

## Progress on devolution

### 1. Introduction

The devolution agenda in England has largely stalled in the last couple of years, mainly due to all government departments being pre-occupied with the UK's break away from the European Union (BREXIT).

However, it became apparent earlier in the year that things were moving again and a Devolution White Paper was promised for the summer.

### 2. Recent developments

Early in March the MHCLG told leaders of Cumbria County Council and its six Districts that, as Cumbria was already a functioning economic area in its own right, it could have a devolution deal by becoming a single Unitary Authority and without necessarily going down the route of forming a Combined Authority. Although it must have a directly elected mayor.

Also, in early March, Simon Clarke, MP, the new minister for devolution, said he hoped the white paper would be a *"genuinely seminal document"* which would *"help the process of unlocking devolution everywhere and empowering communities on a scale never seen before"*. And his promise was that *"We will do that not only at the macro level of mayoral combined authorities but down to the town and parish council level so we can get the balance if you like, so that things can be done truly locally"*. Meanwhile *"things which need to be done more strategically can be done at one removed"*.

Making this commitment at the launch of a new Organisation for Economic Development (OECD) report, he described *"levelling up"* as *"not just an expression"* but *"a serious statement of intent"* and *"the whole purpose which underlines our devolution agenda"*.

*"That means going much further and faster in devolving power away from Westminster to the level at which it most appropriately sits – and we must build on the great progress we have already made by creating eight metro majors who have the power to drive strong economic growth"*, he said.

The six original Metro Mayors elected in 2017 – representing Cambridgeshire & Peterborough, Greater Manchester, Liverpool City Region, Tees Valley, West of England and West Midlands – were due to stand for re-election in May this year, at the same time as local authority elections were scheduled to take place, but both have now been postponed to May 2021. (The Sheffield City Region Mayor was only elected in May 2018 and the North Tyne Mayor in May 2019). The Metro Mayors themselves have consistently called for more powers, arguing that central government has retained real control in many respects.

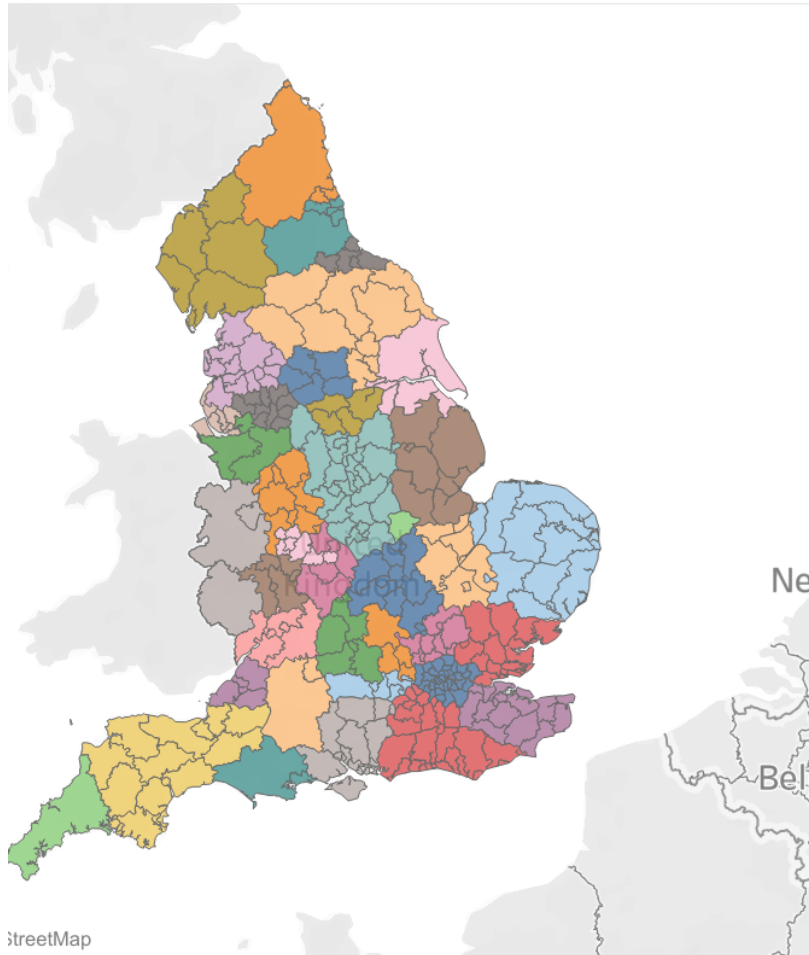
The postponement of the elections is due to the Coronavirus pandemic which has also caused a delay in the publication of the Devolution White Paper. Interestingly, during the delay, the 15 leaders of local authorities in Lancashire – who previously failed to reach a consensus – have voted in principal for a Combined Authority with a mayor.

Focus at present is far more on the perilous financial situation of many local authorities and also on those Town and Parish Councils that have tried to help their local communities during the current crisis and found themselves fully stretched. However, on July 3<sup>rd</sup>, Simon Clarke addressed the Local Government Association's annual conference, held digitally for the first time, and promised both principal authorities and Local Councils that the Devolution White Paper would connect local recovery from Covid-19 with 'levelling up'. He said it would be *"Providing a place-based strategy to boost regional economic performance in every corner of the country from the Northern Powerhouse and the Midlands Engine to the Western Gateway and the Oxford-Cambridge Arc"*.

Describing the White Paper, now due out in autumn, as a "transformative plan", Simon Clarke said it would include a clear, ambitious strategy for strengthening local institutions. ... with many more elected mayors and unitary councils following in the footsteps of Dorset, Buckinghamshire and Northamptonshire. Adding: *"So that we can remove the complexity of governance and reduce costs to the taxpayer while making space for town and parish councils to be genuinely empowered"*.

### **3. Devolution situation with Combined Authorities and principal councils**

Local Government Chronicle featured a 'Devolution Map', as at March 2020, which is replicated below, along with brief updates of what is understood to be the local situation in the areas they identified.



**Devo area name**

- Bedfordshire and Northamptonst
- Berkshire
- Buckinghamshire
- Cambridgeshire & Peterborough
- Cheshire and Warrington
- Cornwall
- Cumbria
- Devon, Plymouth and Torbay
- Dorset
- East Midlands
- Essex
- Gloucestershire
- Greater Manchester
- Hampshire and the Solent
- Hertfordshire
- Humber
- Kent and Medway
- Lancashire
- Lincolnshire
- Liverpool City Region
- London
- Norfolk and Suffolk
- North of Tyne
- North Yorkshire and York
- Oxfordshire
- Rutland
- Sheffield City Region
- Somerset
- South of Tyne
- Staffordshire and Stoke-on-Trent
- Surrey, East and West Sussex anc
- Swindon and Wiltshire
- Tees Valley
- The Marches
- Warwickshire
- West Midlands
- West of England
- West Yorkshire
- Worcestershire

#### **4. Status of devolution**

##### Bedfordshire & Northants

Two new unitary authorities – North Northamptonshire and West Northamptonshire – are due to be launched in 2021. Otherwise, the future of part of this area is uncertain due to it being caught up in proposals for an Oxford-Cambridge Arc. (N.B. Simon Clarke, minister for regional growth and local government, related the Ox-Cam corridor/arc to the Devolution White Paper in his address to the Local Government Association – see introduction).

##### Berkshire

In terms of devolution, not much appears to be happening.

##### Buckinghamshire

The single new unitary authority of Buckinghamshire Council – consisting of Buckinghamshire County Council and the four District Councils of Aylesbury Vale, Chiltern, South Bucks and Wycombe – only came into being on April 1<sup>st</sup> and is still, therefore, very much in its infancy.

##### Cambridgeshire & Peterborough

The only two-tier area with a devolution deal, although it is looking at options for a local government review. Comprises Cambridge City Council, Peterborough City Council, Cambridgeshire County Council, the District Councils of East Cambridge, Fenland, Huntingdonshire and South Cambridge and a Business Board. Proposals for an Oxford-Cambridge growth corridor are currently dominating.

##### Cheshire and Warrington

Discussions on a Combined Authority made up of three unitary authorities – Cheshire West & Chester, Cheshire East and Warrington – faltered due to Warrington Councillors not being convinced about having a CA Mayor. Latterly, however, the main doubters have been independent members who make up the coalition running Cheshire East Council since the elections in May 2019.

##### Cornwall

Cornwall (including the Isles of Scilly) was the first rural authority area to agree a CA devolution deal (in 2015) and it achieved one without an elected mayor, with devolved powers over transport, energy, employment and skills, health and social care, the public estate and heritage.

##### Cumbria

Having expressed an interest in a CA, Cumbria have been given conflicting messages by government. They were originally pointed to dividing the county into two. But, as the total population is only

500,000, this would have meant that neither CA met the minimum population qualification of 300,000. However, they are now being guided towards having a unitary authority comprising the County Council and the six districts with an elected mayor.

Devon, Plymouth & Torbay

In terms of devolution, not much appears to be happening.

Dorset

The two new unitary authorities established in April 2019 – Bournemouth, Christchurch and Poole and Dorset Council – are still finding their feet.

East Midlands

Leicestershire County Council and its seven districts are attempting to form an East Midlands Combined Authority along with Derbyshire County Council and Derby City Council which would also incorporate Nottinghamshire and Nottingham but the cities of Nottingham and Leicester appear to be keeping their powder dry. At the same time Leicestershire County Council is pushing to form a single unitary authority whilst the districts have formed a northern and a southern alliance.

Essex

Proposals have been mooted for the formation of some unitary authorities such as Basildon Borough Council and also Colchester Borough Council combined with Braintree. There are also rumours that the unitaries of Thurrock and Southend-on-Sea might merge. Meanwhile an Association of South Essex comprising Essex County Council, Thurrock and Southend is working on a joint strategic plan.

Gloucestershire

In terms of devolution, not much appears to be happening.

Greater Manchester

Greater Manchester CA comprises the 10 metropolitan boroughs that used to make up AGMA – the Association of Greater Manchester Authorities: Bolton, Bury, Manchester City Council, Oldham, Rochdale, Salford City Council, Stockport, Tameside, Trafford and Wigan. The first CA to be set up outside London (in 2011), it has more devolved authority than any other formed since. Despite this, Mayor Andy Burnham consistently calls for more independence from central government.

Hampshire and the Solent

Bournemouth, Christchurch and Poole Council is a new local authority which only came into being less than two years ago when three separate principal authorities came together. Apart from that, a

bid by Southampton and Portsmouth City Councils to form a CA with the Isle of White was rejected in 2018. Not much appears to be happening at the moment.

#### Hertfordshire

Whilst Hertfordshire County Council has not ruled out a devolution deal, there does not appear to be anything happening presently and the emphasis amongst the 11 Councils is on partnership working.

#### Humber

Despite government encouraging the four councils either side of the Humber Estuary to work together to form a CA, ie. Hull City and the East Riding of Yorkshire to the north and North East Lincolnshire and North Lincolnshire to the south, the two North Lincolnshire authorities told government in March they wanted to work with their County Council. (See also 'Lincolnshire').

#### Kent and Medway

In terms of devolution, not much appears to be happening.

#### Lancashire

Previous attempts to form a CA consisting of Lancashire County Council, the two unitary authorities of Blackpool and Blackburn with Darwen, Lancaster City Council and the 11 District Authorities came to nought. However, an agreement in principal has now been reached.

#### Lincolnshire

A detailed business case for a 'Greater Lincs' devo deal was developed in 2016 but plans fell apart when Lincolnshire County Council and South Kesteven DC pulled out of the agreement over the requirement for an elected mayor. However, discussions have kicked off again between Lincolnshire's 10 LAs about forming a CA. Now the two North Lincolnshire Councils have said they wish to be part of those discussions (see 'Humber'). Simon Clarke, the minister for devolution, is not insisting, as his predecessor did, that North and North East Lincolnshire Councils must be part of the Humber deal.

#### Liverpool City Region

The original Liverpool City Region deal was agreed in 2015 and then, in 2016, a further deal was announced. Liverpool City Region CA consists of six local authorities: Halton, Knowsley, Liverpool, St. Helens, Sefton and the Wirral. It adjoins Greater Manchester CA and the two mayors, both former MPs, frequently work in tandem and are continually pressing for more delegated powers.

## London

The Greater London Authority, consisting of 33 Boroughs, was established in 2000. It has more powers and a different structure than any of the more recent CAs. The Mayor is held to account by the 25 members of the London Assembly, 11 of whom are elected by the whole capital and 14 of whom are elected by constituencies. It continues to press for further devolution.

## Norfolk and Suffolk

Norfolk and Suffolk have a chequered history in terms of moves towards devolution and they received conflicting advice from government initially. Attempts to form a CA came to nought four years ago when four of Norfolk's district councils decided they could not support the idea of an elected mayor. However, more recently, talks have re-started and there do appear to be some altered stances in some Councils.

## North of Tyne

The newest CA consists of Northumberland County Council, Newcastle City Council and North Tyneside. It elected its first mayor last year and is still finding its feet. Transport arrangements in this area are somewhat complicated because public transport is planned and managed over a wider geographical area that includes 'South of Tyne' local authorities and Durham. (There is a joint transport committee which brings together the North of Tyne CA with the North East CA). The South of Tyne Las did have the opportunity to be part of the same devo deal as those in 'North of Tyne' but they felt that the government's 'offer' was not sufficiently attractive and they had reservations about adding to the tiers of government by having a directly-elected mayor.

## North Yorkshire & York

Attempts to form a One Yorkshire Combined Authority came to nought. York City Council has agreed to work with North Yorkshire on devolution although it seems set to be a non-constituent member of a West Yorkshire Combined Authority.

## Oxfordshire

In Oxfordshire, there were previously conflicting proposals for a county-wide CA by the County Council and two or more CAs by the District Councils. However, these have been set aside whilst the area attempts to get to grips with the Oxford-Cambridge Arc growth proposals. (N.B. Simon Clarke, minister for growth and regional government, related the Ox-Cam corridor/arc to the Devolution White Paper in his address to the LGA on July 3<sup>rd</sup> - see introduction).

## Rutland

In terms of devolution, not much appears to be happening.

### Sheffield City Region

The second newest CA finally came into being less than a year ago after attempts to form a One Yorkshire CA were finally abandoned by most, although not all, supporting LAs. Now a new devolution deal for South Yorkshire has been agreed with the mayor of Sheffield City Region and the leaders of the South Yorkshire Councils – Barnsley, Doncaster, Rotherham and Sheffield – agreeing to work together.

### Somerset

The County Council want to form a unitary authority. The four District Councils, Mendip, Sedgemoor, South Somerset and Somerset West & Taunton are proposing closer collaborative working instead.

### South of Tyne

Discussions about forming a CA between Durham County Council, the South of Tyne, Gateshead, Sunderland City Council and South Tyneside MBC are temporarily on hold but likely to be resumed. Gateshead MBC's leader has revived hopes of a South of Tyne devo deal by accepting that an elected mayor may be necessary.

### Staffordshire and Stoke on Trent

In terms of devolution, not much appears to be happening.

### Surrey, East and West Sussex and Brighton

A 'Three Southern Counties' initiative came to nothing. However, the leader of Surrey County Council is understood to be pushing to re-organise his county into a single unitary – which would make it the largest such council. (Surrey has 11 Districts and a population of 1.2 million). But he does not have support across the various political parties.

### Swindon and Wiltshire

Devolution discussions between Swindon and Wiltshire came to nothing in 2017. At present, not much appears to be happening.

### Tees Valley

Tees Valley CA was created in 2016. It consists of five local authorities: Darlington, Hartlepool, Middlesbrough, Redcar, Cleveland and Stockton-on-Tees and it appointed its first mayor in 2017.

### The Marches



In terms of devolution, not much appears to be happening in the unitary authorities of Herefordshire, Shropshire and Telford & Wrekin.

#### Warwickshire

In terms of devolution, not much appears to be happening.

#### West Midlands

The West Midlands CA, which elected its first mayor in 2017, has an unusual constitution. It has seven constituent members – the cities of Birmingham, Coventry and Wolverhampton and the Metropolitan Boroughs of Dudley, Sandwell, Solihull and Walsall – but it also has 10 non-constituent local authority members from surrounding areas. Of these Stratford DC and Warwick DC have been discussing plans to create ‘super district’ or a county-wide unitary or a two-county unitary.

#### West of England

The West of England CA was established with three local authorities as members – Bath & North East Somerset, Bristol City and South Gloucestershire – and the first mayor was elected in 2017. The administration of North Somerset did not want to join at the time. The new administration does want to be a formal member but will have to wait now until the postponed mayoral election in 2021. Meanwhile, Somerset County Council has launched a public consultation on the proposals to abolish the county’s four districts and create a single unitary, despite a strong backlash against the plans by all four of its districts. Mendip DC, Sedgemoor DC, South Somerset DC and Somerset West & Taunton Council (which was created in April last year following a merger of West Somerset DC and Taunton Deane BC) have now issued a joint statement rejecting the notion of a ‘One Somerset’.

#### West Yorkshire

A consultation is currently underway on a West Yorkshire devolution deal which would come into effect in May 2021 and which seems set to include an elected mayor. (NB Leeds is the only northern core city currently without a devolution deal). The proposal is that York would be a non-constituent member of the Combined Authority.

#### Worcestershire

In terms of devolution, not much happening.

### **5. Commentary and next steps**

Local Councils have been awarded more powers in recent times. For instance, they can now do anything a member of the public can do which is legal. However, neither individual members of the

public nor Local Councils, can take on any of the tasks that principal authorities perform of their own volition.

Many principal authorities have devolved some powers to Local Councils but not always in the most equitable manner. It has not been unusual for Town and Parish Councils to be told they can accept responsibilities from principal authorities which they are not statutorily required to offer or those services will simply not be provided in future. This has not always led to the best relationships, especially as funding has often not followed function.

Sometimes there has been a one-off small payment made at handover but the assumption has been, more often the not, that the Local Councils can simply raise their precepts if they need more income to handle the new responsibility/ies. Nevertheless, many Local Councils have taken on more tasks in recent years.

Where it has been necessary to raise precepts in order to deliver more, the overall difference in terms of percentage increase might sometimes seem high but the real difference in terms of extra Council tax is often very minimal. This is a crucially important point which needs to be laboured to government. Increases are often from a small base.

Whilst the principal authorities singly or in concert with others continue to press for and/or mull over devolved powers from central government to them, the National Association of Local Councils (NALC) also continues to lobby for more devolved powers to the Town and Parish Council level. This is fine but perhaps the time has now come for NALC's message to become more nuanced?

There are many small Parish Councils which do not seek more responsibilities and which would be overwhelmed if they were handed them.

It is vitally important that it is made clear to central government that Local Councils must have the option of choosing whether or not to take on any new devolved responsibilities.

It may also be the right time to ask Local Councils of all sizes what responsibilities, if any, they may be interested in taking on.

Perhaps NALC would consider conducting an internal consultation on devolution and feeding the results to the Ministry of Housing, Communities and Local Government – with a view to influencing what appears in the Devolution White Paper? Or, if the White Paper is issued before the consultation can be carried out and the results assimilated, the resulting report could still be fed to the MHCLG as part of a reaction to the White Paper.

This is a proposition for the NALC Policy Committee to consider.



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