
- 2.11 As this decision as a Key Decision, it was eligible for call-in by the Overview and Scrutiny Committee. The decision as therefore provided in full to members of the Overview and Scrutiny Committee to consider under call-in provision. No requests were received for this decision to be called in.

3. Background

- 3.1 The publication scheme commits the East Midlands Combined County Authority to make information available to the public as part of its normal business activities.
- 3.2 This report provides an additional avenue for making the Board and the public aware of decisions taken under delegation and decisions taken by committees and panels.

4. Appendices

- 4.1 N/a

5. Implications

Financial Implications

- 5.1 There are no direct financial implications arising from this report. Finance see and provide comments on all the decisions detailed above and are signed off by the S73 Officer/Deputy S73 Officer. These finance comments provide detailed information on the financial impact on the Combined County Authority.

Legal Implications

- 5.2 The Constitution empowers certain decisions to be taken by officers where, for reasons of urgency they cannot be taken by the EMCCA Board. This report provides full transparency to the EMCCA Board in respect of such decisions taken.

Other Significant Implications

- 5.3 N/a

Background Papers

- 5.4 N/a