

Statutory Notice of Urgent Key Decision

Subject:	Special Urgency Decision - The West Midlands Combined Authority (Transfer of Police and Crime Commissioner Functions) Order 2023
Purpose:	For the Chair of the Overview and Scrutiny Committee to agree to the use of Special Urgency Provisions as detailed in the <i>The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017</i>
Decision Maker:	Chair of the West Midlands Combined Authority Overview and Scrutiny Committee
Contact Officer:	Helen Edwards, Director of Law and Governance and Monitoring Officer

Notice Published:	Monday 11 December 2023
Expected Decision Date:	Wednesday, 13 December 2023
Urgent?	Yes
Reason for Urgency	<p>A letter from the Home Secretary to the Mayor was received on Wednesday 6 December at 17:22, this was followed by the draft Statutory Order which was received on the same day at 17:45.</p> <p>The deadline for the return of the draft Statutory Order and the consent of the Mayor to the laying of the draft Statutory Order is Wednesday 13 December 2023.</p> <p>At this stage it should be noted that the Mayor is only consenting to the laying of the draft Order and that the ultimate decision in relation to the transfer of PCC functions will be taken by Parliament in February.</p> <p>Upon receipt of the Draft Order it has become clear that the Combined Authority may be required to meet some additional budgetary requirements in relation to the Mayoral elections moving forwards and funding will no longer be available through the Consolidated Fund that had previously been available for PCC elections.</p> <p>It is anticipated that the increase in costs associated with the new Mayoral elections may be in excess of the £1million threshold for a key decision (potentially in the region of £3million) The Combined Authority Section 151 Officer has been made aware of this potential cost.</p> <p>However, until Parliament has made a decision on the legislation in February 2024 the format, type and number and cost of elections due to take place in 2024 cannot be confirmed.</p> <p>This decision to consent to the laying of the draft Statutory Order is urgent</p>

	as the response to the Draft Statutory Instrument must be returned to the Home Office by Wednesday 13 December 2023 and as such cannot be reasonably delayed.
Agreement from Chair of relevant Overview and Scrutiny Committee	Yes
Consultation Details:	<p>The Chair of the relevant Overview and Scrutiny Committee has been consulted with and has consented to the Special Urgency Notice given the exceptional circumstances.</p> <p>The Chair of the Overview and Scrutiny Committee has made it clear in agreeing the Special Urgency Provisions, that they are in no way endorsing the content of the decision and that they are simply exercising their statutory role in agreeing that the decision cannot reasonably be deferred.</p>