

## **4. The Combined County Authority Board (Reserved Functions) (Terms of Reference)**

4.1 The Combined County Authority Board has collective responsibility for decision-making, acting in the best interests of the East Midlands Combined County Authority area. The following functions are reserved to the Combined Authority Board:

### **4.2 Key Functions of the Combined county Authority (Board)**

4.2.1 The following key functions sit within the responsibility of the Combined Authority Board:

- (a) To set, review, keep up to date and revise the long-term vision of the Combined County Authority.
- (b) To agree, review, keep up to date and revise the strategic objectives for the Combined County Authority.
- (c) To agree key strategy and policy for the Combined County Authority.
- (d) To adopt, amend or withdraw any major strategy or policy.
- (e) To ensure the Combined County Authority undertakes statutory and appropriate communication and consultation in the setting of the budget and policy framework.
- (f) Overall responsibility for the implementation and delivery of the Strategic Plan
- (g) To drive future devolution and lobbying of Government.
- (h) To agree prioritisation and re-purposing of funds.
- (i) To agree approval of projects and programmes in line with the Scheme of Delegations.
- (j) To consider and agree employment and human resources policy
- (k) To exercise General powers of the Combined County Authority
- (l) Responding to Gateway Reviews
- (m) Consenting to the making of Regulations under the Levelling Up and Regeneration Act 2023
- (n) Agreeing to change the name of the CCA
- (o) Agreeing that the mayor for the area of the CCA is to be known by the title of mayor or approving an alternative title
- (p) Consenting to proposals for changing existing arrangements relating to the CCA
- (q) All other matters which, by law, must be reserved to CCA

### **4.3 Functions reserved to the Combined County Authority (Board)**

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4.3.1 The following functions are reserved to the Combined County Authority Board:

### **Strategy and Policy**

4.3.2 The adoption of, and any amendment to or withdrawal of any major strategy or policy of the Combined County Authority

### **Frameworks**

4.3.3 The adoption of, and any amendment to or withdrawal of the following framework documents:

- (a) Assurance Framework;
- (b) Monitoring & Evaluation Framework;
- (c) Performance Management Framework;
- (d) Risk Management Framework

### **Financial Matters**

4.3.4 Approving the Non-Mayoral Combined County Authority budget

4.3.5 Approving the estimates of income and expenditure and the setting of a transport levy pursuant to the Transport Levying Bodies Regulations 1992

4.3.6 In relation to the Mayor's General Budget:

- approving the draft budget (or revised draft budget), or
- the decision to veto the draft budget (or revised draft budget) and approve the Mayor's draft budget incorporating the Combined County Authority's recommendations as to the relevant amounts and calculations

4.3.7 The issuing of the Mayoral Combined County Authority precept pursuant to section 40 of the Local Government Finance Act 1992

4.3.8 Approving the borrowing limits of the Combined County Authority, including determining the borrowing limits of the Combined County Authority in relation to transport matters pursuant to section 3 of the Local Government Act 2003

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- 4.3.9 Approving the Treasury Management Strategy and the Investment Strategy of the Combined County Authority
- 4.3.10 Approving the capital programme of the Combined County Authority and approving new transport schemes
- 4.3.11 The preparation of a local economic assessment under section 69 of the Local Democracy, Economic Development and Construction Act 2009

## **People**

- 4.3.12 Approving the appointment of the Head of Paid Service, Monitoring Officer, Executive Director Resources (S73 Officer), Executive Director Place, and Executive Director Inclusive Growth
- 4.3.13 Approving the appointment of the Returning Officer and making any decisions relating to the mayoral election
- 4.3.14 Making decisions in relation to the establishment and remuneration of posts whose remuneration is, or is proposed to be, £100,000 and above (or pro rata thereto)
- 4.3.15 Making decisions in relation to settlements and severance packages on termination of appointment in excess of £100,000
- 4.3.16 The determination of collective terms and conditions of staff

## **Governance**

- 4.3.17 Decisions related to:
    - (a) Adoption and amendment of the Constitution (other than changes delegated to the Monitoring Officer) in line with the provisions of section 14 of the 2023 Act;
    - (b) Establishment and membership of Committees and Sub-Committees;
    - (c) Establishment and membership of Joint Committees and Commissions;
    - (d) Approve the nomination of lead member responsibilities and membership and chairs of committees and sub-committees upon recommendation from the Mayor;
    - (e) Approval of Mayoral Allowance and any other allowance schemes;
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- (f) Appointment of an Independent Person of the Audit and Governance Committee;
- (g) Appointment of Statutory Officers;
- (h) Delegation of functions to third parties;
- (i) Establishment of Trading Companies;
- (j) Any other matters reserved to the Board.

4.3.18 The Combined County Authority shall exercise the general power of competence in relation to any of its functions after having due regard to the advice of the Monitoring Officer and S73 Officer.

## 4.4 Voting

4.4.1 Voting arrangements are set out in the Combined County Authority Procedure Rules in **Part 4** of the constitution.

## 4.5 Membership

4.5.1 The Combined County Authority Board membership consists of the following:

- (a) The Mayor
- (b) Two elected member appointments by each Constituent Authority
- (c) Up to a maximum of eight Non-Constituent and Associate Members

4.5.2 Further details regarding membership are set out in **Article 1** of the constitution.

### Designation of a Nominating Body

4.5.3 The Combined County Authority can:

- Agree the designation of a nominating body or the removal of such a designation
  - Agree the number of nominating bodies that may be designated by the Combined County Authority
  - Agree the number of non-constituent members that may be appointed by a nominating body of the Combined County Authority
  - Agree the process for the appointment, disqualification, resignation or removal of a non-constituent member or substitute member
  - Approve the appointment or removal of non-constituent members and substitute members
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- Agree the process for the appointment, disqualification, resignation or removal of an associate member or substitute member
- Approve the appointment or removal of associate members or substitute members.

4.5.4 If a Member fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, unless the failure was due to some reason approved by the authority before the expiry of that period, they cease to be a Member of the Combined County Authority.

## 4.6 Executive Bodies

4.6.1 The Combined County Authority Board has the power to delegate its functions, which are not reserved to it, to Committees, Sub-Committees, Officers, Joint Committees or other Local Authorities. The Board cannot delegate its functions to individual members of the Board.

## 4.7 Commissions and Working Groups

4.7.1 The Combined County Authority may establish Commissions. These bodies will be non-decision making and will be convened to develop proposals for a thematic approach and/or strategy as defined by the Combined County Authority.

4.7.2 The Combined County Authority will determine the remit, terms of reference, membership and budget for Commissions.

4.7.3 The Combined Authority may establish informal working groups. These groups will be non-decision-making groups of Officers and Members.

## 4.8 Quorum

4.8.1 The Quorum details are set out in the Combined County Authority Procedure Rules set out in **Part 4**.

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