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## SCRUTINY BOARD (STRATEGY AND RESOURCES)

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Meeting to be held remotely on  
Wednesday, 1st July, 2020 at 3.00 pm

*(A pre-meeting will take place for ALL Members of the Board at 2.30 p.m.)*

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### **MEMBERSHIP**

#### **Councillors**

- G Almass - Beeston and Holbeck;
- P Carlill - Calverley and Farsley;
- D Chapman - Rothwell;
- L Cunningham - Armley;
- S Firth - Harewood;
- M Harland (Chair) - Kippax and Methley;
- H Hayden - Temple Newsam;
- D Jenkins - Killingbeck and Seacroft;
- J McKenna - Armley;
- M Robinson - Harewood;
- S Seary - Pudsey;

#### **Additional Co-opted Members**

- Councillor B Anderson - Chair of Scrutiny Board (Environment, Housing and Communities)
- Councillor H Hayden - Chair of Scrutiny Board (Adults, Health and Active Lifestyles)
- Councillor A Lamb - Chair of Scrutiny Board (Children and Families)
- Councillor P Truswell - Chair of Scrutiny Board (Infrastructure, Investment and Inclusive Growth)

Note to observers of the meeting: To remotely observe this meeting, please click on the 'View the Webcast' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1041&MId=10003&Ver=4>

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*Please note: Certain or all items on this agenda may be recorded*

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**Principal Scrutiny Adviser:**  
**Angela Brogden**  
**Tel: 37 88661**

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified.</b></p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p><b>MINUTES - 10TH JUNE 2020</b></p> <p>To confirm as a correct record, the minutes of the meeting held on Wednesday 10<sup>th</sup> June 2020.</p>	5 - 8
7			<p><b>WEST YORKSHIRE DEVOLUTION DEAL - CONSULTATION ON THE PUBLISHED SCHEME</b></p> <p>To receive a report from the Head of Democratic Services which presents details of the published Scheme linked to the West Yorkshire Devolution Deal and invites the views of Scrutiny as part of the formal consultation process.</p>	9 - 102
8			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Wednesday, 22<sup>nd</sup> July 2020 at 11.00 am (Pre-meeting for all Board Members at 10.30 am)</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<p><b>THIRD PARTY RECORDING</b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> <li>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ul> <p><b><u>Webcasting</u></b></p> <p><b>Please note</b> – the publically accessible parts of this meeting will be filmed for live or subsequent broadcast via the City Council’s website. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed.</p>	

## SCRUTINY BOARD (STRATEGY AND RESOURCES)

WEDNESDAY, 10TH JUNE, 2020

**PRESENT:** Councillor M Harland in the Chair

Councillors G Almass, P Carlill,  
D Chapman, L Cunningham, S Firth,  
H Hayden, D Jenkins, J McKenna,  
M Robinson and S Seary

### **CO-OPTED MEMBERS**

Councillors Anderson, Lamb and Truswell

### **CHAIRS COMMENT**

The Chair, Cllr. Harland welcomed everyone to this remote meeting of the Strategy and Resources Scrutiny Board which was the first Scrutiny Board to be live webcast.

The Chair went on to say as well as being the first time that this Board is holding a public meeting remotely, the Board's membership has also been expanded for the purposes of today's discussion surrounding the West Yorkshire Devolution Deal as we welcome, as co-opted members, the contribution of the Council's other Scrutiny Board Chairs too.

#### **1 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

#### **2 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

#### **3 Late Items**

There were no late items.

#### **4 Declaration of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interest were made.

## **5 Apologies for Absence and Notification of Substitutes**

There were no apologies for absence from Board Members. However, apologies had been received from Tom Riordan, Chief Executive of the Council who unfortunately had not been able to attend the meeting.

## **6 Minutes - 24th February 2020**

**RESOLVED** – That the minutes of the meeting held on 24<sup>th</sup> February 2020, were approved as a correct record.

## **7 West Yorkshire Devolution Deal - Consultation on the published Scheme**

The report of the Head of Democratic Services provided the Scrutiny Board with details of the published scheme for the West Yorkshire Devolution Deal. The report invited the views of Scrutiny to feed into the formal consultation process.

In attendance at the meeting were:

- Cllr Judith Blake – Leader of Council
- Cllr. James Lewis - Deputy Leader and Executive Member for Resources
- Ben Still – Managing Director of West Yorkshire Combined Authority
- Mike Eakins – Intelligence and Policy Manager

The Chair informed the Board that unfortunately Councillor Blake needed to leave the meeting at 11.00 am to attend another meeting with Government Ministers. Councillor Blake was therefore invited by the Chair to give an initial introduction to the Board, along with Ben Still as Manager Director of the West Yorkshire Combined Authority.

As part of this introduction, the following points were made:

- With each of the five West Yorkshire councils and the West Yorkshire Combined Authority (WYCA) endorsing the West Yorkshire 'minded to' Devolution Deal, the Executive Board then met on 19<sup>th</sup> May 2020 to consider the outcome of the statutory Governance Review undertaken which had led to the development of a draft Scheme. In doing so, the Executive Board gave its approval to progress to the next phase involving public consultation on the draft Scheme.
- This Devolution Deal is subject to adopting the model of a directly elected mayor over the Combined Area (West Yorkshire) that is, becoming a Mayoral Combined Authority (MCA). The first Mayoral election would be in May 2021.
- It was noted that while it was regrettable that the Devolution Deal does not reflect the initial ask in terms of having a broader geographical footprint, the Combined Authority - as an MCA - will continue to explore opportunities for further collaboration with partner councils, including

Harrogate Borough Council, Craven District Council, Selby District Council, City of York Council and North Yorkshire County Council, and across the whole of Yorkshire through the Yorkshire Leaders' Board;

- Linked to this, it was highlighted that the current pandemic had particularly emphasised the importance of positive collaborative working between all councils across the region and that this would therefore continue;
- Importance was now placed on focusing efforts on the Deal going forward and to be in a position to formally sign the Deal later in the year.
- The Deal details £1.8bn of government investment, which includes £38m per annum for 30 years into the West Yorkshire Investment Fund; £317m from the Transforming Cities Fund; having control over the £63m annual Adult Education budget; and becoming eligible to bid for a newly established Brownfield Housing Fund, with a £400m envelope. Such funding would feed into key local priorities such as transport systems, bus franchising, and creating a West Yorkshire Digital Skills Partnership.
- Leeds is also to receive a £25m fund for the development of the British Library North here in Leeds;
- It was also noted that the Mayor will carry out the functions conferred on the Police and Crime Commissioner for West Yorkshire.
- The Board was reminded that the formal consultation of the scheme was launched on 25<sup>th</sup> May 2020 for eight weeks and closing on 19<sup>th</sup> July 2020.

In response to questions raised by Board Members, the following key points were made during the meeting:

*Role of the PCC* - the Board was informed that while it is proposed that the functions currently exercised by the Police and Crime Commissioner for West Yorkshire will be exercised by the Mayor from 2021, there was still ongoing dialogue with the Home Office seeking further clarity on this. However, it was noted that a Mayor may delegate any PCC Function to a Deputy Mayor for Policing and Crime, as is the case in Greater Manchester, with the exception of functions reserved by Order in accordance with the 2009 Act as exercisable only by the Mayor. With regard to the existing Office of the PCC, which has approximately 60 staff, it was also explained that such staff would be transferred across to the Mayoral Combined Authority.

*Council Tax and revenue raising powers* - the Board was informed that the Combined Authority will continue to have the power to issue a levy to its Constituent Councils in respect of transport functions and that the Mayor would also have the power to issue a Council Tax Precept on behalf of the Combined Authority in relation to Mayoral Functions and PCC Functions, but this would be subject to scrutiny and amendment under the proposed procedure, as set out in the Scheme, relating to the Mayor's budget.

*Mayoral scrutiny function* – it was explained that the overview and scrutiny arrangements currently established for the Combined Authority will be

retained, but will be subject to any amendments and expansion required to reflect the introduction of the Mayor and any new statutory provisions. Linked to this, it was also noted that the Mayor and the Combined Authority may seek to enhance scrutiny and develop wider conference with all elected members in the Combined Authority's area to engage on key issues. It was highlighted that views around how best to achieve this were being particularly encouraged as part of the consultation process.

***Due to technical issues, this remote meeting of the Strategy and Resources Scrutiny Board was formally adjourned at this point. The Board's consideration on the matter of the Devolution Deal is to be resumed at the next meeting of the Strategy and Resources Scrutiny Board on 1<sup>st</sup> July 2020.***

## **8 Date and Time of Next Meeting**

The next meeting of the Strategy and Resources Scrutiny Board will be Wednesday 1<sup>st</sup> July 2020 at 3:00 pm. (pre-meeting at 2:30 pm for all Scrutiny Board Members)



**Report of Head of Democratic Services**

**Report to Scrutiny Board (Strategy and Resources)**

**Date: 1<sup>st</sup> July 2020**

**Subject: Devolution Deal for West Yorkshire – Consultation on the published Scheme**

Are specific electoral wards affected? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, name(s) of ward(s):
Has consultation been carried out? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>
Are there implications for equality and diversity and cohesion and integration? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>
Will the decision be open for call-in? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>
Does the report contain confidential or exempt information? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If relevant, access to information procedure rule number: Appendix number:

**Summary**

**1. Main issues**

- Linked to the West Yorkshire Devolution Deal, the Scheme setting out proposals for changes to the governance and functions of the West Yorkshire Combined Authority is now published for wider consultation.
- In accordance with its remit, the Strategy and Resources Scrutiny Board has previously maintained a watching brief of the devolution agenda. During its meeting on 19<sup>th</sup> May 2020, the Executive Board also continued to acknowledge the important role of the Scrutiny function in ensuring there is a formal, public-facing channel through which the Deal and associated issues can be fully considered by Elected Members.
- This report therefore provides details of the published Scheme, inviting the views of Scrutiny to feed into the formal consultation process.

**2. Best Council Plan Implications**

- If adopted the West Yorkshire Devolution Deal will play a central role in enhancing the Council’s ability to respond, working in partnership with others, to the three key pillars which underpin the Best Council Plan – inclusive growth, health and wellbeing, and climate emergency.

**3. Resource Implications**

- The Deal contains significant levels of new funding for West Yorkshire, including a £38m per year, 30 year gainshare agreement.

## **Recommendations**

The Scrutiny Board is asked to:

- (a) Consider the information presented during today's meeting and share its particular views on the published Scheme, to be fed into the formal consultation process;
- (b) Determine what, if any, further Scrutiny it would like to undertake during the course of the consultation process.

## 1. Purpose of this report

- 1.1 Linked to the West Yorkshire Devolution Deal, the Scheme setting out proposals for changes to the governance and functions of the West Yorkshire Combined Authority is now published for wider consultation. The purpose of this report is to provide details of this Scheme and invite the views of Scrutiny as part of the consultation.

## 2. Background information

- 2.1 The West Yorkshire “minded-to” Devolution Deal was announced as part of the Budget on 11 March 2020 (set out in Appendix 1). The deal details £1.8bn of government investment (including £1.14bn over 30 years), which will be subject to local influence and decision making, enabling spend on local priorities, together with a range of devolved functions. This devolution deal is subject to adopting the model of a directly elected mayor (Mayor) over the Combined Area (West Yorkshire) that is, becoming a Mayoral Combined Authority (MCA).
- 2.2 Subsequent to the Budget announcement, each of the five West Yorkshire councils and the West Yorkshire Combined Authority (WYCA):
- Endorsed the “minded to” Deal agreed.
  - Agreed to be party to a Review of the Combined Authority’s constitutional arrangements and of the functions carried out by the Combined Authority of its area pursuant to S111 of the Local Democracy, Economic Development and Construction Act 2009.
  - Authorised the Combined Authority’s Managing Director, in consultation with the Chief Executive of each constituent council, to carry out the Review on behalf of each constituent council and the Combined Authority.
  - Authorised the Combined Authority’s Managing Director, in consultation with the Chief Executive of each constituent council and on behalf of each constituent council and the Combined Authority, to prepare a draft Scheme for consideration by the five constituent councils and the Combined Authority, subject to the outcome of the Review.
- 2.3 In Leeds the decisions noted above were taken on a delegated basis by the Chief Executive following recommendations made by a meeting of the Executive Board, which includes the leaders of the council’s two largest opposition groups. Unfortunately it was not possible to make this a formal meeting, open to the public, at the time as new government regulations surrounding councils’ ability to hold formal public meetings remotely were introduced afterwards. However, the paper considered by board members and the draft minutes were published on the council’s website prior to the Chief Executive formally taking the decisions.
- 2.4 The relevant report and decision notification are [available here](#). This was as a result of Executive Board being unable to meet due to the suspension of meetings in response to the COVID-19 pandemic.
- 2.5 The Executive Board held a further public meeting on 19<sup>th</sup> May 2020 to consider a report from the Chief Executive setting out the next stage of the implementation process in line with statutory processes, as well as outlining the range of work beginning locally to prepare for devolution in Leeds ([Executive Board meeting agenda 19/05/20](#)). In particular, the Executive Board was asked to consider the outcome of

the statutory Governance Review undertaken which had led to the development of a draft Scheme. In doing so, the Executive Board gave its approval to progress to the next phase involving public consultation on the draft Scheme.

### **3. Main issues**

#### **3.1 Draft Scheme**

3.2 Section 112 of the 2009 Act provides that where one or more of the authorities which undertook the Review conclude that the exercise of the power to make an Order under S104 or S105 would be likely to improve the exercise of statutory functions in West Yorkshire, they may prepare and publish a scheme relating to the exercise of the power in question – that is, the making of an order in relation to new transport-related functions, concurrent functions with local authorities, and changed constitutional arrangements (including those changes related to adopting a directly elected mayoral model).

3.3 The Secretary of State may only make an order under S104 or S105 if they consider that to do so is likely to improve the exercise of statutory functions in the Combined Authority's area. In making any such order, the Secretary of State must have regard to the need:

- To secure more effective and convenient local government for the area; and
- To reflect the identities and interests of our local communities.

3.4 The Governance Review, as presented to the Executive Board on 19<sup>th</sup> May 2020, concluded that:

- Current regional governance arrangements – based on a non-mayoral combined authority – do not represent the best model in terms of delivering the long-term ambitions of the authorities within the area for economic growth and delivery of public services;
- There is a limited practical scope for the existing governance arrangements to be meaningfully strengthened, short of creating a mayoral combined authority;
- A change is required to enable the West Yorkshire authorities to pursue their economic policy agenda at greater pace, while continuing to collaborate with the wider Leeds City Region, Yorkshire and the North in pursuit of shared economic objectives; and
- The statutory criteria for preparing and publishing a Scheme are met, i.e. that making an Order under S104 and S105 will likely:
  - Improve the exercise of statutory function in that area.
- In addition, establishing an MCA model of governance for West Yorkshire will:
  - Have a positive impact on the interests and identities of local communities – these proposals build on established regional governance arrangements which cover a coherent functional economic area and which represent the views and interests of local communities; and
  - Secure more effective and convenient local government by reducing complexity and streamlining the delivery of public services within the area.

3.5 The Review proposed that a Scheme is published that confirms:

- Any MCA should cover the area of West Yorkshire;
- A West Yorkshire Mayor would be elected in May 2021;
- The Mayor would become a member of the Combined Authority, and chair meetings of the authority;
- Each council will continue to appoint a member to the new MCA, along with political representatives from opposition groups, and non-constituent members from the LEP and City of York Council would be appointed; and
- The Mayor and MCA will exercise specific statutory functions, and hold some powers concurrently with West Yorkshire local authorities. No functions are being removed from those councils. Where existing functions currently held by West Yorkshire local authorities are to be shared with the Mayor or the MCA, this must be agreed by the constituent councils.

3.6 The Scheme will form the basis for a revised Order establishing the Mayoral Combined Authority. The Scheme therefore contains proposals relating to the adoption of a mayoral model, and the transfer of functions of a public authority to the Combined Authority, in accordance with S107B(2) and S105B(4) respectively. It contains information on:

- Proposed membership, voting and any other constitutional arrangements;
- Functions to be conferred on the mayoral combined authority and how they are exercised, that is, by the Combined Authority, currently with constituent councils, or by the Mayor (including any constraints or limitations to the Mayor's powers);
- Any changes to the way in which the Combined Authority will be funded, including power for the Mayor to issue a precept, or prudential borrowing powers for functions other than transport;
- Practical arrangements, including and property transfers and ensuring transparency via enhanced scrutiny arrangements.

### 3.7 **Formal consultation**

3.8 Having been considered by constituent councils and the Combined Authority, the Scheme is now published for wider consultation. This consultation was formally launched on 25<sup>th</sup> May 2020 for eight weeks, closing on 19 July 2020.

3.9 In line with other Mayoral Order consultations undertaken elsewhere in England, the primary consultation channel being used is an online survey asking respondents their views on the Scheme. The link to the survey and all associated documents is hosted on the Combined Authority's Your Voice consultation and engagement website (<https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>), plus West Yorkshire councils' websites.

3.10 During its meeting on 19<sup>th</sup> May 2020, it was acknowledged by the Executive Board that, given the current COVID-19 situation, a communications plan would be developed, between the Combined Authority and local councils, to promote the consultation to the widest possible audiences using a range of digital and non-digital channels. These will include a combination of:

- Social media – including paid Facebook content
- Press releases targeting local and regional media
- Development of a toolkit so that councils and other partners can promote the consultation via their channels

- Potential local radio advertising and / or interviews
- Direct engagement with community networks and equalities groups to improve accessibility
- Development of an animation and associated assets explaining what devolution means in simple, accessible language
- Mailshots to target postcodes
- Direct e-shots to an extensive stakeholder list

3.11 Due to the current social distancing guidelines face-to-face consultation channels are not possible. In order to enhance the accessibility of the consultation for groups and individuals who may not be able to access digital channels, a specialist consultant has been procured to support effective targeting of particular postcode areas and equality groups. Contact has also been made with community and equalities groups and business representative organisations to be sure they have an opportunity to respond and share the consultation with their members to gather their views.

3.12 Following the consultation, a summary of consultation responses will be brought back to the constituent councils and the Combined Authority for consideration and approval. To ensure independence of process, specialist consultants have been commissioned to analyse the results and produce the final report. The Consultation Institute have also been asked to provide independent quality assurance and recommendations on the process adopted.

3.13 Once approved, the Scheme, along with the summary of the consultation responses and any representations made on behalf of constituent councils, will be submitted to the Secretary of State. Details of the Scheme would then be embodied in the draft statutory Order to establish a mayoral combined authority, and consents sought in due course from each of the constituent councils and the Combined Authority in respect of the draft Order and any related Regulations.

#### 3.14 **Consulting the views of Scrutiny**

3.15 In accordance with its remit, the Strategy and Resources Scrutiny Board has previously maintained a watching brief of the devolution agenda. During its meeting on 19<sup>th</sup> May 2020, the Executive Board also continued to acknowledge the important role of the Scrutiny function in ensuring there is a formal, public-facing channel through which the Deal and associated issues can be fully considered by Elected Members.

3.16 While a remote public meeting of the Strategy and Resources Scrutiny Board was held on 10<sup>th</sup> June 2020 to consider the West Yorkshire Devolution Deal and the published Scheme, unfortunately this meeting had to be adjourned due to technical difficulties. It was therefore agreed that the Board would continue its consideration of the West Yorkshire Devolution Deal at its next public remote meeting on 1<sup>st</sup> July 2020.

3.17 Details of the published Scheme is therefore attached for the Board's consideration (see Appendix 2) as well as the consultation survey document (see Appendix 3).

3.18 In view of the consultation timeframe, arrangements have again been put in place to provide for the broadest possible considerations to be made during today's meetings. The Chairs of each of the other Scrutiny Boards have been invited to contribute as co-opted additional members as this provides a link and opportunity for members of all Scrutiny Boards to feed into the process via their respective Chairs. However, where

considered appropriate, individual Scrutiny Boards may also opt to convene further meetings within the consultation timeframe to examine specific issues in more detail.

- 3.19 In conclusion, the views of Scrutiny will be captured within a composite report so they can be considered ahead of any submission which may be made to the Secretary of State.

#### **4. Corporate considerations**

##### **4.1 Consultation and engagement**

- 4.1.1 Invitations have been extended to the Leader of Council, the Chief Executive of the Council and the Managing Director of the West Yorkshire Combined Authority to attend today's meeting to address questions from the Board.

##### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 With regard to the consultation process, the Executive Board was informed during its meeting on 19<sup>th</sup> May 2020 that the Council will continue to work proactively with the Combined Authority – and the consultant – to ensure the widest possible reach for the consultation.

##### **4.3 Council policies and the Best Council Plan**

- 4.3.1 Securing a devolution deal for Leeds and the wider region has been a significant priority for the local authority for a number of years, as set out in the current and previous versions of the Best Council Plan. Once implemented the powers, funding and freedoms to be devolved from Government to the region will enhance the council's ability to achieve the strong economy and a compassionate city set out as its vision.

##### Climate Emergency

- 4.3.2 As part of the Deal text, the Government welcomed West Yorkshire's commitment to becoming a net zero carbon economy by 2038, with significant progress by 2030. Locally, the council remains committed to achieving net zero carbon emissions by 2030, as set out in the March 2019 climate emergency declaration.
- 4.3.3 The Governance Review and the published Scheme therefore considers the potential for MCA governance arrangements to deliver West Yorkshire's clean growth ambitions.

##### **4.4 Resources, procurement and value for money**

- 4.4.1 The Deal includes a number of flagship funding arrangements including £38m for 30 years into the West Yorkshire Investment Fund, £317m from the Transforming Cities Fund and control over the £63m annual Adult Education budget. The implications of these and the other funding provisions contained within the Deal were considered as part of the Governance Review.

## **4.5 Legal implications, access to information, and call-in**

- 4.5.1 Statutory processes need to be followed before any Order or Regulations may be made to implement the Deal.
- 4.5.2 S101(5) Local Government Act 1972 provides that two or more local authorities (defined to include a Combined Authority) may discharge any of their functions jointly and may arrange for the discharge of those functions by an officer of one of the authorities.

## **4.6 Risk management**

- 4.6.1 The council maintains a risk regarding devolution on the corporate risk register. This takes account of the need to secure a good deal and the opportunities this presents for the city. The risk ensures that any deal to be considered is in the best interests of the people of Leeds.
- 4.6.2 This risk will remain under review as the deal implementation process moves forward to provide assurance that any new or emerging opportunities are effectively assessed and acted upon.

## **5. Conclusions**

- 5.1 Linked to the West Yorkshire Devolution Deal, the Scheme setting out proposals for changes to the governance and functions of the West Yorkshire Combined Authority is now published for wider consultation. In accordance with its remit, the Strategy and Resources Scrutiny Board has previously maintained a watching brief of the devolution agenda. This report therefore provides details of the published Scheme and invites the views of Scrutiny so that these can be acknowledged as part of the formal consultation process.

## **6. Recommendations**

- 6.1 The Scrutiny Board is asked to
  - (a) Consider the information presented during today's meeting and share its particular views on the published Scheme, to be fed into the formal consultation process;
  - (b) Determine what, if any, further Scrutiny it would like to undertake during the course of the consultation process.

## **7. Background documents<sup>1</sup>**

- 7.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



# West Yorkshire Devolution Deal

Subject to ratification of the deal by all partners and the statutory requirements referred to within this document, including the consent of all councils affected and parliamentary approval of the secondary legislation implementing the provisions of this Deal.



## Signature page



.....  
The Rt Hon Rishi Sunak MP  
Chancellor of the Exchequer



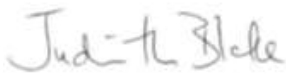
.....  
Simon Clarke MP  
Minister of State at the Ministry of  
Housing, Communities and Local  
Government



.....  
Cllr Shabir Pandor  
Leader of Kirklees Council



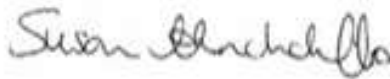
.....  
Cllr Denise Jeffery  
Leader of Wakefield Council



.....  
Cllr Judith Blake  
Leader of Leeds Council



.....  
Cllr Tim Swift  
Leader of Calderdale Council



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Cllr Susan Hinchcliffe  
Leader of Bradford Council and Chair of  
the West Yorkshire Combined Authority

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## Introduction

- 1) This document sets out the terms of a proposed agreement for a Devolution Deal between the government and the Local Authorities of West Yorkshire, comprising Bradford, Calderdale, Kirklees, Leeds, and Wakefield Councils, and the West Yorkshire Combined Authority. This agreement is subject to ratification by those Councils and the Combined Authority, and to the statutory requirements for making the secondary legislation implementing the provisions of the Deal. These statutory requirements include those Councils and the West Yorkshire Combined Authority consenting to the legislation and Parliament approving it. Once that legislation is made the Devolution Deal will be confirmed.
- 2) The deal will devolve a range of powers and responsibilities to the West Yorkshire Combined Authority, supporting the region to drive economic growth and prosperity within its communities and across the North of England. It will build upon the area's history of collaboration to maximise this investment and increase its contribution to national economies.
- 3) Through partnership, West Yorkshire is determined to unleash its full economic potential and in doing so raise living standards for its communities and make a full contribution to the UK economy. The Local Authorities of the West Yorkshire Combined Authority and Government have agreed an initial devolution deal which will provide powers and funding to enable the region to make progress as a significant step forward towards achieving that ambition.
- 4) West Yorkshire is strongest when it works together to deliver for all its communities. Its partnership has grown and strengthened over more than a decade, from the Leeds City Region Leaders Board to the West Yorkshire Combined Authority working with the Leeds City Region Local Enterprise Partnership (LEP).
- 5) The West Yorkshire Councils and Leeds City Region LEP secured the area's City Deal in 2012 and a £1bn Growth Deal in July 2014. This success has enabled the City Region to make a strong start:
  - bringing close to £3 billion public and private sector investment into the region to boost growth and jobs
  - set to create 20,600 jobs and add £2.1 billion a year to the economy by 2031
  - putting in place a £1 billion package of transport investment to upgrade transport links, making it easier for people and businesses to get around
  - helping 4,800 businesses to grow since 2011, unlocking close to half a billion pounds of private sector investment
  - creating over 4,300 work opportunities for young people aged 16-24, including 3,837 apprenticeships adding an expected £1.4 billion to the economy by 2020 as a result of work over the past four years.

- 6) West Yorkshire's ambition is to go much further to address historic and emerging challenges, including the need to improve air quality and tackle the climate emergency.
- 7) With a population of over 2.3 million people and a GVA of over £55bn p.a., West Yorkshire offers enormous potential. Sizeable parts of West Yorkshire enjoy a great quality of life, good wages, and lower living and housing costs, and for many the region is a great place to live, work, visit and invest. But substantial long-term investment and greater powers are needed, to tackle the challenges facing the region, and to harness its huge economic opportunity for the benefit of people in the region and for the whole UK.
- 8) The West Yorkshire deal will unlock significant long-term funding and give the region greater freedom to decide how best to meet local needs and create new opportunity for the people who live and work there. This agreement is the first step in a process of further devolution. The Government will continue to work with West Yorkshire on important areas of public service reform and infrastructure investment, to support inclusive economic growth in towns, cities and rural areas whilst tackling the climate emergency.
- 9) The forthcoming Leeds City Region Strategic Economic Framework, which includes the Local Industrial Strategy, will set out a robust evidence base and shared long-term priorities for boosting productivity, tackling the climate emergency and enabling inclusive growth. This will inform how West Yorkshire uses these significant new powers and responsibilities to maximise their long-term contribution to regional and national prosperity.
- 10) As a Mayoral Combined Authority, West Yorkshire will have an important role and voice across the Northern Powerhouse, and will be a key partner of central government to drive regional growth and productivity, joining the existing Mayoral Combined Authorities and engaging with Government as a Mayoral Combined Authority from the date of this deal – 11 March 2020.

## **Summary of the devolution deal between the Government and the Local Authorities of West Yorkshire, comprising Bradford, Calderdale, Kirklees, Leeds and Wakefield Councils and the West Yorkshire Combined Authority (collectively “West Yorkshire”)**

The Government and West Yorkshire are minded to agree an ambitious devolution deal which will provide the area with significant new powers and funding to increase opportunities and living standards through inclusive growth and productivity improvements. A devolution agreement is contingent upon West Yorkshire proceeding through the steps necessary to establish the new Mayoral Combined Authority.

This devolution agreement includes:

- A new, directly elected West Yorkshire Mayor, acting as Chair to the West Yorkshire Combined Authority.
- Control of a £38 million per year allocation of gainshare investment funding over 30 years (25% capital, 75% revenue), to be invested by the West Yorkshire Combined Authority to drive growth and take forward its priorities.
- A five-year integrated transport settlement starting in 2022/23 and exploring the case for West Yorkshire Mass Transit.
- New powers on transport, including bus franchising and control of a Key Route Network.
- Devolution of Adult Education powers and the Adult Education Budget to allow West Yorkshire to shape local skills provision to respond to local needs.
- £317 million from the Transforming Cities Fund, with flexibilities on spend.
- A £25 million Heritage Fund to support the British Library in establishing a potential ‘British Library North’.
- New powers on housing and planning, including statutory spatial planning, compulsory purchase and Mayoral Development Corporations.
- £3.2m to support the development of a pipeline of housing sites across West Yorkshire, with a Strategic Place Partnership with Homes England and the opportunity to bid into a new £400m Brownfield Fund.
- Up to £500,000 for the Bradford Station Masterplan and funding for the next stage of development of the Outline Business Case for Leeds station redevelopment.
- £75,000 for a West Yorkshire Local Digital Skills Partnership, subject to approval of a local proposal.
- £101 million Government funding for West Yorkshire flood risk management schemes, with an ongoing partnership with the Environment Agency on identifying and addressing flood risk management requirements in West Yorkshire.
- A West Yorkshire pilot of emerging green infrastructure benchmarks.
- Agreement to work towards the transfer of Police & Crime Commissioner functions to the Mayor, with a view to electing the first Mayor with these functions in 2024.
- Commitment to working in partnership to explore an “Act Early” Health Institute.
- Strengthened collaboration and partnership with Government, particularly: the Ministry for Housing, Communities and Local Government; HM Treasury; Department for Education; the Department for Work and Pensions; the Department for Business, Energy and Industrial Strategy and its agencies UKRI and Innovate UK; the Department for International Trade; and the Department for Culture, Media and Sport, on West Yorkshire’s ambitions on local growth, skills, education, employment, decarbonisation, innovation, business growth, trade, digital and culture, as well as consideration of how West Yorkshire can go further on devolution.

More detail on these commitments is given in the main body of the document below.

The Deal will support delivery of the Leeds City Region Local Industrial Strategy and the wider Strategic Economic Framework for the region. Further powers may be agreed over time and included in future legislation.

## Governance

- 11) West Yorkshire has already taken bold steps in securing effective and accountable governance arrangements. The Leeds City Region LEP was part of the first wave of LEPs established in 2010 and, in recognition of the City Region's extraordinary growth potential, secured in July 2014 the country's largest Growth Deal. As part of the city deals process, the West Yorkshire Combined Authority was created in April 2014, with Bradford, Calderdale, Kirklees, Leeds and Wakefield as constituent councils, and the City of York Council as a non-constituent council. The Chair of the Leeds City Region LEP is also appointed to the Combined Authority.
- 12) A key advantage of the Mayoral Combined Authority model is its joint governance arrangements for key growth levers such as transport, skills, economic development and regeneration, which allow for strategic prioritisation across its area and integrated policy development. In addition, a directly elected Mayor provides greater local accountability and decision-making power, working in partnership with the Combined Authority and constituent councils.
- 13) As part of this agreement, West Yorkshire will adopt the model of a directly elected Mayor over the Combined Authority's area, with the first Mayoral election in May 2021. The new Mayor will be elected by the local government electors for the areas of the constituent councils of the Combined Authority – Bradford, Calderdale, Kirklees, Leeds and Wakefield. The Mayor will have an initial three-year term. From 2024, Mayoral terms will last four years.
- 14) The West Yorkshire Combined Authority will comprise the following members:

Voting members:

  - the elected Mayor
  - five elected members, one appointed by each of the five constituent councils
  - three elected members agreed by the constituent councils to reflect the balance of political parties across the Combined Authority area.

In addition there will be:

  - an elected member appointed by the City of York Council (which will remain a non-constituent member of the West Yorkshire Combined Authority)
  - the Chair of the Leeds City Region LEP

These members will be non-voting unless the Combined Authority resolves to give them a vote on any issues.
- 15) The West Yorkshire Combined Authority will explore opportunities for further collaboration with its neighbouring councils, including Harrogate, Craven, Selby, York and North Yorkshire County Council, and across the whole of Yorkshire through the Yorkshire Leaders Board. York will remain as a non-constituent member and the Mayoral Combined Authority may invite representatives from other partner councils to attend (and speak) at any Mayoral Combined Authority meeting.

- 16) The Mayor and the other Combined Authority members will be required to work together. Specifically:
- The Mayor will provide overall leadership and chair Combined Authority meetings;
  - The Mayor may choose to delegate function(s) to members of the Combined Authority. Where this is the case the member to which a specific Mayoral function has been delegated will exercise that function on behalf of the Mayor;
  - More generally, members of the Combined Authority may also act to support and advise the Mayor in the exercise of Mayoral functions;
  - The Mayor may appoint one person as the Mayor's political adviser;
  - The Combined Authority may establish an independent remuneration panel to recommend allowances payable to the Mayor.
- 17) Functions contained in this deal document will be devolved to the Mayoral Combined Authority by the Government. Some of these functions will be exercisable by the Mayor and some by the Combined Authority. Where these functions are local authority functions they will be held concurrently with the local authorities in the area to ensure joined up decision making. Arrangements for the concurrent exercise of the functions will be a matter for agreement between the Combined Authority and the constituent councils.
- 18) The West Yorkshire Combined Authority will retain its current powers in relation to economic development, regeneration and transport functions (with the Mayor taking responsibility for preparing the transport plan and strategies). Working with the Mayor, these will be strengthened with additional powers as set out in legislation:
- Finance – power to borrow up to an agreed cap for non-transport functions
  - Adult education and skills functions
  - Economic development – duty to prepare an assessment of economic conditions
  - Housing functions relating to compulsory purchase (subject to the consent of the constituent council affected by the exercise of the function), plus provision of housing and land, land acquisition and disposal, and development and regeneration of land
  - Transport powers to set up and coordinate a Key Route Network on behalf of the Mayor (unless otherwise agreed locally, all operational responsibility for Key Route Network roads will remain with the constituent councils)
  - Powers to collect contributions from utility companies for diversionary works needed as a result of highways works carried out on the Key Route Network
  - Powers to operate a permit scheme designed to control the carrying out of works on the Key Route Network
  - The Combined Authority will be able to seek consent to raise a Strategic Infrastructure Tariff



- 19) The directly elected Mayor for the West Yorkshire Combined Authority will autonomously exercise their new functions with personal accountability to the electorate, devolved from central Government and set out in legislation. These functions will be:
- The functional power of competence
  - Housing and planning
    - i. Statutory spatial planning powers to produce a spatial development strategy; exercisable with the unanimous consent of the constituent authorities (see consent requirements below)
    - ii. Power to designate a Mayoral Development Area and then set up a Mayoral Development Corporation (see consent requirements below)
    - iii. Housing and land acquisition powers (see consent requirements below) to support housing, regeneration, infrastructure and community development and wellbeing.
  - Finance:
    - i. Power for the Mayor to set a precept on council tax to fund Mayoral functions (resulting from the setting of the Mayoral budget as set out below),
    - ii. Power to charge business rate supplement (subject to ballot)
  - Transport
    - iv. Power to draw up a local transport plan and strategies (The Combined Authority will be able to amend the Mayor's transport strategy if a majority of members agree to do so)
    - v. Power to request local regulations requiring large fuel retailers to provide Electric Vehicle charging points
    - vi. Bus franchising powers
    - vii. Ability to pay grants to bus service operators
  - Police and Crime Commissioner functions from the Mayoral election in 2024.
- 20) No constituent council functions are being removed from those councils. Where existing functions or resources currently held by the constituent authorities are to be shared with the Mayor and the Combined Authority, this must be agreed by the constituent councils. The Combined Authority may exercise functions in relation to its area and may exercise functions outside its area, subject to and in accordance with statutory provisions.
- 21) Proposals for decision by the Combined Authority may be put forward by the Mayor or any Combined Authority Member. The Mayor will have one vote as will other voting members of the Combined Authority. Any questions that are to be decided by the Combined Authority are to be decided by a simple majority of the members present and voting, unless otherwise provided for in legislation. Where the decision relates to a new function which the Combined Authority acquires pursuant to the deal, or where required by the Authority's constitution, that majority must include the vote of the Mayor.

- 22) In addition, for the following decisions the majority of members must include the consent of three of the five members for the constituent councils (but not that of the three additional constituent council members appointed for political balance):
- Approving the Combined Authority's budget (excluding decisions which relate to the Mayor's budget)
  - Setting a levy
- 23) The Mayor will be required to consult the Combined Authority on her/his/their strategies, and this will be subject to the following specific conditions:
- The spatial development strategy will require the consent of the members for each of the five constituent councils (but not that of the three additional constituent council members appointed for political balance)
  - The Combined Authority will be able to amend the Mayor's budget if five eighths of the members agree to do so;
  - The Combined Authority will be able to amend the Mayor's transport strategy if a majority of members agree to do so.
- 24) The following decisions by the Mayor will require the consent of the Combined Authority member (but not the member appointed for political balance), or substitute member acting in that member's place, appointed by the constituent council in whose area the decision will apply:
- the designation of any area of land as a Mayoral development area leading to the establishment, by order, of a Corporation (the consent of the relevant national park authority is also required if the land falls within the designated national park area);
  - the compulsory purchase of land or buildings by the Mayor;
  - any decision that could lead to a financial liability falling directly upon that constituent council; and
  - such other matters as may be contained in the Combined Authority constitution and agreed with the Mayor.
- 25) The Mayor and the Combined Authority will be scrutinised and held to account by the Combined Authority's Overview and Scrutiny Committee(s). The Overview and Scrutiny arrangements currently established for the Combined Authority will be retained, subject to any amendments required to reflect the introduction of the Mayor and any new statutory provisions. The Mayor and the Combined Authority may also seek to enhance scrutiny and develop wider conference with all elected members in the Combined Authority's area to engage on key issues.
- 26) The West Yorkshire Combined Authority Mayor will also be on the board of the LEP, alongside local authority representatives appointed by the constituent councils of the West Yorkshire Combined Authority, recognising the importance of the private sector in delivering West Yorkshire's growth strategies.
- 27) Economic growth is a shared endeavour and is vital in delivering a successful Northern Powerhouse. The Mayor, Combined Authority and LEP will continue to work very closely with the Government for the benefit of the public.
- 28) The West Yorkshire Combined Authority and the LEP commit to working with partners across the North of England to promote opportunities for pan-Northern

collaboration, including the Yorkshire Leaders Board, Transport for the North and the NP11, to drive productivity and build the Northern Powerhouse.

- 29) The proposals in this devolution deal are subject to ratification by each constituent council and the Combined Authority. The implementation of the deal will require consultation with local communities and business on the proposals. Implementation is also subject to the Secretary of State for the Ministry of Housing, Communities and Local Government being satisfied that the required statutory tests have been met, the consent of each constituent council and the Combined Authority and parliamentary approval of the required secondary legislation.

## Finance and Investment

- 30) The West Yorkshire Combined Authority will create a fully devolved funding programme covering all budgets for devolved functions (“West Yorkshire Investment Fund”), accountable to West Yorkshire Combined Authority.
- 31) The joint ambition will be to give the West Yorkshire Combined Authority a Single Pot to invest in its economic growth. This pot will comprise a flexible, multi-year settlement providing the West Yorkshire Combined Authority the freedom to deliver its growth priorities, including the ability to re-direct funding to reflect changing priorities, whilst upholding its statutory duties.
- 32) The West Yorkshire Combined Authority will develop a robust Single Pot Assurance Framework, in line with national guidance, to be signed off by the Ministry of Housing, Communities and Local Government (MHCLG) Accounting Officer prior to funding being released. Within this Assurance Framework, West Yorkshire Combined Authority will demonstrate an objective means with which to assess interventions and programme design so that these are aligned to their balanced economic outcomes for the area.
- 33) The West Yorkshire Combined Authority will use the West Yorkshire Investment Fund to deliver a programme of transformational long-term investment. Government agrees to allocate £38m per annum for 30 years (25% capital and 75% revenue) which will form part of the West Yorkshire Investment Fund. This will be subject to five-yearly gateway assessments to confirm that the investment has contributed to economic growth. Once the Order is made establishing a Mayoral Combined Authority and the Combined Authority has its Assurance Framework signed off, the Combined Authority may have access to the Investment Fund prior to Mayoral Elections, subject to the agreement with Government of suitable caps.
- 34) The West Yorkshire Combined Authority will have the flexibility to secure substantial private and public sector leverage. The Combined Authority will also be able to use capital receipts from asset sales as revenue funding for public service transformational initiatives.
- 35) The West Yorkshire Combined Authority will be given powers to borrow for its new functions, which will allow it to invest in economically productive infrastructure, subject to an agreed cap with HM Treasury. The Combined Authority will agree overall debt limits with HM Treasury, and update HM Treasury about any deviation from its underlying borrowing plans in order to support HM Treasury in its duty to monitor and forecast changes in the fiscal aggregates. The West Yorkshire Combined Authority will also provide information, explanation and assistance to support the Office for Budget Responsibility in its duty to produce economic and fiscal forecasts for the UK economy.
- 36) The costs of the Mayoral Combined Authority will be met from within the overall resources of the Combined Authority. To support the Mayoral Combined Authority in its early stages, Government will provide £250,000 in Mayoral Capacity Funding in 2020/21, once the establishing legislation is made and the Assurance Framework agreed with Government. Any future Mayoral Capacity Funding will be subject to decisions at the Spending Review, in line with arrangements made for other Mayoral Combined Authorities.
- 37) The Mayor will have the power to set a precept on local council tax bills to help pay for the Mayor’s work. This precept can only be raised for Mayoral functions.

- 38) The Mayor will have the power to introduce a supplement on business rates for expenditure on a project or projects that will promote economic development in the area, subject to a ballot of affected businesses.
- 39) The West Yorkshire Combined Authority will be able to seek consent to raise a Strategic Infrastructure Tariff. This would allow the Combined Authority to raise funding for strategic infrastructure and would operate alongside any local forms of developer contributions.
- 40) In addition to the funding provided in this deal, and in recognition of the ambitions for closer collaboration across Yorkshire reflecting the Yorkshire brand and its cultural heritage, Government will provide £200,000 in 2020/21 to support the establishment of a Yorkshire Leaders' Board, as a practical step for facilitating greater collaboration on a Yorkshire-wide basis. This is in the context of the Government continuing to work with areas to achieve its ambitions to secure devolution deals for the whole of Yorkshire, and exploring future opportunities with the Leaders Board.

## **Transport**

- 41) A new, directly elected West Yorkshire Mayor and the West Yorkshire Combined Authority will exercise the following powers and functions devolved from central government.

### **Consolidated transport budget**

- 42) The Mayor will be responsible for a devolved and consolidated local transport budget for the area of the West Yorkshire Combined Authority, including all relevant devolved highways funding.

### **Transforming Cities Fund**

- 43) The Government will provide the West Yorkshire Combined Authority with an allocation of £317m from the Transforming Cities Fund to progress all schemes within their 'Low' scenario. In line with flexibility provided to other Mayoral Combined Authorities, West Yorkshire Combined Authority will have scope to prioritise investments above this level. They will also have the ability to assure all Transforming Cities Fund schemes locally irrespective of cost. This builds on the Government's ongoing £173.5m investment in the Leeds Public Transport Improvement Programme.

### **Transport settlement**

- 44) The Government is committing to a five-year, integrated transport settlement with West Yorkshire Combined Authority starting in 2022/23 from a wider £4.2bn envelope. As part of the process of agreeing this settlement, the Government commits to working with the West Yorkshire Combined Authority to explore the case and options for funding Transforming Cities Fund schemes in its core and high scenarios, and a modern, low-carbon West Yorkshire Mass Transit System. Further details on the process for agreeing these settlements will be set out in due course. Resource funding for areas, including West Yorkshire Combined Authority, to support and prepare for these settlements will be considered at Spending Review.

## **Roads**

- 45) The Mayor and the West Yorkshire Combined Authority will take on highways powers to set up and coordinate a Key Route Network on behalf of the Mayor, building on the existing Key Route Network of local roads. The strategy for the Key Route Network will be developed, agreed and coordinated by the Combined Authority on behalf of the Mayor.
- 46) In partnership with constituent authorities, the Combined Authority and the Mayor will develop a single strategic asset management plan, and where practical, work towards streamlined contractual and delivery arrangements across the city region. Unless otherwise agreed locally, all operational responsibility for highways will remain with the constituent Councils.
- 47) West Yorkshire constituent authorities are able to issue permit schemes to manage disruption. New permit schemes across all roads went live in March 2020. By taking on powers over local roads held concurrently with constituent authorities, the Combined Authority will also be able to issue permit schemes to manage disruption, and bid to the

Secretary of State for Transport to seek approval to operate a lane rental scheme, including seeking contributions from utility companies through lane rental, subject to the Combined Authority making a request to the Secretary of State for Transport. The Combined Authority may exercise this power to create an updated lane rental scheme as needed, subject to Secretary of State agreement.

- 48) The West Yorkshire Combined Authority has requested powers relating to moving traffic offences. The Secretary of State has indicated that this year he will consider the issue of implementing Part 6 of the Traffic Management Act 2004 for authorities outside London. In addition, the Government welcomes the city-region's investment in a centralised Urban Traffic Management Control system to improve the resilience and reliability of its key route network and will discuss further opportunities for investment in the context of the Spending Review.
- 49) The West Yorkshire Combined Authority will also be able to enter into agreements with Government, other Local Authorities and Highways England, including to determine shared priorities for its strategic and key road networks.
- 50) Through the Automated and Electric Vehicles Act, the Mayor will have the power to request from the Secretary of State local regulations requiring large fuel retailers to provide Electric Vehicle charging points within the Combined Authority area.
- 51) Government recognises the importance of good links to the motorway network to the economy of West Yorkshire, and will work with the Combined Authority and Local Highways Authorities on the implementation of RIS2 and the development of RIS3, including support for those projects on the strategic road network that help deliver and mitigate the impacts of strategic site allocations as identified in Local Plans. This will include considering any case that the city region may bring forward for de-trunking part or all of the M606 and M621, or exploring alternative ways in which management of these roads can be made more responsive to local priorities. It will also include a shared agreement with Highways England on the timeliness of planning application decisions as the region continues to grow and sees investment in housing and employment sites.

## **Buses**

- 52) Government is committed to delivering improved bus services across the country. It is providing over £200m in 2020/21 and has committed £5bn for buses and cycling over the course of the Parliament. It will publish a national bus strategy in due course.
- 53) As a Mayoral Combined Authority, the West Yorkshire Mayor has access to franchising powers in the Bus Services Act 2017. This will provide the opportunity to develop high-quality bus services as part of an integrated local transport system and help to facilitate the delivery of smart, simple integrated ticketing across all local modes of transport in the city region. West Yorkshire will continue to work with relevant partners – Transport for the North, bus and rail operators and the Department for Transport – to realise this ambition.
- 54) Government will consider the making of relevant regulations to facilitate the transfer of bus functions and funding through the Bus Service Operator Grant to the Mayor, should these regulations be sought in future, subject to approval of a business case.

## **Rail**

- 55) Government will work in partnership with the West Yorkshire Combined Authority so that their priorities can be taken into consideration in future decisions on their commuter network. These priorities will need to be coordinated and compatible with surrounding areas and national priorities.
- 56) Government recognises the region's ambitions for further devolved powers. This issue is being considered by the ongoing Williams Review of Rail.
- 57) Government recognises the aspirations of West Yorkshire for the redevelopment of Leeds station and is working closely with Leeds City Council and the Combined Authority to take forward improvements both in track and services and in the station's accessibility and environment. Subject to endorsement of the Leeds Existing Station Programme Strategic Business Case, funding will be provided to take forward the next stage of development of the Outline Business Case.
- 58) Government also recognises the aspirations of West Yorkshire in relation to Northern Powerhouse Rail and HS2. It will continue to work with the West Yorkshire Combined Authority in seeking to align major rail investment with existing stations and services in the city region. Government commits to providing funding of up to £500,000 to support Bradford's master planning work to explore the regeneration opportunities of potential NPR services. Government will make £100,000 immediately available to fund the first phase of work.

## **Active Travel**

- 59) As mentioned above, the region is developing a transport pipeline and a key part of this will be to include how the region can meet its carbon targets. A major component of this will be a focus on sustainable transport schemes. The West Yorkshire Combined Authority commits to: prioritising investment in the cycling and walking networks identified through relevant Local Cycling and Walking Infrastructure Plans (LCWIPs) and partner council's own cycling and walking strategies, and to follow the latest Department for Transport cycle infrastructure design guidance [LTN2/08 successor], where practical, for all future cycling and walking schemes to deliver a step-change in high-quality active travel provision in the city region. Government recognises that local schemes can be innovative and push the boundaries of best practice and recognises the Combined Authority's role leading innovation in highways and street design beyond guidance. Government will work with the Combined Authority on options for greater local autonomy in implementing measures within existing legislation and consider options for potential changes to enforcement powers.



## Skills and Employment

### Adult Education

- 60) The Government will fully devolve the Adult Education Budget (AEB) to the West Yorkshire Combined Authority from academic year 2021/22 subject to readiness conditions and successful passage through Parliament. These arrangements do not cover apprenticeships or traineeships, even though the latter is funded through the AEB.
- 61) Prior to full devolution taking place the Government will work with West Yorkshire to support their preparations for taking on the relevant functions.
- 62) Upon devolution the West Yorkshire Combined Authority will be responsible for making allocations to providers and the outcomes to be achieved, consistent with statutory entitlements. The Government will not seek to second guess these decisions, but it will set proportionate requirements about outcome information to be collected in order to allow students to make informed choices.
- 63) The Government will consult with the West Yorkshire Combined Authority on any proposed changes to a funding formula for calculating the size of the grant to be paid to the combined authority for the purpose of exercising the devolved functions.
- 64) In order to proceed with devolution the Government needs to be assured of the following readiness conditions:
  - a. The Secretary of State for Education and appropriate accounting officer are assured that the West Yorkshire Combined Authority is operationally ready to administer the adult education budget and is satisfied the required statutory tests have been met
  - b. Parliament has legislated to enable transfer to the West Yorkshire Combined Authority of the current statutory duties on the Secretary of State to secure appropriate facilities for further education for adults from this budget and for provision to be free in certain circumstances
  - c. Agreement to a memorandum of understanding between the Department for Education and the West Yorkshire Combined Authority that provides appropriate assurance that the named parties will work together to ensure the future financial stability of the provider base, including for sharing financial risk and managing provider failure.
  - d. Learner protection arrangements are agreed between parties.
- 65) Following on from the development of the first part of the National Retraining Scheme, Get Help to Retrain, which was rolled out to West Yorkshire in 2019, Government is committed to remain engaged with West Yorkshire to ensure the scheme continues to develop to meet the needs of those who will use it in the local area. In addition, Government will seek views from areas across the country, including from West Yorkshire, on the development of the National Skills Fund to ensure that it effectively helps local people to respond to the changing labour market.

## **Skills and Education**

- 66) The West Yorkshire Combined Authority is currently supporting the Future-Ready Skills Commission which is focusing on post 16-education through to adult skills and career development. Government agrees to consider the findings of this work and engage with the Combined Authority on emerging priorities; for example, via the MCA/GLA Advisory Group.
- 67) Local planning and co-ordination of the skills system is essential to support the delivery of provision that meets the needs of local people and local employers. The West Yorkshire Combined Authority is already working to support providers to deliver on strategic local priorities through the locally established programme of Delivery Agreements.
- 68) The Government recognises the role that the LEP's Employment and Skills Panel (Skills Advisory Panel) will continue to play in bringing together local providers and employers to pool knowledge on skills and labour market needs, and to work together to understand and address key local challenges; and will continue to support the Employment and Skills Panel including funding in the financial year 2020/21 so that they can continue to build their analytical capability sustainably.
- 69) The Government also recognises the important role that the West Yorkshire Combined Authority has to play across the post-16 skills policy agenda to support the ongoing reform to the technical education system across the country – including through the introduction of T-Levels and the National Skills Fund. The Government will work with the West Yorkshire Combined Authority to explore opportunities for alignment of local and national programmes.
- 70) The Government will work with West Yorkshire to ensure that local priorities shape the provision of local careers advice, through direct involvement and collaboration with the Government in the design of local careers and enterprise provision for all ages, including through further collaboration on the work of the Careers and Enterprise Company and the National Careers Service.
- 71) The West Yorkshire Combined Authority and Government will work together to maximise investment in apprenticeships and promote the benefits of apprenticeships to employers. The Government will support West Yorkshire to convene employers so they can increase the number of apprenticeships available in the Combined Authority area, including via levy transfers.
- 72) The Government recognises the vital role that local Further Education (FE) institutions play in providing skills for people from across the region. Government recognises that further investment is needed in these institutions to ensure that the facilities are up to a standard that will allow providers to deliver on the ambition to create a world leading technical education offer in this country. The Government is committed to providing the investment that is needed into FE colleges and will seek to target this investment into the areas where it is most required to deliver quality further education.

## **Employment**

- 73) The Government recognises the need to ensure that various groups across West Yorkshire facing challenges in accessing and progressing in the labour market have access to appropriate support. There are a number of groups across the region that are

underrepresented in the labour market, including women, people from BAME groups, and those with a disability or health condition. West Yorkshire and Government will continue to work together to prioritise support for these groups including through ongoing engagement with local Jobcentre Plus. The Government and the region will also work together to better target support for these groups by understanding and utilising the analysis provided to the Skills Advisory Panel alongside the ongoing local work on the development of the Leeds City Region Inclusive Growth Framework.

- 74) As part of the development of the Leeds City Region Local Industrial Strategy Government is committed to working with the region on strategic priorities in relation to people including how to provide the targeted support needed for people who are furthest away from the labour market, and those in low pay who need support to stay in work and progress.

## Innovation

- 75) Innovate UK will work in partnership with the West Yorkshire Combined Authority to:
- Drive improved outcomes from the public investment into innovation, through better alignment of national and local strategies to leverage the benefits of co-investment or parallel investment to accelerate the path to impact. Government will work with West Yorkshire stakeholders to ensure they are aware of and considering national programmes and priorities, and that Innovate UK is aware of and considering regional capabilities and investments.
  - Ensure that companies with the ambition and potential to grow and scale are supported. Government will work in partnership with business-facing networks and develop strategic relationships with the Leeds City Region LEP to better reach those SME businesses who would benefit from Innovate UK support.
  - Increase insight and awareness within Innovate UK of West Yorkshire research and innovation capabilities identified through the Local Industrial Strategy.
- 76) The West Yorkshire Combined Authority and Government will establish the West Yorkshire Innovation network through the Connecting Innovation programme. This network will provide a dual-hub for the community of innovative entrepreneurs, start-ups and SMEs in the West Yorkshire ecosystem. This dual-hub will be anchored through a physical presence at the NEXUS Innovation centre (University of Leeds) and the 3M Buckley Innovation Centre (University of Huddersfield) initially, with further regional opportunities to be explored in the future. This network will bring together business support services from the Leeds Growth Hub, local Universities and the Innovate UK 'family' (including Knowledge Transfer Network, Enterprise Europe Network and Catapult network). Activities will be supported through regular 1-2-1 meetings, drop-in surgeries and workshops for our innovation community and in order to raise aspirations and improve the chances of success, for our businesses competing for UK Research and Innovation (UKRI) funding.
- 77) Innovate UK, the Department for Business, Energy and Industrial Strategy (BEIS) and UKRI will work closely with the West Yorkshire Combined Authority and the Leeds City Region LEP to support development of the Local Industrial Strategy, particularly building on local strengths in health tech and data analytics and on the existing MoU with Innovate UK. This will:
- Improve data sharing and referrals:
    - Develop improved business intelligence to better target the right support at businesses with the potential to grow
    - Mechanisms will be explored, and, where possible, established for Innovate UK to share details of businesses who have applied for Innovate UK funding with the LEP
  - Marketing and promotion:
    - Co-designing and delivering targeted local events and workshops to support business led innovation
  - Access to expertise:

- Innovate UK will provide expert opinion on value for money into local investment decisions
  - Recognise the Leeds City Region 'Connecting Innovation' programme as a primary gateway for joined up innovation support in the region
  - Better understand, facilitate and coordinate existing local private sector networks and explore opportunities for the private sector to take a more central role in innovation support
  - Developing co-investment opportunities
    - Regular Innovate UK senior management roundtable discussions with the West Yorkshire Mayor's Office
    - Drive innovation diffusion, particularly around leadership and management practices and technology adoption for those SMEs with growth potential, through schemes such as Innovate2Succeed
    - Explore opportunities for the region to benefit from future Government funding opportunities
- 78) UKRI will work towards building a stronger regional relationship with West Yorkshire, over and above the existing relationship with Innovate UK.
- 79) BEIS is working with UKRI to develop an ambitious Place Strategy for UK research and development to support the strengths of all parts of the UK. Government will engage with industry, the scientific community and civic organisations across the country to develop this strategy and will engage with West Yorkshire, particularly around the areas of health-tech, data and tackling the climate emergency.
- 80) BEIS commit to working with the West Yorkshire Combined Authority to explore opportunities to build capacity for local SMEs to enable them to access national funding competitions from Innovate UK and others.

## Trade and Regional Business Support

- 81) The Department for International Trade (DIT) are committed to working with West Yorkshire and other regions in the North to have a joint plan and working arrangements to 'level up' the North. The exact structure and format of these arrangements will be subject to wider discussion about the governance arrangements around trade and investment activity in the Northern Powerhouse.
- 82) DIT will work with the West Yorkshire Combined Authority to establish an international trade forum which will agree a joint plan and seek to join up activity around key sector and market priorities across West Yorkshire. The extent to which this will allow additional activity will be subject to the agreement of additional funds for the Northern Powerhouse in the budget.
- 83) Government will ensure West Yorkshire receive an appropriate share of export support through the Northern Powerhouse Enhanced International Trade Adviser (ITA) delivery contract and Internationalisation fund. DIT and the Combined Authority will define and agree metrics to measure the performance of export support delivered in West Yorkshire, and look at options for dedicated ITA resource for the West Yorkshire region, particularly when linked to the mission/campaign activity set out in the joint plan.
- 84) DIT will look to embed International Trade Advisors in growth hubs, where relevant and agreed in devolution deals in 2020/21.
- 85) The joint plan between DIT and the West Yorkshire Combined Authority will ensure there is coherent and effective support for businesses of all sizes and experiences.
- 86) DIT and the West Yorkshire Combined Authority will work more collaboratively specifically on areas such as:
  - National trade initiatives: DIT have a comprehensive programme of nationally delivered initiatives. Market-focused teams in DIT (UK & Overseas) will make best endeavours to ensure that the Combined Authority have early warning of these events and activities to support the delivery of initiatives and the engagement with regional businesses.
  - Regional trade partners: Government will continue to work with Enterprise Growth Solutions as the current export delivery contractors for DIT. This will facilitate influence over the key trade activities they deliver over the coming 12 months and to identify specific activities where Government and the Combined Authority can work in partnership. This will then transition in to developing a strong relationship with the new contractors following the award of the new Enhanced ITA contract, due to commence in 2021.
- 87) DIT and the West Yorkshire Combined Authority will work together in the transition of the new contract for the delivery of the Enhanced International Trade Advisor services across the Northern Powerhouse area. It will be important to build effective joint working arrangements to enable delivery of the plan agreed between the West Yorkshire Combined Authority and DIT.
- 88) DIT will support – but not fund – Mayoral visits which are part of the agreed trade and investment plan. In addition, the Mayor, Combined Authority members and West

Yorkshire business leaders will be invited to join where relevant UK overseas trade missions including Ministerial-led trips.

- 89) As part of the agreed plan between West Yorkshire and DIT, and subject to alignment with wider Northern Powerhouse strategies and national campaigns, DIT will seek to support market plans around China, India and other opportunities arising from Northern Powerhouse insights and alignment with national activity.
- 90) West Yorkshire will develop a fintech initiative with Hangzhou in China. Government will consider how best to support this as part of a Northern Powerhouse-wide programme and the UK Fintech Bridge programme.
- 91) DIT currently set a joint FDI target for the Leeds City Region LEP KAM programme and would work with West Yorkshire if agreed through a forward plan and build effective indicative targets to measure progress. DIT could collaborate to identify a target list of investors suitable for opportunities in the region.
- 92) To promote specific commercial opportunities from across the UK to investors overseas, West Yorkshire will take forward their successful Tissue Regeneration & Wound Care proposition from the HPO programme. The Combined Authority is also invited to submit up to two nominations to participate in Round 2 of the programme.
- 93) DIT and the West Yorkshire Combined Authority will work together to ensure that, where appropriate, the West Yorkshire offer is adequately reflected as part of the overall Northern Powerhouse proposition to international businesses and will consider how the GREAT campaign can support this as part of work to promote Northern Powerhouse opportunities.

### **Growth Hub**

- 94) The Leeds City Region growth hub (Growth Service) is the primary one-stop shop for regional business support. In 2018/19, the Growth Service supported over 3,200 businesses, and has supported over 14,000 since its launch in July 2015. West Yorkshire will continue to develop the regional offer, and work with Government and the private sector to ensure it is effectively joined up with the wider growth hub network and the full range of Government initiatives, such as the Made Smarter programme. This will enable the Growth Hubs to reach an even larger proportion of the region's substantial SME stock and provide more intensive support to fuel productivity growth and improve business resilience.
- 95) West Yorkshire is committed to building on the existing strong working relationships with the other Growth Hubs in Yorkshire and Humber, including via its role leading the regional cluster and by continuing to contribute effectively to both the national and Northern Powerhouse Growth Hub networks. The West Yorkshire Combined Authority recognises the importance of making the national Growth Hub offer more consistent and impactful, and is committed to sharing good practice from its own Growth Service delivery over the last four years.

### **Made Smarter**

- 96) Made Smarter is the UK Industrial Digitalisation programme that aims to boost UK manufacturing productivity through the development and adoption of industrial digital technology. West Yorkshire will work with Government to ensure the region takes best

practice and learning from the North West Made Smarter adoption pilot to maximise impact and build on the local work led by the Leeds City Region Made Smarter Board.

### **Business growth**

- 97) Government will support businesses in West Yorkshire through its national programmes to boost productivity, as launched in the Business Productivity Review. These include peer-to-peer networks to facilitate the sharing of best practice between SME business leaders covering productivity enhancing measures such as people management and technology adoption and access to leadership and management training through the Small Business Leadership Programme.
- 98) As part of the development of the Leeds City Region Local Industrial Strategy Government will continue to work with the region on strategic priorities in relation to Business Support and Ideas, including how to provide targeted support to SMEs and supporting businesses to de-carbonise and promote positive behaviours.



## Housing and Planning

### Housing

- 99) The West Yorkshire Combined Authority will have broad powers to acquire and dispose of land to build houses, commercial space and infrastructure, for growth and regeneration. They will be able to invest to deliver housing for the area.
- 100) The Mayor will have land assembly and compulsory purchase powers, subject to the agreement of the West Yorkshire Combined Authority member (but not the member appointed for political balance) where the relevant land is located, and to the consent of the Secretary of State for Housing, Communities and Local Government.
- 101) The Mayor will have the power to designate a Mayoral Development Area and to create Mayoral Development Corporations, which will support delivery on strategic sites in the West Yorkshire area. This power may be exercised only with the consent of the Combined Authority member(s) (but not the member(s) appointed for political balance) who represent the area in which the Development Corporation is to be established, and the consent of the National Park Authority, if relevant.
- 102) As a Mayoral Combined Authority with strong spatial planning powers, the West Yorkshire Combined Authority will be eligible to bid for a newly established Brownfield Housing Fund, with a £400m envelope. If successful, this funding will support the Combined Authority in bringing more land into development for delivery of housing on brownfield sites beyond existing local plans.
- 103) The West Yorkshire Combined Authority and Homes England will establish a Strategic Place Partnership to work together to identify and develop key opportunities for housing delivery. Government will, subject to annual reporting, provide £3.2m to the West Yorkshire Combined Authority across 2020/21 and 2021/22 to support development of a pipeline of housing sites across the region. Government will explore the potential for investment into housing propositions that emerge from development of this pipeline, including through the Brownfield Housing Fund and future funding streams.

### Planning

- 104) The Mayor will receive strategic planning powers. This will give the Mayor the power to create a statutory Spatial Development Strategy for West Yorkshire. This will coordinate strategic land-use planning with strategic transport planning and provide an ambitious framework to achieve a strategic level change in environmental planning policy to reduce carbon emissions and tackle the climate emergency. The scope and preferred approach to a Spatial Development Strategy is a matter for local agreement, in line with the National Planning Policy Framework. This Spatial Development Strategy will need to be approved by a unanimous vote of the five members of the Combined Authority individually appointed by the constituent authorities. This, along with local plans, will act as the framework for managing planning across West Yorkshire.
- 105) In the context of climate emergency, a Spatial Development Strategy provides the ability to coordinate key strategic policies to tackle pressing issues across local government boundaries, adding significant value compared to relying solely on local plans. The Spatial Development Strategy will set a common strategic vision and provide strategic policies to tackle pressing issues including strategic coordination on

energy policy, regeneration, renewal and retrofitting, modal shift, utilising broadband infrastructure, strategic waste management, flood risk management, developing and enhancing blue and green infrastructure and ensuring policies deliver biodiversity net gains. Ambitions on these priorities will be more effectively achieved when planned for at the cross-boundary level.

## **Culture, Heritage and Digital**

### **Cultural strategy**

- 106) The Government recognises local plans to use culture, creative and tourism sectors to drive inclusive and sustainable growth, and will work with West Yorkshire to support an ambitious local cultural framework that makes the most of the distinctive natural and cultural assets to enhance pride and wellbeing, and develop the local visitor economy, alongside improving talent and investment in the area.
- 107) The Leeds City Region cultural framework has been developed with the cultural agencies, the culture ALBs in the region and local authorities, all of whom will work together to ensure its effective implementation.
- 108) The Government welcomes the focus West Yorkshire is putting on the role of culture on promoting wellbeing and economic growth, and will work in partnership with the region to support the cultural ambitions of the region.

### **Heritage**

- 109) In recognition of West Yorkshire's ambition for the conservation and re-use of heritage buildings, the Government will provide West Yorkshire Combined Authority with £25m to establish a Heritage Fund. This will support the work of Leeds City Council with the British Library on establishing a potential 'British Library North'. The funding will be paid into the West Yorkshire Combined Authority Investment Fund in 2020/21. It is provided by Government on the understanding that the West Yorkshire Combined Authority will provide this funding where needed to enable the British Library to find an appropriate site in Leeds for a British Library of the North.

### **Digital skills**

- 110) The Department for Culture, Media and Sport (DCMS) continues to support the development of Local Digital Skills Partnerships (Local DSPs) in six trailblazer regions which bring together cross-sector partners to design, develop and coordinate the delivery of innovative digital skills programmes to upskill the current workforce, tackle digital inclusion and raise awareness of the importance of digital skills regionally.
- 111) DCMS are in early dialogue with West Yorkshire, firstly, to provide an update on the lessons and experience gained from launching the first six Local Digital Skills Partnerships and the impact they have had so far. Secondly, to progress a West Yorkshire Local DSP informed by learning from the first six DSPs, for which DCMS will provide £75,000 subject to the development and approval of a local proposal.

### **Digital enterprise**

- 112) Recognising the importance of the Digital Enterprise programme to West Yorkshire, Government will work with the area to take best practice from the project and subsequently explore how it might be extended and scaled up going forward.

## **Climate, Flooding and the Environment**

113) Government welcomes West Yorkshire's commitment to becoming a net zero carbon economy by 2038, with significant progress by 2030. Government will continue to develop its partnership with the Combined Authority to support the region's emission reduction ambitions and improve the resilience of businesses and communities facing the impacts of climate change.

### **Flood risk management**

114) Schemes worth at least £101m will be taken forward in West Yorkshire over the course of the six-year programme, as a result of the announcement by the Chancellor at Budget of a £5.2bn envelope.

115) The West Yorkshire Combined Authority and the Yorkshire Regional Flood and Coastal Committee will continue to work with the Environment Agency (EA) to explore and understand the local water and flood management needs of the West Yorkshire area, including Natural Flood Management.

116) The West Yorkshire Combined Authority and the EA have developed a pipeline of schemes for flood resilience and Natural Flood Management in West Yorkshire. Any projects taken forward through this pipeline will be shaped by the involvement of the West Yorkshire Combined Authority, its constituent authorities and Yorkshire RFCC – and their respective investment priorities – working with the EA and local delivery bodies, businesses and community groups.

117) The West Yorkshire Combined Authority and RFCC will also work with the EA to prioritise and direct funding to flood schemes within the region during the next six-year programme within the £5.2bn envelope, within the terms of Defra's partnership funding policy. There will also be close partnership working between the EA and the West Yorkshire Combined Authority to identify and secure new funding for flood defence schemes from within the existing pipeline from a range of public and private sources.

### **Zero Emission Strategic Infrastructure Investment Framework**

118) The region's success in becoming a net zero carbon economy by 2038 will depend on reducing emissions from transport, buildings, industry, power generation and land. West Yorkshire Combined Authority will develop a Zero Emission Strategic Infrastructure Investment Framework for the region, with support from Government, where appropriate, to provide feedback as the concept develops.

119) This framework will provide direction for infrastructure investment priorities and policies, and provide long-term confidence to those wishing to invest in the region. It will provide an evidence base, upon which the region can prioritise and shape investment in infrastructure. It will support the creation of high-quality green and blue infrastructure, high-quality low carbon developments, zero emissions transport infrastructure, and decarbonisation of energy.

## **Green Infrastructure**

120) The West Yorkshire Combined Authority will work with the Government to explore the potential for an innovative Green Infrastructure Standards pilot. This is in line with the Combined Authority's ambitions regarding Green and Blue Infrastructure and the importance of delivering green infrastructure to provide a range of benefits such as improved health, wellbeing, climate change adaptation and mitigation and nature conservation and enhancement. The pilot will use the emerging green infrastructure benchmarks, mapping and design guidance being developed by Defra and Natural England, to help West Yorkshire to become an exemplar of good green infrastructure delivery, benefitting the economy, people and the environment of the city region, and helping to deliver biodiversity net gain and net zero carbon.

## **Low carbon energy**

121) Government recognises the Combined Authority's progress in developing plans to reduce carbon emissions across West Yorkshire. Government agrees to work with West Yorkshire and to support progress on:

- Public sector decarbonisation
- Building retrofit, including addressing fuel poverty
- Heat decarbonisation
- Building the regional capacity to attract investment that helps the region achieve its net zero carbon ambitions.

## **Public Service Reform**

- 122) Government supports West Yorkshire in its ambition for public service reform. Government commits to working with the region to explore initiatives to improve the delivery of public services jointly with its constituent authorities, such as how best to support residents with multiple complex needs. Where appropriate, and as part of its levelling up agenda, Government will also consider devolving further powers to the Combined Authority to support public service reform, in relation to the statutory duties held by its constituent authorities.
- 123) Government commits to working in partnership across Departments and having further discussions with West Yorkshire to explore the feasibility and opportunities around an “Act Early” Health Institute, based in the region. The institute would be a whole system test bed to evaluate the long-term health and economic consequences of early life interventions and build an evidence base on long-term outcomes for children.
- 124) The Government, West Yorkshire Combined Authority and the Police & Crime Commissioner for West Yorkshire will work together with the aim of agreeing a governance model and timetable for transferring the exercise of Police & Crime Commissioner functions to the Mayor, with a view to electing the first Mayor with these functions in 2024.

## West Yorkshire's commitments underpinning the Deal

- 125) The West Yorkshire Combined Authority will work with Government to develop a full implementation plan, covering each policy agreed in this Deal, to be completed ahead of implementation. This plan must be approved by Government prior to delivery. Any issues of concern with the subsequent delivery of this Deal will be escalated to Ministers and Leaders to resolve, in keeping with the letter and spirit of devolution.
- 126) The West Yorkshire Combined Authority will be accountable to local people for the successful implementation of the Devolution Deal. Consequently, Government expects West Yorkshire to monitor and evaluate its Deal in order to demonstrate and report on progress. Government will work with the constituent members of the Combined Authority to develop a monitoring and evaluation plan that meets local needs and helps to support future learning, which must be approved by Government prior to delivery. Where relevant, this will include the coordination of metrics, methodologies and areas of focus with other local areas in order to secure the most useful evidence base across the full range of devolution deals.
- 127) The West Yorkshire Combined Authority will be required to evaluate the impact of the West Yorkshire Investment Fund. The Combined Authority and Government will jointly commission an independent assessment of the economic benefits and economic impact of the investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Combined Authority, but agreed at the outset with MHCLG and HM Treasury, and will take place every five years. The next five-year tranche of funding will be unlocked if Government is satisfied that the independent assessment shows the investment to have met the objectives and contributed to economic growth. The gateway assessment should be consistent with the HM Treasury Green Book, which sets out the framework for evaluation of all policies and programmes. The assessment should also take into account the latest developments in economic evaluation methodology. Government would expect the assessment to show that the activity funded through the scheme represents better value for money than comparable projects, defined in terms of a Benefit to Cost ratio and considered in the strategic context of local ambitions for inclusive growth across the whole geography.
- 128) As part of the implementation of the deal, the West Yorkshire Combined Authority and Government will agree a process to manage local financial risk relating to the deal provisions.
- 129) Prior to the first Mayoral elections, Government will work with the West Yorkshire Combined Authority to develop and publish a guide to the deal, which will aim to give the public and stakeholders – including Parliament – a clear understanding of: the powers and funding that are being devolved to West Yorkshire; where accountability sits as a result of this deal; and how decisions are made. This is consistent with the guides published for other Mayoral deals (which can be viewed at <https://www.gov.uk/government/publications/devolution-and-mayors-what-does-it-mean>).
- 130) The West Yorkshire Combined Authority and its members will continue to adhere to their public sector equality duties, for both existing and newly devolved responsibilities.

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# **Scheme setting out proposals for changes to the governance and functions of the West Yorkshire Combined Authority**

**Section 112 Local Democracy, Economic Development and Construction Act 2009**

## Preamble

### **This scheme has been jointly prepared by:**

- City of Bradford Metropolitan District Council,
- Borough Council of Calderdale,
- Council of the Borough of Kirklees,
- Leeds City Council,
- Council of the City of Wakefield, and
- West Yorkshire Combined Authority

This Scheme sets out proposals to change the governance arrangements of the West Yorkshire Combined Authority (the Combined Authority), by adopting a mayoral model (with the Mayor exercising the functions currently exercised by the Police and Crime Commissioner for West Yorkshire) and making related changes to constitutional arrangements.

It also sets out proposals for the Combined Authority to be delegated additional functions.

## Interpretation

In this Scheme:

“the 2008 Act” means the Housing and Regeneration Act 2008,

“the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009,

“the 2011 Act” means the Police Reform and Social Responsibility Act 2011,

“the 2014 Order” means the West Yorkshire Combined Authority Order 2014 (SI 2014/864),

“the Combined Authority” means the West Yorkshire Combined Authority,

“Constituent Councils” means

- City of Bradford Metropolitan District Council,
- Borough Council of Calderdale,

- Council of the Borough of Kirklees,
- Leeds City Council,
- Council of the City of Wakefield

“Deputy Mayor for Policing and Crime” means the deputy mayor for policing and crime for the Combined Area,

“Combined Area” means the area consisting of the areas of the Constituent Councils,

“LEP” means the Leeds City Region Enterprise Partnership,

“Mayor” means the mayor for the Combined Area,

“Mayoral Function” means any function which is the responsibility of the Mayor, other than a PCC Function,

“PCC Function” means any function carried out by a PCC, which is exercisable by the Mayor,

“MCA” means the mayoral combined authority,

“Non-Mayoral Function” means any function of the Combined Authority which is not a Mayoral Function or a PCC Function,

“PCC” means police and crime commissioner,

“Review” means the review carried out the West Yorkshire Authorities under section 111 of the 2009 Act in 2020, and

“West Yorkshire Authorities” means the Constituent Councils and the Combined Authority.

## Introduction

- 1.1 On 11<sup>th</sup> March 2020, the West Yorkshire Authorities agreed a “minded to” devolution deal with HM Government. The deal details £1.8bn of government investment (including £1.14bn over 30 years), which will be subject to local influence and decision making, enabling spend on local priorities, together with a range of devolved functions. This devolution deal is subject to adopting the model of a directly elected mayor (Mayor) over the Combined Area (West Yorkshire) that is, becoming a mayoral combined authority (MCA).
- 1.2 The West Yorkshire Authorities must also follow relevant statutory procedures to adopt the model of a directly elected mayor, and secure changes to the constitutional arrangements set out in the 2014 Order (which established the Combined Authority) and the additional functions set out in the deal.
- 1.3 The West Yorkshire Authorities therefore conducted a review under section 111 of the 2009 Act (the Review) in relation to:
  - changing constitutional arrangements of the Combined Authority, and
  - the delegation to the Combined Authority of additional functions under section 104 and section 105 of the 2009 Act (transport-related functions of the Secretary of State and functions concurrent to local authorities).
- 1.4 Having considered the findings of the Review, the West Yorkshire Authorities concluded that an Order by the Secretary of State to make the changes considered in the Review, including delegating additional functions to the Combined Authority, would be likely to improve the exercise of statutory functions in relation to the Combined Area. The West Yorkshire Authorities have therefore resolved to prepare and publish this Scheme under section 112 of the 2009 Act.
- 1.5 In addition, to secure the devolution of new government investment and the range of additional functions set out in the devolution deal, the West Yorkshire Authorities have included the following proposals in this Scheme:
  - to adopt the model of an MCA for the Combined Authority, and
  - for the Combined Authority to be delegated functions under section 105A of the 2009 Act (functions of a public authority).
- 1.6 It is also proposed that the functions currently exercised by the PCC for West Yorkshire (the PCC Functions) will be exercised by the Mayor from 2021. The postponement of the PCC elections to May 2021 has created a potential opportunity to transfer those functions to the Mayor by that time, subject to feasibility.
- 1.7 Proposals contained in the Scheme will be subject to public consultation from 25 May 2020 to 19 July 2020.

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- 1.8 As set out below, it is proposed that the Combined Authority will continue to exercise the functions conferred on the Combined Authority by the 2014 Order, as well as the new additional functions described in this Scheme.
  - 1.9 Any transfer to the Combined Authority, or to the Mayor, of existing functions or resources currently held by any Constituent Council must be by agreement with the Constituent Council.

## 2 Proposed MCA for West Yorkshire

2.0.1 The following part of the Scheme sets out how it is proposed that the Combined Authority will operate and discharge its functions as an MCA.

### 2.1 Geography

2.1.1 The area of the Combined Authority as MCA shall remain the Combined Area, as defined by the 2014 Order - that is, the area consisting of the areas of the Constituent Councils (West Yorkshire).

### 2.2 Name

2.2.1 It is proposed that the name of the Combined Authority as an MCA remains West Yorkshire Combined Authority.

### 2.3 Election of Mayor

2.3.1 It is proposed that the first Mayor will be elected in May 2021. The Mayor will be elected by the local government electors for the Combined Area (West Yorkshire).

2.3.2 As set out in the 2009 Act, the Mayor is to be returned under the simple majority system ('first past the post'), unless there are three or more candidates. If there are three or more candidates, the Mayor is to be returned under the supplementary vote system.

2.3.3 It is proposed that the initial term of the Mayor will be 3 years. Each subsequent mayoral term will be 4 years.

2.3.4 The 2009 Act provides that the Mayor will be entitled to the style of "Mayor" and the title of the Mayor will be the West Yorkshire Combined Authority Mayor.

## 2.4 Membership

- 2.4.1 It is proposed that the current membership arrangements for the Combined Authority are retained as set out in the 2014 Order, with the addition of the Mayor who by virtue of their office will be a member of the Combined Authority. The Combined Authority as MCA shall therefore comprise the following eleven members:
- the Mayor,
  - 5 elected members from Constituent Councils (one appointed by each Constituent Council),
  - 3 additional elected members for political balance jointly appointed by the Constituent Councils,
  - 1 elected member appointed by the City of York Council (the Non-Constituent Council), and
  - 1 person nominated by the Leeds City Region Enterprise Partnership (the LEP Member).
- 2.4.2 Of these, the elected member appointed by the City of York Council and the LEP Member are required by statute to be non-voting – see further below.
- 2.4.3 Other than in relation to the Mayor, no changes are proposed to the membership arrangements set out in the 2014 Order. These shall continue to apply to members of the Combined Authority other than the Mayor, in relation to:
- substitute arrangements (one for each member)
  - appointment arrangements and
  - terms of office.

## 2.5 Role of the Mayor

- 2.5.1 As provided by the 2009 Act, the Mayor by virtue of their office will be the Chair of the Combined Authority.
- 2.5.2 The Mayor will be responsible for functions of the Combined Authority which are Mayoral Functions, as set out below, and also exercise the PCC Functions.

## Deputy Mayor

2.5.3 The 2009 Act requires the Mayor to appoint one of the members of the Combined Authority as a Deputy Mayor, who will act in place of the Mayor if for any reason the Mayor is unable to act or the office of Mayor is vacant. Provisions within the 2014 Order relating to the appointment of a Chair and Vice Chair of the Combined Authority from amongst its members will therefore no longer apply, and will be omitted; the Deputy Mayor will chair meetings of the Combined Authority in the absence of the Mayor.

## Deputy Mayor for Policing and Crime

2.5.4 Where an Order provides for the Mayor to exercise PCC Functions, the Secretary of State must by Order authorise the Mayor to appoint a Deputy Mayor for Policing and Crime – see further paragraph 3.6 (PCC Functions).

## 2.6 Partnership Arrangements

2.6.1 As an MCA, the Combined Authority will continue to explore opportunities for further collaboration with partner councils, including Harrogate Borough Council, Craven District Council, Selby District Council, City of York Council and North Yorkshire County Council, and across the whole of Yorkshire through the Yorkshire Leaders' Board. The Combined Authority may invite representatives from any partner council to attend (and speak) at any meeting of the Combined Authority.

2.6.2 The Combined Authority may enter into joint arrangements with other local authorities in respect of Non-Mayoral Functions, under S101(5) Local Government Act 1972 and, it is proposed that arrangements for the Combined Authority as MCA provide that Mayoral Functions may also be carried out under joint arrangements – see paragraph 2.7.2.5.

2.6.3 It is proposed that the current governance arrangements of the Leeds City Region Enterprise Partnership (“the LEP”) will be revised to include the Mayor as a member of the LEP Board to ensure continued recognition of the LEP’s importance in the design and delivery of local economic strategies.

## 2.7 Decision-making arrangements



## 2.7.1 Decisions of the Combined Authority

2.7.1.1 The Combined Authority will be responsible for any function of the Combined Authority which is not the responsibility of the Mayor (any Non-Mayoral Function). Decisions on Non-Mayoral Functions will be taken by the Combined Authority, (that is, at a meeting of the members of the Combined Authority acting collectively), or taken in accordance with arrangements agreed by the Combined Authority, including:

- by a committee or sub-committee of the Combined Authority which has delegated authority for the function, or
- under joint arrangements agreed by the Combined Authority, or
- by an officer with delegated authority.

2.7.1.2 No business of the Combined Authority will be transacted at a meeting unless the Mayor (or the Deputy Mayor acting in place of the Mayor) and at least three members of the Combined Authority appointed by a Constituent Council who are not members appointed for political balance, are present at the meeting.

2.7.1.3 The following voting arrangements will apply at meetings of the Combined Authority:

- Un-weighted voting based on one member one vote,
- The Non-Constituent Member and the LEP Member must be non-voting (a requirement of section 85(4) of the Local Transport Act 2008) but could individually be given a vote on some or all issues voted upon, subject to agreement of the Voting Members (in accordance with section 85(5) of the Local Transport Act 2008),and
- The Mayor (or Deputy Mayor acting in their place) will not have a second or casting vote.

2.7.1.4 The Combined Authority aims to reach decisions by consensus. If it is not possible to reach a consensus on a matter that requires a decision, the matter will be put to the vote.

2.7.1.5 Any matter that comes before the Combined Authority will be decided by a simple majority of the members of the Combined Authority present and voting (whether a motion or an amendment), unless otherwise provided for in legislation or as set out below.

2.7.1.6 Where the decision relates to any new Non-Mayoral Function which the Combined Authority acquires pursuant to the Deal, or where otherwise

required by the Combined Authority's constitutional arrangements, that majority must include the vote of the Mayor.

2.7.1.7 For the following decisions, the simple majority of members must include three of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance):

- approving the Combined Authority's budget (other than any decision which relates to the Mayor's budget, which is subject to the statutory provisions referred to in paragraph 4.3), and
- setting a levy.

## 2.7.2 Decisions of the Mayor

2.7.2.1 In accordance with the 2009 Act, any Mayoral Function will be exercisable only by the Mayor except where the Mayor delegates such a function to:

- the Deputy Mayor,
- another Member of the Combined Authority,
- an officer of the Combined Authority,
- under joint arrangements – see paragraph 2.7.2.4, or
- the Deputy Mayor for Policing and Crime, where provided for by Order.

2.7.2.2 It is proposed that any member or officer of the Combined Authority may assist the Mayor in the exercise of Mayoral Functions, but that the Mayor cannot delegate to their political advisor.

2.7.2.3 It is proposed that some decisions in respect of Mayoral Functions will require the consent of the member appointed by any Constituent Council directly affected by the decision, (who is not appointed for political balance). This consent requirement applies to the following:

- a) The designation of any area of land as a Mayoral Development Area leading to the establishment, by Order, of a Mayoral Development Corporation (the consent of the relevant national park authority is also required if the land falls within the designated national park area) (see paragraph 3.5.2);
- b) The compulsory purchase of land or buildings by the Mayor (see paragraph 3.5);
- c) Any decision that could lead to a financial liability falling directly upon that Constituent Council; and

- d) Such other matters as may be contained in the Combined Authority's constitutional arrangements and agreed with the Mayor.

2.7.2.4 The Mayor will be required to consult the Combined Authority on any policy or strategy, relating to the exercise of a Mayoral Function, and this will be subject to the following specific conditions:

- a) The Spatial Development Strategy will require the consent of each of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance)
- b) The Combined Authority will be able to amend the Mayor's transport strategy if a majority of members agree to do so.

2.7.2.5 It is proposed that in relation to the Mayoral Functions, joint arrangements under S101(5) of the Local Government Act 1972 are provided for by Order, in accordance with S107E of the 2009 Act.

2.7.2.6 Decision-making arrangements in respect of the Mayor's budget for Mayoral Functions are set out in paragraph 4.3 of this Scheme.

### 2.7.3 PCC Functions

2.7.3.1 Decision-making arrangements in respect of PCC Functions are set out in paragraph 3.6.

## 2.8 Scrutiny Arrangements

2.8.1 The Mayor and the Combined Authority will be scrutinised and held to account by the Combined Authority's Overview and Scrutiny Committee(s).

2.8.2 In accordance with the 2009 Act, the Combined Authority ensures that the Overview and Scrutiny Committee has power to:

- (a) review or scrutinise decisions made, or other action taken, in connection with the any functions which are the responsibility of the Combined Authority;
- (b) make reports or recommendations to the Combined Authority with respect to the functions that are the responsibility of the Combined Authority;

- (c) make reports or recommendations to the Combined Authority on matters that affect the Combined Area or the inhabitants of the Combined Area.
- 2.8.3 As an MCA, the Combined Authority’s arrangements must also ensure that the Overview and Scrutiny Committee has power to:
- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the Mayor of any Mayoral Functions,
  - (b) to make reports or recommendations to the Mayor with respect to the discharge of any Mayoral Functions,
  - (c) to make reports or recommendations to the Mayor on matters that affect the Combined Authority's Area or the inhabitants of the Combined Area.
- 2.8.4 The Committee’s power to “call-in” a decision (that is, direct that a decision is not to be implemented while it is under review or scrutiny by the Committee, and recommend that the decision be reconsidered) extends to decisions taken by the Mayor in connection with Mayoral Functions.
- 2.8.5 The overview and scrutiny arrangements currently established for the Combined Authority will be retained, subject to any amendments to reflect:
- the introduction of the Mayor (such as a requirement for the Mayor to respond to reports or recommendations made by any Overview and Scrutiny Committee);
  - the scrutiny of additional Mayoral and Non-Mayoral Functions; and
  - any statutory provisions
- 2.8.6 The Mayor and the Combined Authority may also seek to enhance scrutiny and develop wider conference with all elected members in the Combined Area (West Yorkshire) to engage on key issues.
- 2.8.7 There will be separate oversight and scrutiny arrangements in respect of PCC Functions, which will be carried out by a Police and Crime Panel – see further paragraph 3.6.

## 2.9 Audit

- 2.9.1 The Combined Authority will retain its current Governance and Audit Committee, which carries out the statutory functions of an audit committee in accordance with the 2009 Act, which include:
- reviewing and scrutinising the Combined Authority's financial affairs,

- reviewing and assessing the Combined Authority's risk management, internal control and corporate governance arrangements,
- reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions, and
- making reports and recommendations to the Combined Authority in relation to reviews the Committee has conducted.

2.9.2 It is proposed that membership of any audit committee may include co-opted members.

## 2.10 Appointments - political advisors

2.10.1 It is proposed that the Mayor may appoint one person as the Mayor's political adviser, and that the terms and conditions of any such appointment will be provide for by order

## 2.11 Standing Orders

2.11.1 It is proposed that the Combined Authority will continue to make standing orders for the regulation of its proceedings and business and may vary or revoke any such standing orders.

## 2.12 Remuneration

2.12.1 It is proposed to amend the arrangements in the 2014 Order (which provides that no remuneration is to be paid by the Combined Authority to members of the Combined Authority, other than for travel and subsistence) to provide that an allowance may be paid to:

- the Mayor,
- the Deputy Mayor, (provided that they are not a Leader of a Constituent or Non-Constituent Council, or the Chair of the LEP)
- the Deputy Mayor for Policing and Crime.

The Combined Authority shall approve a scheme for allowances, following consideration of a report from an Independent Remuneration Panel, which the Combined Authority may appoint.

## 3 Functions of the Combined Authority as MCA

- 3.0.1 The prime purpose of conferring functions on the Combined Authority is to improve the exercise of statutory functions in relation to the Combined Area. In pursuit of this prime purpose, the Combined Authority will take on those functions set out in the “minded to” Devolution Deal (and retain those functions which were previously exercised by the Combined Authority in respect of the Combined Area).
- 3.0.2 Mayoral Functions and PCC Functions will be the responsibility of the Mayor, and are exercisable only by the Mayor, unless delegated by the Mayor. Mayoral Functions are listed in paragraph 3.1, and PCC Functions addressed in paragraph 3.6.
- 3.0.3 All other functions of the Combined Authority will be Non-Mayoral Functions – see further paragraph 3.2.
- 3.0.4 Where any Mayoral or Non-Mayoral Function is concurrent with any Constituent Council, (that is, where Constituent Councils share any function), arrangements for their exercise will be a matter for agreement between the Combined Authority and a Constituent Council.
- 3.0.5 It is proposed that the Constituent Councils, Public Authorities and the Combined Authority will agree operating protocols for the exercise of concurrent functions by the Combined Authority where considered appropriate. These protocols will recognise the strategic role of the Combined Authority and safeguard the role of Constituent Councils in local decision making and delivery.

### 3.1 Functions exercised by the Mayor - overview

3.1.1 It is proposed that the Mayoral Functions will be:

a) **Transport**

- I. Power to draw up a local transport plan and strategies

- II. Power to request local regulations requiring large fuel retailers to provide Electric Vehicle charging points
- III. Bus franchising powers
- IV. Ability to pay grants to operators.

**b) Housing and planning** (see further paragraph 3.5 below)

- I. Housing and land acquisition powers to support housing, regeneration, infrastructure and community development and wellbeing
- II. Power to designate a Mayoral Development Area and then set up a Mayoral Development Corporation
  
- III. Statutory spatial planning powers to produce a Spatial Development Strategy

**c) Finance** (see further paragraphs 4.2 and 4.5 (Finance))

- I. Power for the Mayor to set a **precept** on council tax to fund Mayoral functions (resulting from the setting of the Mayoral budget)
- II. Power to charge **business rate supplement** (subject to ballot)

3.1.2 For the purposes of the discharge of Mayoral Functions it is also proposed that the Mayor may exercise the ancillary power set out under section 113A of the 2009 Act (general power of combined authority). By law, the Mayor may not exercise this power to borrow money.

3.1.3 As stated above, it is also proposed that the Mayor exercises **PCC Functions** – see paragraph 3.6.

## 3.2 Non-Mayoral Functions - overview

3.2.1 Non-Mayoral Functions to be exercised by the Combined Authority include any function conferred on the Combined Authority by the 2014 Order, with the exception of specified functions relating to the local transport plan only (see paragraph 3.3.1).

3.2.2 In addition to the functions of the Combined Authority conferred by the 2014 Order, it is proposed that the Combined Authority exercise the following additional Non-Mayoral Functions:

- a) **Transport-related powers** to set up and coordinate a Key Route Network on behalf of the Mayor (unless otherwise agreed locally, all operational responsibility for Key Route Network roads will remain with the Constituent Councils) (see further paragraph 3.3.3)
  - b) **Transport-related powers** to collect contributions from utility companies for diversionary works needed as a result of highways works carried out on the Key Route Network (see further paragraph 3.3.3)
  - c) Powers to operate a permit scheme designed to control the carrying out of works on the Key Route Network (see further paragraph 3.3.3)
  - d) **Adult education and skills functions** (see further paragraph 3.4)
  - e) **Housing functions** relating to compulsory purchase, plus provision of housing and land, land acquisition and disposal, and development and regeneration of land. (see further paragraph 3.5)
  - f) **Economic development** – duty to prepare an assessment of economic conditions (see further paragraph 3.5.3.2)
  - g) **Finance** – power to borrow up to an agreed cap for non-transport functions (see further paragraph 4.4).
  - h) The power to seek consent to raise a **Strategic Infrastructure Tariff** (see further paragraph 4.6).
- 3.2.3 Notwithstanding the above, any Constituent Council and the Combined Authority may, enter into arrangements under Section 101 of the Local Government Act 1972 and/or Section 9EA of the Local Government Act 2000 and the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2012 to allow the delegation of functions from a Constituent Council to the Combined Authority. Any such delegation arrangement will require the agreement of the Combined Authority and the relevant Constituent Council.
- 3.2.4 The Combined Authority may also enter into joint arrangements with any Constituent Council or other local authority, in respect of Non-Mayoral Functions, in accordance with S101(5) of the Local Government Act 1972.



## 3.3 Transport

3.3.1 The Mayor will be given the functions in Part 2 of the Transport Act 2000 to produce a Local Transport plan and strategies. Members of the Combined Authority will be able to amend the Local Transport Plan and strategies if a majority of members agree to do so.

### 3.3.2 Consolidated Transport Budget

3.3.2.1 The Mayor will be responsible for a devolved and consolidated multi-year local transport budget for the Combined Area (West Yorkshire) including all relevant devolved highways funding, to enable greater surety of funding, more effective and efficient long-term asset management and procurement arrangements. This budget will be fully devolved and provide a firm funding settlement for a five-year period starting in 2022/23. This Mayoral budget is separate from the existing 20-year transport funding (West Yorkshire plus Transport Fund) that has already been agreed with Government.

3.3.2.2 It is proposed that the Combined Authority will be able to exercise the functions of a minister of the Crown contained in Section 31 of the Local Government Act 2003 to pay grants to the Constituent Councils for exercising highway functions. This function is a Mayoral Function exercisable concurrently with a Minister of the Crown.

### 3.3.3 Roads

3.3.3.1 The Combined Authority will take on highways powers to set up and coordinate a Key Route Network (KRN) on behalf of the Mayor. The strategy for the KRN will be developed, agreed and coordinated by the Combined Authority on behalf of the Mayor. The Combined Authority will be the Highway Authority for the KRN for the purposes of exercising the powers of the Highways Act 1980 and the relevant other primary and secondary legislation.

3.3.3.2 In partnership with Constituent Councils, the Combined Authority and the Mayor will develop a single strategic asset management plan, and where practical, work towards streamlined contractual and delivery arrangements across the Combined Area (West Yorkshire).

3.3.3.3 It is proposed to grant the Combined Authority functions in relation to the KRN as more particularly set out below. These will enable the KRN to be defined and allow the KRN roads to be strategically managed and

coordinated at the West Yorkshire level by the Combined Authority on behalf of the Mayor. However, unless otherwise agreed locally, all operational responsibility for highways will remain with the Constituent Councils. As such the specific functions of the Combined Authority which relate to operational management of the roads within the KRN will only be exercised with the unanimous approval of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance).

#### 3.3.3.4 The Combined Authority will be granted the following powers:

- a) Powers equivalent to those contained within the Road Traffic Regulation Act 1984 in relation to traffic orders (including sections 1, 2(4), 9, 23 and 65) and the power to enter into agreements as if it were a traffic authority pursuant to section 121A. The Combined Authority will only exercise such functions with the unanimous approval of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance);
- b) Powers contained in the New Roads and Street Works Act 1991, the Traffic Management Act 2004 and the Traffic Management Permit Scheme (England) Regulations 2007 to enable the Combined Authority to manage street works and issue permit schemes to manage disruption and bid to the Secretary of State for Transport to seek approval to operate a lane rental scheme in relation to KRN roads, including seeking contributions from utility companies through lane rental and exercising the power to create an updated lane rental scheme as needed (subject to the Secretary of State's agreement) together with powers relating to moving traffic offences. The Combined Authority will only exercise such functions with the unanimous approval of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance).
- c) The Combined Authority will be granted, in respect of the KRN, powers in relation to the enforcement of bus lane contraventions pursuant to the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005. The Combined Authority will only exercise such functions with the approval of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance). The outcome will be to ensure a consistent approach to the enforcement, application of penalty charges etc. of bus lanes.

#### 3.3.3.5 The Combined Authority will be granted functions equivalent to the below, concurrently with the relevant Constituent Council, unless otherwise stated:

- a) Section 6 of the Highways Act 1980 (enabling the Secretary of State or Highways England to delegate or enter into an agreement with a county council, metropolitan district council or London borough council in relation to the construction, improvement or maintenance of trunk roads). It is proposed that the section should be modified to include the Combined Authority amongst the authorities to which such functions may be delegated, to support better integration between local and national networks, or the equivalent legislative provision in order to achieve the aim of better integration.
  
- b) Section 8 of the Highways Act 1980 (enabling local highway authorities and Highways England to enter into agreements with other such authorities in relation to the construction, improvement, maintenance etc. of a highway for which any party to the agreement is the highway authority). It is proposed that the section be modified to allow the Combined Authority to be a party to such agreement as if it were a local highway authority, with the consent of any affected highway authority, or the equivalent legislative provisions in order to allow the Combined Authority to be party to such agreements.

3.3.3.6 Under the Automated and Electric Vehicles Act 2018, the Mayor will have the power to request from the Secretary of State local regulations requiring large fuel retailers to provide electric vehicle charging points within the Combined Area.

### 3.3.4 Buses

3.3.4.1 The Combined Authority will be granted powers under section 154 of the Transport Act 2000 to make grants to bus operators.

3.3.4.2 As an MCA, the Combined Authority will become a franchising authority under the Transport Act 2000. This Act provides for the Mayor to carry out functions in relation to making, varying or revoking a franchising scheme.

## 3.4 Adult Education / Skills and Employment

3.4.1 It is proposed that the Combined Authority will be given devolved functions in respect of Adult Education and will control the Adult Education Budget (AEB) from the academic year 2021/2022 subject to readiness conditions and successful passage through Parliament.

- a) These functions include those set out in the following sections of the Apprenticeships, Skills, Children and Learning Act 2009: section 86 (education and training for persons aged 19 or over and others subject to adult detention);
- b) section 87 (learning aims for persons aged 19 or over: provision of facilities);
- c) section 88 (learning aims for persons aged 19 or over: payment of tuition fees);
- d) section 90 (encouragement of education and training for persons aged 19 or over and others subject to adult detention);
- e) section 100 (provision of financial resources)

3.4.2 In addition, the Combined Authority will also have the following authority functions to be held concurrently with Constituent Councils:

- a) section 560A of the Education Act 1996 (functions related to the provision of work experience)
- b) sections 10 and 12 of the Education and Skills Act 2008 to ensure that its functions are exercised so as to promote the effective participation in education and training of relevant persons in its area aged 16 and 17, and to make arrangements to enable it to establish (so far as possible) the identities of such relevant persons.
- c) sections 68, 70, 71 and 85 of the Education and Skills Act 2008 to make available to young persons and relevant young adults such support services as it considers appropriate to encourage, enable and assist the effective participation of such persons in education and training, and functions relating to co-operation with other authorities.
- d) section 13A of the Education Act 1996 to ensure that their education and training functions are exercised with a view to promoting high standards, fair access to opportunity for education and training, and the fulfilment of learning potential.
- e) section 51A of the Further and Higher Education Act 1992 to require relevant institutions in the further education sector to provide appropriate education to specified individuals aged between 16 and 18 years.

## 3.5 Housing and Planning Functions

### 3.5.1 Housing

3.5.1.1 In order to exercise the functions outlined in the “minded to” Devolution Deal, it is proposed that the Combined Authority will be granted the following powers concurrently with the Constituent Councils or Homes England as appropriate.

3.5.1.2 It is proposed that the Combined Authority will be granted devolution of the objectives and functions of Homes England under section 2(1) of the Housing and Regeneration Act 2008 (to be exercised only in respect of the Combined Area) and the following powers contained in the 2008 Act will be exercised by the Combined Authority concurrently with Homes England:

- a) Section 3 (principal power);
- b) Section 4 (general powers);
- c) Section 5 (powers to provide housing or other land);
- d) Section 6 (powers for regeneration, development or effective use of land);
- e) Section 7 (powers in relation to infrastructure);
- f) Section 8 (powers to deal with land etc);
- g) Section 9 (acquisition of land);
- h) Section 10 (restrictions on disposal of land);
- i) Section 11 (main powers in relation to acquired land);
- j) Section 12 (powers in relation to, and for, statutory undertakers);
- k) Section 19 (power to give financial assistance);
- l) Paragraphs 19 and 20 of Schedule 3 (powers in relation to burial grounds and consecrated land etc.)
- m) Paragraphs 1,2,3,4,6,10 and 20 of Schedule 4 (extinguishment or removal powers for the HCA)

3.5.1.3 These functions will be Non-Mayoral with the exception of the specific Homes England compulsory purchase powers in section 9 of the 2008 Act (see below).

3.5.1.4 The objectives in section 2(1) of the 2008 Act are to provide the Combined Authority with the necessary powers:

- a) to improve the supply and quality of housing;
- b) to secure the regeneration or development of land or infrastructure;
- c) to support in other ways the creation, regeneration and development of communities or their continued well-being; and
- d) to contribute to the achievement of sustainable development and good design.

3.5.1.5 The functions in this section include powers enabling the achievement of the above objectives. Such powers include the power of compulsory purchase contained in section 9 of the 2008 Act (subject to the authorisation of the

Secretary of State). In order to achieve the objectives above, it is proposed that the Combined Authority should also have the benefit of exemption from section 23 of the Land Compensation Act 1961, which is enjoyed by Homes England under section 23(3)(d) of that Act.

3.5.1.6 As set out above, it is proposed that the exercise of the compulsory purchase power contained in section 9 of the 2008 Act, will only be exercisable by the Mayor with the consent of the member of the Combined Authority appointed by the Constituent Council (who is not appointed for political balance) for the area(s) of land to be compulsorily acquired and the Secretary of State.

3.5.1.7 It is proposed that the Combined Authority should be granted the power to acquire land for the development of housing under section 17 of the Housing Act 1985 and the associated section 18. It is proposed that the power to acquire land compulsorily under Section 17(3) of the Housing Act 1985 will be a Mayoral Function but will require the consent of the member of the Combined Authority appointed by the Constituent Council (who is not appointed for political balance) for the area(s) of land to be compulsorily acquired and the Secretary of State. The conferral of such powers on the Combined Authority will be entirely without prejudice to the exercise of those powers by the Constituent Councils which will exercise those powers concurrently.

### 3.5.2 Mayoral Development Corporation

3.5.2.1 It is proposed that the Mayor will have the power to designate an area a Mayoral Development Area (“MDA”) and so create a Mayoral Development Corporation (“MDC”) to help drive regeneration and expedite housing delivery on complex schemes in the area. The advantage of MDCs is that they have most of the powers of an Urban Development Corporation but are controlled locally rather than by the Secretary of State.

3.5.2.2 It is proposed that Part 8, Chapter 2 of the Localism Act 2011 be modified so that references to the GLA, Greater London and the London Mayor would include the Combined Authority and the Mayor. This would enable the Combined Authority to have functions for the Combined Area corresponding to the following functions contained in the Localism Act 2011 that the Mayor of London has:

- a) Section 197 (designation of Mayoral development areas);
- b) Section 199 (exclusion of land from Mayoral development areas);
- c) Section 200 (transfers of property etc. to a Mayoral development corporation);

- d) Section 202 (functions in relation to town and country planning);
- e) Section 204 (removal or restriction of planning functions);
- f) Section 214 (powers in relation to discretionary relief from non-domestic rates);
- g) Section 215 (reviews);
- h) Section 216 (transfers of property, rights and liabilities);
- i) Section 217 (dissolution: final steps);
- j) Section 219 (guidance by the Mayor);
- k) Section 220 (directions by the Mayor);
- l) Section 221 (consents);
- m) Paragraph 1 of Schedule 21 (membership);
- n) Paragraph 2 of Schedule 21 (terms of appointment of members);
- o) Paragraph 3 of Schedule 21 (staff);
- p) Paragraph 4 of Schedule 21 (remuneration etc: members and staff);
- q) Paragraph 6 of Schedule 21 (committees); and
- r) Paragraph 8 of Schedule 21 (proceedings and meetings).

3.5.2.3 It is proposed that the Mayor's power to designate an area a MDA under Section 197 of the Localism Act 2011 will require the consent of the member of the Combined Authority appointed by the Constituent Council (who is not appointed for political balance) whose local government area contains any part of the MDA.

3.5.2.4 It is further proposed that the Mayor's power to exclude land from a MDA under Section 199 of the Localism Act 2011 will require the consent of the member of the Combined Authority appointed by the Constituent Council (who is not appointed for political balance) whose local government area contains any part of the area to be excluded from the MDA.

3.5.2.5 It is also proposed that the London Mayor's power under section 202 of the Localism Act 2011 to decide that a MDC should have certain planning functions in relation to the whole or part of a MDA should be modified in relation to the Mayor so that the Mayor can only exercise this power with the consent of the member of the Combined Authority appointed by the Constituent Council (who is not appointed for political balance) whose local government area contains any part of the MDA concerned.

### 3.5.3 Economic Development and Regeneration

- 3.5.3.1 For the avoidance of doubt, the Combined Authority currently has the general power of competence pursuant to Section 1 of the localism Act 2011 exercisable for the purposes of economic development and regeneration which it will retain as an MCA.
- 3.5.3.2 It is proposed that the Combined Authority will have a duty to prepare an assessment of economic conditions under section 69 of the 2009 Act, concurrently with the Constituent Councils.
- 3.5.3.3 The Combined Authority will be granted the power to exercise concurrently with the Constituent Councils the functions of the Constituent Councils to compulsorily acquire land for development and other planning purposes under section 226 of the Town and Country Planning Act 1990 and the associated powers under sections 227, 229, 230, 232, 233, 235-241 of the Town and Country Planning Act 1990. The Combined Authority's exercise of such powers will in each instance be subject to the consent of the member of the Combined Authority appointed by the Constituent Council (who is not appointed for political balance) in whose area the property is located.
- 3.5.3.4 The conferral of such powers on the Combined Authority will be entirely without prejudice to the exercise of those powers by the Constituent Councils which will exercise those powers as previously.

### **3.5.4 Strategic Place Partnership**

- 3.5.4.1 It is proposed that the Combined Authority and Homes England will establish a Strategic Place Partnership to work together to identify and develop key opportunities for housing delivery. The creation of the partnership does not require any new statutory provision.

### **3.5.5 Planning**

- 3.5.5.1 It is proposed that the Mayor will have the power to create a statutory Spatial Development Strategy for the Combined Area (West Yorkshire). This will coordinate strategic land-use planning with strategic transport planning providing a framework to achieve a strategic level change in environmental planning policy to reduce carbon emissions and tackle the climate emergency.
- 3.5.5.2 The development of the scope and preferred approach to a Spatial Development Strategy will require an inclusive and collaborative approach to be taken by the Mayor together with other members of the Combined Authority and the Constituent Councils. Its approval will require the consent



of each of the five members of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance).

3.5.5.3 It is proposed that the Mayor will have the functions for the Combined Area corresponding to the following functions contained in the Greater London Authority Act 1999 (“the 1999 Act”) which the Mayor of London exercises in relation to Greater London or where appropriate such sections will apply subject to appropriate modifications:

- a) Section 334 (the spatial development strategy);
- b) Section 335 (public participation);
- c) Section 336 (withdrawal);
- d) Section 337 (publication);
- e) Section 338 (examination in public);
- f) Section 339 (review of matters affecting the strategy);
- g) Section 340 (review of the strategy);
- h) Section 341 (alteration or replacement);
- i) Section 342 (matters to which the Mayor is to have regard);
- j) Section 343 (ability of the Secretary of State to make regulations);
- k) Section 344 (amendments to the Town & Country Planning Act 1990);
- l) Section 346 (monitoring and data collection);
- m) Section 347 (constituent councils to have regard to the strategy); and
- n) Section 348 (Mayor’s functions as to planning around Greater London)

3.5.5.4 The exercise of any of the functions corresponding to the functions in sections 33(public participation), 336 (withdrawal), 337 (publication) and 341 (alteration or replacement) of the 1999 Act by the Mayor will require the consent of each member of the Combined Authority appointed by a Constituent Council (who are not appointed for political balance).

## 3.6 PCC Functions

### 3.6.1 Legislative Context

3.6.1.1 The Police Reform and Social Responsibility Act 2011 (the 2011 Act) established the position of PCC for West Yorkshire and specifies the core functions of a PCC. By Order under the 2009 Act these may be exercised by the Mayor.

3.6.1.2 An order providing for the Mayor to exercise the functions of a PCC must provide that there is to be no directly elected PCC in the Combined Authority area from a specified date.

### 3.6.2 Proposals

3.6.2.1 The Mayor will carry out the functions conferred on the PCC for West Yorkshire under Part 1 of the 2011 Act or any other Act (whenever passed) (the PCC Functions) in relation to the Combined Area, which corresponds to the West Yorkshire police area. This will provide for a single directly accountable individual responsible for the discharge of the PCC's functions, which will be consistent with the current PCC model and ambition for local people to have a single point direct accountability. Key PCC Functions are:

- securing the maintenance of an efficient and effective police force and holding the chief constable to account,
- issuing a police and crime plan, and
- appointing, suspending or calling on a chief constable to retire or resign.

3.6.2.2 In accordance with the 2009 Act, any PCC Function is to be taken to be a function of the Combined Authority exercisable by the Mayor acting individually, or by a person acting under arrangements with the Mayor in accordance Schedule 5C of the 2009 Act – see further below.

3.6.2.3 Under the 2011 Act, the PCC for West Yorkshire is a Corporation Sole carrying out the functions provided for in the 2011 Act. As set out above, it is proposed that the PCC Functions will be exercised by the Mayor who will have the sole responsibility for the PCC Functions. However, the following will transfer to the Combined Authority as legal entity although the decision-making in respect of these functions, after the transfer, will remain with the Mayor:

- Properties, Rights and Liabilities
- Appointments
- Borrowing
- Contracts

### 3.6.3 Deputy Mayor for Policing and Crime

3.6.3.1 Where an Order provides for the Mayor to exercise PCC Functions, the Secretary of State must by order authorise the Mayor to appoint a Deputy Mayor for Policing and Crime. The 2009 Act precludes the appointment as Deputy Mayor for Policing and Crime of:

- the Deputy Mayor;
- any person listed in section 18(6) of the 2011 Act; or
- any other person of a description specified by order.

### 3.6.4 PCC Functions

3.6.4.1 A Mayor may delegate any PCC Function to a Deputy Mayor for Policing and Crime, with the exception of functions reserved by Order in accordance with the 2009 Act as exercisable only by the Mayor, as follows:

- issuing a police and crime plan;
- calculating a council tax or budget requirement;
- appointing, suspending or calling on a chief constable to retire or resign; and
- any other function specified by Order.

3.6.4.2 PCC Functions that may only be exercised by the Mayor and/or the Deputy Mayor for Policing and Crime are:

- determining police and crime objectives;
- attendance at a meeting of a Police and Crime Panel in compliance with a requirement by the panel to do so;
- preparing an annual report;
- appointing a local auditor under section 7 of the Local Audit and Accountability Act 2014 (“the 2014 Act”); and
- deciding whether to enter into a liability limitation agreement under section 14

3.6.4.3 In addition, the Mayor, must by order be authorised to arrange for any other person to exercise any PCC Functions, such as an officer of the Combined Authority, but such an order must prevent the Mayor from arranging for a person to exercise:

- Any PCC Function if the person is listed in section 18(6) of the 2011 Act
- Any PCC Function listed in section 18(7) of the 2011 Act, or
- Any other PCC Function specified by order.

3.6.4.4 The Deputy Mayor for Policing and Crime must also by order be authorised to arrange for any other person to exercise any PCC Functions exercisable by the Deputy Mayor for Policing and Crime, but such an order must prevent the Deputy Mayor for Policing and Crime from arranging for a person to exercise

- Any PCC Function if the person is listed in section 18(6) of the 2011 Act,
- Any PCC Function of a kind listed in section 18(7)(b),(c) or (d) of the 2011 Act, (determining police and crime objectives, attending at a meeting of the Police and Crime Panel in compliance with a requirement, or preparing an annual report to a Policing and Crime Panel), or
- Any other kind of PCC Function specified by order.

### 3.6.5 Transfer of properties, rights and liabilities

3.6.5.1 All property, rights and liabilities which are property, rights and liabilities of the PCC for West Yorkshire will transfer and vest in the Combined Authority, subject to any exceptions to be agreed. However, all decisions relating to PCC Functions (and relating to assets and liabilities etc.) will be for the Mayor unless delegated as set out above. The Order will also provide for:

- all functions in relation to such property, rights and liabilities to be exercised by the Mayor;
- all decisions relating to such property, rights and liabilities to be made by the Mayor;
- any receipts arising from such property, rights and liabilities (whether arising from their use, sale, disposal or otherwise) are to be paid into the Police Fund kept by the Mayor by virtue of section 21 of the 2011 Act.

### 3.6.6 Continuity

3.6.6.1 The transfer of the functions of the PCC of West Yorkshire, and the transfer of property, rights and liabilities, do not affect the validity of anything done before the abolition or transfer.

3.6.6.2 The Combined Authority is to be substituted for the PCC for West Yorkshire in any instruments, contracts or legal proceedings which relate to any of the functions, property rights or liabilities transferred and which were made and commenced before the transfer and anything which was made or done by the PCC for West Yorkshire in connection with any of the functions, property rights or liabilities transferred before the transfer has effect as if made or done by the Combined Authority, subject to any exceptions to be agreed.

### 3.6.7 Staff of the Police and Crime Commissioner

3.6.7.1 The staff of the PCC of West Yorkshire will transfer under a statutory transfer order which will replicate the characteristics of a TUPE transfer.

### 3.6.8 Police and Crime Panel

3.6.8.1 Scrutiny of the discharge of PCC Functions will be performed by a Police and Crime Panel established in relation to the Combined Area by order in accordance with the 2008 Act, which carries out functions of a police and crime panel (as set out in section 28 and section 29 of the 2011 Act) to effectively scrutinise the actions and decisions of the Mayor and Deputy Mayor for Policing and Crime, and enable them to be held to account in public.

3.6.8.2 These functions include reviewing:

- a draft police and crime plan,
- an annual report,
- proposed senior appointments,
- any proposed precept for PCC Functions, (including a power of veto), and
- the appointment, suspension or removal of the chief constable.

3.6.8.3 In accordance with the 2011 Act, the Secretary of State must also by order provide for the Police and Crime Panel to have power to suspend the Mayor, so far as acting in the exercise of PCC Functions, in circumstances corresponding to those mentioned in section 30(1) of the 2011 in relation to a PCC.

3.6.8.4 In accordance with section 29 of the 2011 Act, the Police and Crime Panel may require the Mayor and members of staff to attend before the Panel to answer any question which appears to the Panel to be necessary in order for it to carry out its functions. If the Panel requires the Mayor to attend, it may also request the chief constable to attend on the same occasion. The Panel may also require the Mayor to respond in writing to any report or recommendation the Panel makes to the Mayor.

3.6.8.5 The Police and Crime Panel will exercise the same functions under sections 28 and 29 of the 2011 Act, as police and crime panels under the PCC model, but with some minor modifications, such as reflecting that the Panel only

scrutinises the policing component of the precept, which forms a separately identifiable component of a wider Combined Authority precept, rather than the whole precept.

3.6.8.6 The Police and Crime Panel may by order have oversight functions in relation to any Mayoral Function that is exercised by the Deputy Mayor for Policing and Crime. Any such order may disapply or modify provisions relating to the Overview and Scrutiny Committee, in relation to any Mayoral Function coming within the remit of the Panel.

### 3.6.9 Police Fund

3.6.9.1 The Mayor will be required to maintain a separate fund in relation to receipts arising and liabilities incurred in the exercise of PCC Functions (the Police Fund). The Police Fund will be kept separate to the Mayor's General Fund (see paragraph 4 below) and all receipts arising will be paid into it, and liabilities incurred in the exercise of PCC Functions must be paid out of it.

3.6.9.2 Money paid into the Police Fund will be reserved for policing. For example, receipts from the sale of police assets would have to be spent on matters relating to policing. In line with statutory guidance for PCCs, as set out in the 'Revised Financial Management Code of Practice' for policing, the Mayor would have to publicly account for expenditure from the Police Fund.

3.6.9.4 The Police Fund, which will include precept income, will also include reserves maintained for policing and crime reduction. The Local Government Finance Act 1992 requires billing and precepting authorities in England and Wales to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. Police reserves should be maintained in accordance with the relevant guidance, agreed accounting principles and locally agreed financial regulations and schemes of governance.

3.6.9.5 The Mayor is responsible for expenditure on PCC Functions. Money in the Police Fund can only be spent on PCC Functions and matters that are incidental to the PCC Functions.

3.6.9.6 Decisions on the sale of police assets and reinvestment of receipts must be made by the Mayor and money paid into Police Fund.

### 3.6.10 Borrowing

3.6.10.1 The Mayor will be ultimately responsible for decisions relating to borrowing in relation to PCC Functions, (as laid out in the ‘Revised Financial Management Code of Practice’ for Policing), but may delegate them in practice. The cost of such borrowing will be met from the Police Fund and as above kept separate to the discharge of other Combined Authority functions, which are not PCC Functions. This does not detract from the legal status of the Combined Authority as the borrowing party.

### **3.6.11 Contracts**

3.6.11.1 Decisions on entering into contracts regarding police matters are functions of a PCC under the PCC model (with scope for some delegation to the Chief Constable). As such and in keeping with the PCC model the Mayor will have ultimate responsibility for all contracts relating to police matters, although they may provide consent for contracts to be entered into by the chief constable or another to whom the Mayor personally delegates responsibility in accordance with statutory provisions, any agreements and protocols.

3.6.11.2 Decisions on the issuing of policing-related grants would also rest with the Mayor or anyone to whom they delegate responsibility.

### **3.6.12 Police and Crime Plan**

3.6.12.1 The Police and Crime Plan which involves consideration of the strategic policing requirement is a key public facing deliverable. The provisions on police and crime plans as set out in the 2011 Act will still apply to the Mayor carrying out PCC Functions.

### **3.6.13 Policing Protocol**

3.2.13.1 The Mayor will be required by order to have regard to the Policing Protocol issued by the Secretary of State under section 79 of the 2011 Act.

3.2.13.2 The Policing Protocol sets out ways in which relevant persons should, in the Secretary of State’s view, exercise or refrain from exercising functions so as to encourage maintain or improve working relationships (including co-operative working) between relevant persons, and limit or prevent the overlapping or conflicting exercise of functions.

### 3.6.14 West Yorkshire Police

3.6.14.1 West Yorkshire Police will remain a distinct and separate organisation as set out in legislation.

### 3.6.15 Complaints about Conduct

3.6.15.1 The 2011 Act provides that the Secretary of State must by order make provision about the procedures for making, handling and investigating complaints about the conduct of the Mayor and Deputy Mayor for Policing and Crime.

### 3.6.16 Consequential amendment and modification requirements

3.6.16.1 The following consequential amendment and modification requirements of enactments may be required in their application to the Combined Authority with PCC Functions:

### 3.6.17 Primary Legislation

- Amendments to the Police Reform and Social Responsibility Act 2011
- Modifications to the Local Government Act 1972
- Police (Property) Act 1897
- Trustee Investments Act 1961
- Pensions (Increase) Act 1971
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government, Planning and Land Act 1980
- Local Government Finance Act 1988
- Road Traffic Act 1988
- Local Government and Housing Act 1989
- Police Act 1996
- Police Reform Act 2002
- Proceeds of Crime Act 2002
- Railways and Transport Safety Act 2003
- Local Government Act 2003
- Local Government and Public Involvement in Health Act 2007



- Local Democracy, Economic Development and Construction Act 2009
- Police Reform and Social Responsibility Act 2011
- Local Audit and Accountability Act 2014

### 3.6.18 Secondary legislation

- Motor Vehicles (Third Party Risks) Regulations 1972
- Official Secrets Act 1989(Prescription) Order 1990
- Police (Disposal of Sound Equipment) Regulations 1995
- Police (Property) Regulations 1997
- Health and Safety (Enforcing Authority) Regulations 1998
- Motor Vehicles (Driving Licences) Regulations 1999
- Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999
- Motor Vehicles (Access to Driver Licensing Records) Regulations 2001
- Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001
- Police Regulations 2003
- Docking of Working Dogs' Tails (England) Regulations 2007
- REACH Enforcement Regulations 2008
- Elected Local Policing Bodies (Specified Information) Order 2011
- Policing Protocol Order 2011
- Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012
- Police Appeals Tribunals Rules 2012
- Police and Crime Commissioner (Disqualification) (Supplementary Provisions) Regulations 2012
- Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012
- Local Government Pension Scheme Regulations 2013
- Local Audit (Auditor Resignation and Removal) Regulations 2014
- Combined Authorities (Mayors) (Filling of Vacancies) Order 2017

### 3.7 Miscellaneous

- 3.7.1 For the avoidance of doubt, the Combined Authority will be a body specified for the purposes of Section 33 of the Value Added Tax Act 1994. This will entitle the Combined Authority to claim refunds of Value Added Tax charged on supplies to, and acquisitions or importations by the Combined Authority.

### 3.8 Information Sharing

- 3.8.1 It is proposed that sections 17A and 115 of the Crime and Disorder Act 1998 should be amended to give the Combined Authority the same standing as a Local or Public Authority for the purpose of information sharing, given that the Mayor will be exercising PCC Functions.

# Finance and Investment

## 4.1 Levy

- 4.1.1 The Combined Authority will continue to have the power to issue a levy to its Constituent Councils in respect of transport functions under section 74 of the Local Government Finance Act 1988 (levies) and in accordance with the Transport Levying Bodies Regulations 1992.

## 4.2 Precept

- 4.2.1 It is proposed that the Secretary of State makes an Order to provide for the costs of the Mayor for the Combined Area that are incurred in, or in connection with, the exercise of Mayoral Functions to be met from precepts issued by the Combined Authority under section 40 of the Local Government Finance Act 1992, and also provide for a precept for PCC Functions exercised by the Mayor, subject to any transitional provisions.
- 4.2.2 That is, the Mayor will have the power to issue a Council Tax Precept on behalf of the Combined Authority in relation to Mayoral Functions and PCC Functions.
- 4.2.3 The council tax requirement calculated under S42A of the Local Government Finance Act 1992 will consist of separate components for the Mayoral Functions and PCC Functions. The components will appear separately on council tax bills, and any monies paid to the Mayor by a billing authority in respect of the PCC Functions component of a precept must be paid by the Mayor into the Police Fund – see paragraph 3.6 above.
- 4.2.4 Any precept in relation to Mayoral Functions will be subject to scrutiny and amendment under the procedure relating to the Mayor's budget, as set out below.
- 4.2.5 The precept in relation to PCC Functions will be subject to scrutiny by the Police and Crime Panel – see paragraph 3.6.

## 4.3 Mayor's budget

- 4.3.1 The Combined Authority will follow the procedure set out in the Combined Authorities (Finance) Order (SI 2017/611) (the Finance Order) to approve the Mayor's budget. The Finance Order provides that each year, the Mayor must prepare a draft budget in respect of Mayoral Functions by 1 February, setting out the Mayor's spending plans and how the Mayor intends to meet the costs of Mayoral Functions, and including the relevant amounts and calculations to be used for the purpose of determining the precept.
- 4.3.2 In accordance with the Finance Order, if the Mayor fails to present a draft budget to the Combined Authority by 1 February, the Combined Authority must determine the relevant amounts and calculations. The Mayor is not excluded from voting on this decision, which would be decided by a 2/3 majority.
- 4.3.3 The Combined Authority must review any draft budget, and may make a report on it, to include any changes the Combined Authority thinks the Mayor should make to the draft budget. The Mayor does not vote on this decision, and the default simple majority voting arrangement would apply. (If the Combined Authority does not make a report before 8 February, the Mayor's draft budget shall be deemed to be approved).
- 4.3.4 Where the Combined Authority makes a report, the Mayor will then decide whether to make any changes to the draft budget and notify the Combined Authority of the reasons for their decision, and where changes are made, the revised draft budget.
- 4.3.5 The Combined Authority may then:
- approve the Mayor's draft budget, containing any revisions the Mayor has chosen to make, (default simple majority voting arrangement applies) or
  - veto the draft budget, and approve a budget incorporating the Combined Authority's recommendations set out in its report to the Mayor (it is proposed that a 5/8 majority of the members of the Combined Authority excluding the Mayor would be required for this.)
- 4.3.6 The Mayor's budget will also be scrutinised by the Combined Authority's Overview and Scrutiny Committee. The Mayor may change their draft budget further to any recommendations received from the Overview and Scrutiny Committee, and in accordance with the procedure set out in the Finance Order.

## 4.4 Borrowing

- 4.4.1 It is proposed that West Yorkshire Authorities will consent to Regulations being made pursuant to section 23(5) of the Local Government Act 2003 to extend the Combined Authority's existing borrowing powers (for transport functions) to other priority infrastructure projects, including but not limited to: highways, housing, investment and economic regeneration, as relevant to the exercise of the Combined Authority's functions, both Mayoral and Non-Mayoral, within agreed limits.

## 4.5 Business Rate Supplement

- 4.5.1 It is proposed that the Mayor will have the power, with the agreement of the Combined Authority and in consultation with the business community, to raise a Business Rate Supplement to fund infrastructure investment. The Combined Authority will be a levying authority for the purposes of the Business Rates Supplement Act 2009 and the Constituent Councils shall be deemed to be acting jointly through the Combined Authority in accordance with Section 2(3) of the Business Rates Supplement Act 2009.

## 4.6 Strategic Infrastructure Tariff

- 4.6.1 The Combined Authority will be able to seek consent to raise a Strategic Infrastructure Tariff to enable it to raise funding for strategic infrastructure.

## 4.7 Mayor's General Fund

- 4.7.1 The Finance Order will require the Mayor to keep a fund (to be known as the Mayor's "General Fund") in relation to receipts arising, and liabilities incurred, in the exercise of the Mayor's Mayoral Functions. All of the Mayor's receipts in respect of the exercise of the Mayoral Functions must be paid into the General Fund, and the Mayor's expenditure in respect of Mayoral Functions must be paid out of the General Fund. The Mayor must keep accounts of payments made into or out of the General Fund.



[westyorks-ca.gov.uk](http://westyorks-ca.gov.uk)

**West Yorkshire Combined Authority**

40-50 Wellington House,  
Wellington Street,  
Leeds,  
LS1 2DE

All information correct at time of writing (May 20)

# West Yorkshire Devolution

## Have your say

**The consultation will run from 25<sup>th</sup> May 2020 to midnight on 19<sup>th</sup> July 2020**

### **Background**

On 11 March 2020, a 'minded to' [devolution deal](#) was agreed between HM Government in Westminster and the Leaders of the councils of West Yorkshire. Implementation of this deal is being done jointly between City of **Bradford** Metropolitan District Council, Borough Council of **Calderdale**, Council of the Borough of **Kirklees**, **Leeds** City Council and Council of the City of **Wakefield**, the West Yorkshire Combined Authority, and the Leeds City Region Enterprise Partnership (LEP).

Devolution is the transferring of money and functions from central Government, to enable decisions that are a priority for West Yorkshire to be made locally. These decisions can be made by a mayoral combined authority and Mayor, who is elected to serve local people, communities and businesses. In addition, there are functions held by both the mayoral combined authority and the councils of West Yorkshire.

The deal will provide a range of devolved functions and control and influence over at least £1.8bn of funding, most of which is new money to the area, to invest in our people, towns, cities and rural areas in infrastructure, skills, business, housing and regeneration, cultural and heritage assets.

Where the Mayor or the mayoral combined authority is given a function or power, this is called "conferring". You will see this word appear several times in this document.

### **Why are we proposing these changes?**

Each council in West Yorkshire and the Combined Authority has carefully considered the 'minded to' devolution deal. In addition, a governance review was undertaken to look at the options, which concluded that establishing a mayoral combined authority model of governance for West Yorkshire would have a positive impact on the interests and identities of local communities.

The review also proposed that a scheme is published. The scheme is a document that sets out proposed changes to the role and functions of the Combined Authority. The scheme forms the basis for an order establishing the Combined Authority as a mayoral combined authority and is a key part of the process required by law to make changes to current arrangements. The scheme forms the basis of this consultation.

The full governance review and scheme are available at [www.westyorks-ca.gov.uk/devolution](http://www.westyorks-ca.gov.uk/devolution). You may find it useful to read these documents, and the [deal](#) document itself, before responding to this consultation.

Where the Mayor or the mayoral combined authority is given a function or power, this is called "conferring". You will see this word appear several times in this document.

### **What we are consulting about?**

Subject to the West Yorkshire devolution deal being implemented, work has begun to set out how it would support the economic and infrastructure development of the region in areas including transport, education and skills, planning and housing, and functions currently carried out by the Police and Crime Commissioner for West Yorkshire.

It is proposed that the five West Yorkshire councils will work with the Mayor to exercise these new functions through the mayoral combined authority.

It is proposed that the mayoral combined authority will continue to be called the West Yorkshire Combined Authority. The West Yorkshire Combined Authority will retain its current functions, and these will be complemented by the devolution deal.

Further information about what is included in the deal is available at [www.westyorks-ca.gov.uk/devolution](http://www.westyorks-ca.gov.uk/devolution). We have also developed some frequently asked questions, which you may find useful to read.

## Public consultation

We have set out the detail of how we propose that devolution will work in West Yorkshire and we want to know what you think. Our consultation is open from 25 May 2020 to midnight on 19 July 2020.

You can have your say by:

- Completing our online survey at [www.yourvoice.westyorks-ca.gov.uk/wydevolution](http://www.yourvoice.westyorks-ca.gov.uk/wydevolution)
- Completing this hard copy consultation document
- Emailing us at [wyconsultation@ipsos-mori.com](mailto:wyconsultation@ipsos-mori.com)
- Writing to us using the freepost address (you don't need a stamp) **Freepost WY Devolution Consultation**
- Sharing your views by Twitter to @WestYorkshireCA using #WestYorksDevolution

You can ask us a question using the Question and Answer (Q&A) tool on our [Your Voice consultation website](#) if you have a question that isn't covered by the Frequently Asked Questions (FAQs) that appear on the website, or if you would like us to clarify any technical terms that appear in this survey. You can also contact us with queries using any of the contact details listed above.

We will be updating our FAQs throughout the consultation with any common questions received.

## Accessibility and contact information

If you are unable to take part in one of the ways we have suggested, please call **0800 141 3657** or email [wyconsultation@ipsos-mori.com](mailto:wyconsultation@ipsos-mori.com) and we will discuss the best way for you to participate. This may include making materials available in another format, such as large print, braille, or another language.

## Next steps and decision making after the consultation has concluded

Following the close of the consultation on 19 July 2020, Ipsos MORI will independently compile a report on all the responses received. The report will be considered by City of **Bradford** Metropolitan District Council, Borough Council of **Calderdale**, Council of the Borough of **Kirklees**, **Leeds** City Council, Council of the City of **Wakefield** and the West Yorkshire Combined Authority. The Secretary of State will be sent a summary of the consultation responses and will take account of the views of the public when deciding to lay an order before parliament later in the year to make changes to the Combined Authority's current arrangements and functions.

How are you responding to this consultation?

### PLEASE TICK ONE BOX ONLY

- I am a member of the public, giving my views as an individual
- I am responding on behalf of, or as a representative of, a business or organisation

Please provide the first half of your postcode:  
(e.g. LS1) **PLEASE WRITE IN**

**This is a public consultation, and therefore anyone can have their say and all valid responses will be taken into account.**



## Section 1: Governance

Below is a summary of how we propose the new mayoral combined authority will work in terms of governance, scrutiny and auditing arrangements. For the full details, please refer to section 2 the scheme which is published on our website at <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>

To implement the West Yorkshire devolution deal we are proposing the following:

- The first Mayor for West Yorkshire will be elected in May 2021 by registered voters in the five West Yorkshire council areas: Bradford, Calderdale, Kirklees, Leeds and Wakefield.
- The initial term of the Mayor will be for three years, to 2024. After then, each mayoral term will last for four years to align with other mayoral combined authority elections in England.
- The mayoral combined authority will have a total of 11 members, comprising:
  - eight voting members from the constituent councils, which are expected to include the five leaders of each council (Bradford, Calderdale, Kirklees, Leeds and Wakefield). Three additional members will be chosen in collective agreement to reflect as far as practical the political make-up of the constituent councils
  - the Mayor
  - plus, two non-voting additional members: an elected member from City of York Council; and a member nominated by the Leeds City Region Enterprise Partnership (LEP)
- Police and Crime Commissioner functions will be passed to the mayor who will be able to appoint a Deputy Mayor for Policing and Crime and delegate some functions to that person.
- The Mayor will also have functions relating to transport, housing and planning and finance
- The mayoral combined authority will have responsibility for transport-related functions, adult education and skills functions, housing functions, economic development, and finance functions in addition to those exercised by the Mayor.
- The mayoral combined authority will be required to make arrangements for the overview and scrutiny of mayoral and non-mayoral functions, as well as retaining statutory arrangements in relation to audit. The Mayor's Police and Crime Commissioner functions will be scrutinised by a Police and Crime Panel.

# Question 1

Do you agree or disagree with our proposals for the revised arrangements for the Combined Authority, as set out above and in the Scheme, in particular the proposed arrangements for a Mayor, mayoral combined authority, and the councils, working together?

**PLEASE TICK ONE BOX ONLY**

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

Why do you say this?

**PLEASE WRITE IN BELOW**

## Section 2: Transport

The West Yorkshire devolution deal will give the Mayor and mayoral combined authority responsibilities for significant investment in transport infrastructure and services, including public transport. This will help create an effective and efficient West Yorkshire transport system for the long term, and give greater certainty over future funding for transport improvements.

Below is a summary of how it is proposed that this will work. You can find full details by reading the section 3.3 of the scheme published at <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>

It is proposed that this will be done by:

Conferring functions on the Mayor to:

- produce a Local Transport Plan and related transport strategies
- have access to franchising powers for bus services that would enable the Mayor to decide what bus services are provided (routes, timetables and fares). It is expected that this would have many benefits including smart, simple, integrated ticketing across West Yorkshire. Please note that there would be a separate process and consultation if the Mayor decided to consider franchising.
- request the provision of electric vehicle charging points in order to promote lower carbon transport options

Conferring functions on the mayoral combined authority to:

- set up a Key Route Network across West Yorkshire on behalf of the Mayor. This would enable a consistent approach to the management of that network, building on the existing Key Route Network of local roads
- minimise disruption on the Key Route Network with a permit scheme to help plan and manage utility and highway works
- enter into agreements with local highway authorities for construction, improvement and maintenance. The expectation is that all operational responsibility for highways will remain with local councils, so the use of these functions will need to be agreed with constituent authorities
- make grants to bus operators

These functions will unlock transport funds and funding flexibilities that will build on successful funding bids in the region, including the recently announced £317m Transforming Cities Fund allocation for Leeds City Region.

## Question 2

Do you support or oppose this proposal to confer transport functions and new transport related functions to a West Yorkshire Mayor and mayoral combined authority?

**PLEASE TICK ONE BOX ONLY**

Strongly  
support

Support

Neither support  
nor oppose

Oppose

Strongly  
oppose

Don't  
know

Why do you say this?

**PLEASE WRITE IN BELOW**

## Section 3: Skills and employment

The deal will give the mayoral combined authority powers to help people and businesses in West Yorkshire get the skills and support necessary to reach their ambitions, as well as support the region's economy. This will be achieved through control of the government's Adult Education Budget, currently £63 million per year.

Below is a summary of how this will work. For full details please refer to section 3.4 of the scheme, available at <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>

It is proposed that this will work by conferring functions on the mayoral combined authority to:

- provide adult education and training and control the Adult Education Budget (AEB) from the academic year 2021/2022, subject to meeting readiness conditions.
- promote the effective participation in education and training of young people aged 16 and 17.
- make available to young people and relevant young adults appropriate support services to encourage, enable and help them participate in education and training.
- ensure that adult education and training in West Yorkshire promotes high standards, fair access to opportunity for education and training, and fulfils individuals' learning potential.
- require relevant institutions in the further education sector to provide appropriate education to specified individuals aged between 16 and 18 years.

Devolved control of the Adult Education Budget will give us greater influence over the adult skills and training to better meet the needs of individuals, businesses and the economy. It will also help deliver inclusive growth in the region by allowing as many people as possible to contribute to our region's prosperity.

**Please note:** At the same time as this devolution consultation a separate consultation will be held on the Adult Education Budget Strategy – it is a public consultation, but we are particularly keen to hear from education and training providers and other interested stakeholders. If you are interested in knowing more about this consultation, please visit our website: [yourvoice.westyorks-ca.gov.uk/aeb](https://www.yourvoice.westyorks-ca.gov.uk/aeb) or contact us by one of the methods listed at the start of this consultation document.

### Question 3

Do you support or oppose this proposal to confer skills and employment functions to a West Yorkshire mayoral combined authority?

**PLEASE TICK ONE BOX ONLY**

Strongly support

Support

Neither support nor oppose

Oppose

Strongly oppose

Don't know

Why do you say this?

**PLEASE WRITE IN BELOW**

## Section 4: Housing and planning

The deal will give the Mayor and mayoral combined authority functions to look at planning across the West Yorkshire area to improve coordination of decisions, ensure that decisions are not affected by council boundaries and address cross-boundary issues.

The proposal is that this will be done by conferring functions to the Mayor and mayoral combined authority to exercise functions alongside the five West Yorkshire councils or Homes England, as appropriate.

Below is a summary of how this will work. For full details please refer to section 3.5 of the scheme available at <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>

It is proposed that this will work by:

Conferring functions and funding to the Mayor that include:

- compulsory purchase powers
- powers to produce a spatial development strategy for West Yorkshire
- powers to designate an area of land as a mayoral development area and set up a mayoral development corporation to focus on that area's community regeneration and sustainability

Conferring functions to the mayoral combined authority to:

- improve the supply and quality of housing
- secure regeneration or development of land or infrastructure
- support in other ways the creation, regeneration and development of communities
- contribute to achieving sustainable development and good design

The mayoral combined authority will provide a pipeline plan of housing sites in West Yorkshire to bring more land into development for the delivery of housing on brownfield sites. Regeneration powers will allow compulsory purchase and land acquisition and disposal to support infrastructure and community development and wellbeing.

This includes providing coordination to infrastructure planning such as broadband and utilities management, plus energy and risk planning, which includes flood risk management.

## Question 4

Do you support or oppose this proposal to confer housing and planning functions to a West Yorkshire Mayor and mayoral combined authority?

**PLEASE TICK ONE BOX ONLY**

Strongly support

Support

Neither support nor oppose

Oppose

Strongly oppose

Don't know

Why do you say this?

**PLEASE WRITE IN BELOW**

### Section 5: Police and Crime

The 'minded to' devolution deal announced in March 2020 included the transfer of Police and Crime Commissioner functions and powers to the Mayor in 2024.

Currently we are exploring the potential to transfer the functions of the Police and Crime Commissioner to the Mayor ahead of the 2024 timeline, possibly as early as 2021. This will deliver better outcomes for the public by improving working across public services, for example between social inclusion and community safety and cohesion. Joining police and crime functions with oversight of other public services in the mayoral combined authority would also promote further collaboration within the region. A mayor exercising police and crime functions will continue to provide a single, directly accountable individual who is responsible for securing an efficient and effective police force in West Yorkshire, in the same way the Police and Crime Commissioner does currently.

Below is a summary of the proposed Police and Crime Commissioner functions that would transfer to the Mayor. Full details are available in section 3.6 of the scheme available at <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>

The Mayor's Police and Crime Commissioner functions would include:

- issuing a police and crime plan
- setting the police budget including council tax requirements
- undertaking Chief Constable dismissals, suspensions, and appointments

The Mayor will appoint a Deputy Mayor for Policing and Crime (who is not directly elected), to whom they may delegate functions like:

- determining police and crime objectives
- attending meetings of a Police and Crime Panel
- preparing an annual report

These functions will be transferred from the existing West Yorkshire Police and Crime Commissioner to the Mayor. A Police and Crime Panel will scrutinise the actions and decisions of the Mayor /Deputy Mayor for Policing and Crime and enable the public to hold them to account.

## Question 5

Do you support or oppose this proposal to confer Police and Crime Commissioner functions to a West Yorkshire Mayor?

**PLEASE TICK ONE BOX ONLY**

Strongly support

Support

Neither support nor oppose

Oppose

Strongly oppose

Don't know

Why do you say this?

**PLEASE WRITE IN BELOW**

## Section 6: Finance

The 'minded to' devolution deal announced in March 2020 proposes that the mayoral combined authority will receive control and influence over at least £1.8bn of funding from central Government in Westminster to spend on local priorities.

The Mayor would be required to prepare a draft annual budget for their areas of responsibility based on the powers devolved to them as part of this deal. The Mayor's budget is subject to the approval of the Combined Authority.

Below is a summary of the new financial responsibilities that the Mayor and mayoral combined authority would have. For full details please refer to section 4 of the scheme, which is available at <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>

It is proposed that this would work by:

Conferring functions and funding to the Mayor that include:

- the power to issue a Council Tax Precept in relation to the exercise of Mayoral functions and also provide for a precept for policing and crime functions.
- the power to charge a business rate supplement (subject to a ballot of local businesses)

Conferring functions to the mayoral combined authority to:

- extend the Combined Authority's existing borrowing powers (which are currently for transport functions) to other priority infrastructure projects, including but not limited to: highways, housing, investment and economic regeneration
- be able to seek consent to raise a Strategic Infrastructure Tariff to enable it to raise funding for strategic infrastructure.

## Question 6

Do you support or oppose this proposal to confer additional finance functions on a West Yorkshire Mayor and mayoral combined authority?

**PLEASE TICK ONE BOX ONLY**

Strongly support

Support

Neither support nor oppose

Oppose

Strongly oppose

Don't know

Why do you say this?

**PLEASE WRITE IN BELOW**

## Section 7: Final comments

The devolution deal sets out a significant shift of functions, funding, and responsibility from central government to West Yorkshire, in areas like transport, skills, and economic development. The scheme <https://www.yourvoice.westyorks-ca.gov.uk/wydevolution> proposes the full details of how the new functions and changed arrangements will be carried out by the West Yorkshire Mayor and mayoral combined authority.



## Question 7

Are there any comments you would like to make that you do not feel you have addressed in your response?

**PLEASE WRITE IN BELOW**

# About you

So that we can ensure we capture a diverse range of views through this consultation, it would be really helpful if you could provide some information about yourself.

The personal information you provide will only be used in the manner described in the privacy policy which can be found at [<https://www.yourvoice.westyorks-ca.gov.uk/wydevolution>]. In addition to the information provided in the privacy policy, any information submitted via this document will also be processed, analysed and reported by Ipsos MORI on behalf of the West Yorkshire Combined Authority. Please tick here to confirm you have read and understood this:

I have read and understood the privacy policy

**If you told us you are responding to the consultation with views that represent a group or organisation please complete questions 8 and 9.**

**If you told us you are responding as an individual, please skip ahead to question 10.**

## Responding on behalf of a group or organisation

**Q8.** Please select the sector that best describes your group or organisation:

**PLEASE TICK ONE BOX ONLY**

- Local government
- Voluntary and community sector
- Elected representative
- Civil service or government
- Charity
- Academic
- Action group
- Transport
- Business (please answer **Q8b**)
- Something else
- Prefer not to say

If 'something else' **PLEASE WRITE IN:**

Q8b. If you selected 'business' - please select the sector that best describes your business

**PLEASE TICK ONE BOX ONLY**

- Manufacturing
- Food and drink manufacturing
- Creative and digital
- Health and life sciences
- Low carbon and environmental
- Financial and professional services
- Something else
- Prefer not to say

If 'something else' **PLEASE WRITE IN:**

Q9. Please tell us about the group, organisation, or business you represent:

Name of organisation:

Your position in the organisation:

## Responding as an individual

Q10. How do you describe your gender identity?

**PLEASE TICK ONE BOX ONLY**

- Female
- Male
- Other
- Prefer not to say

Prefer to describe as **PLEASE WRITE IN:**

Q11. Please write in your age **PLEASE WRITE IN AS A WHOLE NUMBER e.g. 43**

Q12. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

**PLEASE TICK ONE BOX ONLY**

- Yes, limited a lot
- Yes, limited a little
- No
- Prefer not to say

Q13. Which of the following activities best describes what you are doing at present?

**PLEASE TICK ONE BOX ONLY**

- Employee in full-time job (30 hours plus per week)
- Employee in part-time job (under 30 hours per week)
- Self-employed full or part-time
- Working but currently furloughed
- On a government supported training programme (e.g. modern apprenticeship/training for work)
- Full-time education at school, college or university
- Unemployed and available for work
- Permanently sick/disabled
- Wholly retired from work
- Looking after the home
- Doing something else
- Prefer not to say

If 'something else' **PLEASE WRITE IN:**

Q14. In which of these ways does your household occupy your current accommodation?

**PLEASE TICK ONE BOX ONLY**

- Owned outright
- Buying on mortgage
- Rent from council
- Rent from Housing Association/Trust
- Rent from private landlord
- Other
- Prefer not to say

Q15. What is your ethnic group identity?

**PLEASE TICK ONE BOX ONLY**

**White/White British**

- English/Welsh/Scottish/Northern Irish/British
- Irish
- Gypsy or Irish traveller
- Eastern European
- Any other White background

**Asian/Asian British**

- Indian
- Pakistani
- Bangladeshi
- Chinese
- Kashmiri
- Any other Asian background

**Black/African/Caribbean/Black British**

- African
- Caribbean
- Any other Black/African/Caribbean background

**Mixed/multiple ethnic groups**

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other Mixed/multiple ethnic background

**Other ethnic group**

- Arab
- Other ethnic group

- Prefer not to say

Q16. What is your religion?

**PLEASE TICK ONE BOX ONLY**

- None
- Christian (all denominations)
- Muslim
- Sikh
- Jewish
- Hindu
- Any other religion
- Prefer not to say

Q17. Which of the following best describes your sexual orientation?

**PLEASE TICK ONE BOX ONLY**

- Heterosexual or straight
- Gay or lesbian
- Bisexual
- Prefer not to say

Prefer to describe as **PLEASE WRITE IN:**

Q18. What is your marital or civil partnership status?

**PLEASE TICK ONE BOX ONLY**

- Single (never married)
- Married or civil partnership
- Widowed
- Divorced
- Separated
- Another status
- Prefer not to say

**END OF QUESTIONS**

**Thank you for completing the consultation document.  
Your feedback is important to us**

**Please return your completed consultation to us in an envelope (no stamp required),  
to our freepost address by 19 July 2020.**

**Freepost WY Devolution Consultation**