

Report Title	Combined Authority Constitution
Portfolio Holder	Not Applicable
Summary of decision being sought	To agree the current Constitution subject to the adding detail on the Environment Act 2021 in Part 2 , update the staffing structure, and agree a delegation to the Monitoring Officer
Is this report exempt? No	Reason for Exemption Not Applicable
Is this a Key Decision	No
Wards affected	All Wards
<u>Impact and implications of this report</u>	
Financial impact	None
Delegation of decision sought	Not Applicable
Supporting the Corporate Plan	A Fairer City Region √ A Stronger City Region A Cleaner City Region A Connected City Region A Vibrant City Region
<i>Tick those which are applicable</i>	
Climate Change Implications	None
Equality and Diversity implications	None
Social Value implications	None
Human Resources implications	None
Physical Assets implications	None
Information Technology implications	None
Legal implications	Yes, see paragraph 4.9
Risk and Mitigation	Yes, see paragraph 4.10
Privacy implications	None
Communication and consultation implications	None
Contact Officer(s)	Jill Coule, Monitoring Officer jill.coule@liverpoolcityregion-ca.gov.uk
Appendices	Yes
Background Documents	None

LIVERPOOL CITY REGION COMBINED AUTHORITY

To: LCR Combined Authority

Meeting: 10 June 2022

REPORT OF THE MONITORING OFFICER

Combined Authority Constitution

1. PURPOSE OF REPORT

The Constitution should be reviewed and adopted by the Liverpool City Region Combined Authority on an annual basis. Consideration and approval of this report will fulfil that obligation.

2. RECOMMENDATIONS

2.1. It is recommended that the Liverpool City Region Combined Authority:

- (a) agree the Combined Authority Constitution including the updated Staffing Structure (Appendix 1);
- (b) approve the addition to part 2 of the Constitution (powers and functions conferred on the Combined Authority) to reflect provisions of the Environment Act 2021 that are exercisable by the Combined Authority in relation to Local Nature Recovery Strategies as outlined in paragraph 3.2 of the report ;and
- (c) agree to an additional delegation, in consultation with the Climate Partnership Chair, to the Monitoring Officer as set out in paragraph 3.3 of the report.

3. BACKGROUND

- 3.1 Members are aware of the importance of a Constitution to any public sector organisation and also of the need to ensure that it is reviewed on a regular basis. The Constitution can be viewed on the website via this [link](#).
- 3.2 Provisions of the Environment Act 2021 are now in force and place obligations on the Combined Authority in relation to Local Nature Recovery Strategies. The addition of these legislative provisions will become reference "T "in Part 2 powers and functions conferred on the Combined Authority. The following explanation will be added :-

Ref	Description of Functions	NB	Principal Legislative Provisions	Application
T	Local Nature Recovery Strategies The Combined Authority also has a responsibility to take on the role as the 'Responsible Authority', to prepare and publish a local nature recovery strategy for "the strategy area", the Liverpool City Region.		The following provisions of the Environment Act 2021 are exercisable by the Combined Authority in relation to the area of the Combined Authority:- (a) section 104 (local nature recovery strategies for England); (b) section 105 (preparation of local nature recovery strategies); (c) section 106 (content of local nature recovery strategies); (d) section 107 (information to be provided by the Secretary of State); and (e) section 108 (interpretation).	

- 3.3 Members will recall that substantial work has been undertaken to review the Constitution in recent months. The culmination of this work was report to the Combined Authority meeting in April 2022. Since the review a further matter has come to light. At a meeting of the Combined Authority on 24 January 2020 the Terms of Reference for the establishment of the Climate Partnership were established. Delegated authority is now sought by the Monitoring Officer to review those Terms of Reference in consultation with the Chair of Climate Partnership and for subsequent approval by the Climate Partnership itself.
- 3.4 The Monitoring Officer has had the benefit of and will continue to work with the Liverpool City Region Monitoring Officers/Heads of Legal network to secure a further alignment/consensus of the Constitution and the Audit and Governance Committee will continue to be appraised and consulted in respect of any constitutional revisions
- 3.5 The Monitoring Officer will revert to the Combined Authority during the course of the municipal year with any suggested improvements to the Constitution to reflect good practise and /or changes in legislation as necessary.

4. IMPACT AND IMPLICATIONS

- 4.1 Finance
Not applicable
- 4.2 Supporting the Corporate Plan
Not applicable
- 4.3 Climate Change
Not applicable
- 4.4 Equality and Diversity
Not applicable

4.5 Social Value
Not applicable

4.6 Human Resources
Not applicable

4.7 Physical Assets
Not applicable

4.8 Information Technology
Not applicable

4.9 Legal
It is essential that any public body has an effective Constitution and that this is reviewed on a regular basis. Part 2 is amended to reflect implemented legislation that affects the duties on the Combined Authority.

4.10 Risks and Mitigation
There is a risk that not keeping the constitution up to date would be detrimental to the principle of ensuring that the aims of good governance are given full effect. Regular review of the Constitution mitigates that risk.

4.11 Privacy
Not applicable

4.12 Communication and consultation
Not applicable

5 CONCLUSION

5.1 The recommendations contained in the report will ensure that the Combined Authority Constitution remains up to date and fit for purpose.

MONITORING OFFICER
JILL COULE

Appendices:
Appendix One – Staffing Structure