

REPORT TO SPECIAL CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	YES	
	Operational	Need to be recommendations to Council	NO	
		Is it a Key Decision	YES	
Lead Member: Cllr Brian Long E-mail: cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted: Nick Daubney, Elizabeth Nockolds, Kathy Mellish		
		Other Members consulted: Deputy Cabinet Members		
Lead Officer: Ray Harding E-mail: ray.harding@west-norfolk.gov.uk Direct Dial: 01553 616245		Other Officers consulted:		
Financial Implications	Policy/Personnel Implications	Statutory Implications	Equal Impact Assessment	Risk Management Implications
NO	YES	YES	YES Full Assessment	YES

Date of meeting: 30 June 2016

DEVOLUTION

Summary

This report invites Cabinet to consider the deliberations and conclusions reached by Council on the proposed Devolution Agreement, Governance Review and Scheme of Governance and determine whether to agree the recommendation set out below.

Recommendation

Cabinet is invited to agree the following Recommendations:-

1. That the Authority endorses the signing of the Norfolk and Suffolk Devolution Agreement by the Leader.
2. That, on the basis of the Governance Review, and having regard to any impact on equalities explored in the Equalities Impact Assessment (EqIA) attached, the Authority concludes that the establishment of a Mayoral Combined Authority for Norfolk and Suffolk is the option which most fully permits the effective discharge of the functions that Government is prepared to devolve to this area.
3. That the Authority endorses and supports the publication of the draft Scheme for a Norfolk and Suffolk Mayoral Combined Authority as attached to this report for consultation purposes, subject to such final revisions as may be approved by the Chief Executive in consultation with the Leader, and prior to the commencement of the formal consultation exercise. Such formal consultation, on the Scheme, to commence once all Norfolk and Suffolk Councils have considered the matters in this report and, in any event, no later than the 4 July 2016. In the event that a Constituent Authority named in the attached Scheme does not agree to endorse the Deal Agreement and/or the Scheme, the Authority

authorises, through its Chief Executive the relevant changes to be made to the Deal Agreement, the Scheme and the Governance Review to reflect that Authority's non-participation.

4. That the outcome of the consultation exercise is submitted to the Secretary of the State by the Chief Executive, in consultation with the Leader, by early September.
5. That council meets no later than 28 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Norfolk and Suffolk.
6. Insofar as any of the matters referred to in this report concern the discharge of functions related to the endorsing and signing of the Norfolk and Suffolk Devolution Agreement and the publication of the Scheme, authority is delegated to the Chief Executive in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in this report.
7. In the event that any technical changes are required to reflect legislative requirements and the contents of the Deal Agreement, authority is delegated to the Chief Executive, in agreement with the other Executives across Norfolk and Suffolk to make the necessary changes to the Scheme
8. That further reports are presented to the Authority as appropriate as the Devolution process develops.

Reason for Decision

If the Authority withdraws at this stage it will lose the opportunity to develop the benefits of the devolution process and may lose access to future government resources and the local determination of policy and spending priorities.

Council Resolution 2/16 and 3/16

Council remitted two resolutions to Cabinet at its meeting of 28th April 2016, as follows

“This Council opposes the imposition of an elected mayor upon East Anglia”

“This Council wishes to properly and fully debate the acceptance or otherwise of devolved powers before end June 2016 taking account of all aspects, positive and otherwise of what is on offer for the residents and businesses of the Borough. This Council request its Cabinet to make clear to those liaising with potential combined authority partners at both local and national levels the Councils opposition to acceptance of a directly elected Mayor.”

Concerns, reservations and indeed opposition to the inclusion in the proposed devolution agreement of an elected mayor have been raised strongly and repeatedly by leaders throughout the process of negotiation and discussion. However government has made it clear from the outset that without the inclusion of an elected mayor the devolution deal proposed would not proceed. Indeed the devolved bodies announced by the Chancellor are to be established as 'Mayoral' Combined Authorities. However, the powers of the mayor have been constrained, as far as possible, thereby enabling proposals put forward by the mayor to be turned down by a two thirds majority of the Combined Authority. In addition certain decisions (such as the approval of the non-statutory special plan and the mayor's budget) require unanimous agreement of all members of the Combined Authority.

In practice the most effective way of ensuring that the Mayoral Combined Authority acts in the best interests of the Borough Council, the Borough itself, and residents and business community is for the Borough Council to form part of the Mayoral Combined Authority and hence have representation on the Board of the organisation and relevant Committees and Boards. There is a strong argument for these to include a 'district cluster' based upon the King's Lynn Travel to Work area/functional economic area.

Background

See report to Council

Options Considered

That the Authority supports the recommendations in the report and approves continued working towards the implementation of the Norfolk and Suffolk Devolution Agreement.

That the Authority does not agree to the development proposed and work ceases.

Policy Implications

This proposal is in line with government policy and is in accordance with the Cities and Local Government Devolution Act and takes forward the steps agreed by Cabinet on 6 October 2015.

Financial Implications

The financial implications are set out in the report to Council.

Personnel Implications

There are no personnel implications for the Borough Council arising from this report.

Statutory Considerations

The proposals represent the implementation in Norfolk and Suffolk of the process that needs to be followed by Councils seeking to reach a devolution agreement with government in accordance with the Cities and Local Government Devolution Act 2016.

Equality Impact Assessment (EIA)

(Pre screening report template attached)

No identified adverse equality impacts

Risk Management Implications

The risk management implications are set out in the report to Council

Declarations of Interest / Dispensations Granted

None

Background Papers

1. Report to Council 30th June 2016
2. Appendix A: East Anglia Devolution Agreement; Appendix B: Governance Review; Appendix C: Governance Scheme; Appendix D: Equality Impact Assessment
3. Cities and Local Government Devolution Act