



North Devon Council

Report Date: 4th March 2024

Topic: Devon and Torbay Devolution Offer

Report by: Ken Miles, Chief Executive

1. INTRODUCTION

- 1.1. The Levelling Up and Regeneration Act 2023 makes provision for the creation of County Combined Authorities (CCA) and for the devolution of powers to those authorities.
- 1.2. The Levelling Up White Paper set out the range of powers that could be devolved, the scope of which was dependant on what type of governance model was chosen. The most extensive package of powers (Level 3) were reserved for areas choosing to adopt a directly elected mayor.
- 1.3. The authorities in Devon, comprising the eight Districts, Devon County Council (DCC), Torbay Council (TC) and Plymouth City Council (PCC), decided to open up discussions with government over a potential devolution deal. PCC subsequently dropped out of the process but the culmination of those discussions is the offer now being consulted upon.
- 1.4. The consultation runs from 12th February to 24th March 2024.
- 1.5. At Full Council on 21st February, Members delegated the formulation of a consultation response to Strategy and resources and also requested that Members email officers with any concerns in advance of this meeting, so that those concerns could be addressed.
- 1.6. Any concerns received will be discussed at Committee.

2. RECOMMENDATIONS

- 2.1. That members note this report and choose how to respond to the consultation

3. REASONS FOR RECOMMENDATIONS

- 3.1. To allow members to fully consider the devolution offer and contribute to the public consultation

4. REPORT

- 4.1. The devolution offer for Devon and Torbay can be found at [Devon and Torbay devolution deal - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/devon-and-torbay-devolution-deal) but the text is contained as an appendix to this report. It covers:- Governance, Finance and investment, Skills and education, Housing and land, Transport, Net Zero and climate change, Culture and tourism, Digital, Innovation, trade and investment, Sector development. Public service reform and Resilience and public safety.
- 4.2. The consequence of setting up a CCA is not to transfer functions from District Councils. Almost all of the functions of the CCA will be new functions

devolved from government and will be administered locally through the CCA rather than nationally from Whitehall. The intention is to give local voices a much stronger say in how those functions are administered.

4.3. This report does not go through the offer paragraph by paragraph as the offer is pretty clear. Having said that, the Governance aspects probably deserve some focus as these are likely to raise most issues. Members should however read and familiarise themselves with the whole text.

4.4. Pages 7 and 8 set out a summarised version of the offer.

Governance

4.5. The section on Governance starts on page 9. It sets out that “Constituent Councils” will be classed as DCC and TC. Each Constituent Council will appoint 3 of their elected members comprising their Leader and 2 other councillors. There will be 4 Non-Constituent Members of the CCA, 2 of which will be nominated by District Councils. There will also be 2 Associate Members chosen by the CCA and the current proposal is for these to represent the voice of business and skills/education.

4.6. It is important to understand that the legislation precludes district councils from being Constituent Councils and that this is not a restriction imposed by either DCC or TC.

4.7. The Chair of the Board will alternate every 2 years between the Constituent Councils.

4.8. Decisions will be split between reserved and general matters and decisions on reserved matters will only be taken by Constituent Members ie those from DCC and TC. Paragraph 20 contains an exclusive list of what is currently anticipated to a reserved matter and this includes major investment decisions and all transport function.

4.9. Paragraph 25 highlights the proposal to form a Team Devon joint committee with the intention that this will give the district councils more of a voice in informing strategic decisions taken by the CCA.

4.10. Paragraph 31 sets out arrangements for Overview and Scrutiny and Audit Committee arrangements to provide oversight of the CCA. District Councils will get representation on both bodies.

4.11. Paragraph 36 makes the point that the authorities and government recognise that this offer may lead to other discussions about further devolution in the future, which is an important point to consider. Members should look at this as the start of a process rather than the complete devolution picture.

5. RESOURCE IMPLICATIONS

5.1. There are no financial implications in responding to the consultation. However, should the CCA be set up then there may well be financial



implications, not least because district councils may not be administering the UKSPF

6. EQUALITIES ASSESSMENT

6.1. Please detail if there are/are not any equalities implications anticipated as a result of this report. If so, please complete the Equality Impact Assessment (EIA) Summary form available on Insite and email to the Corporate and Community Services Team at equality@northdevon.gov.uk.

There are none

7. ENVIRONMENTAL ASSESSMENT

7.1. Please undertake an Environmental Assessment and complete the checklist (EAC) form available on Insite. If there are no environmental implications arising from your proposals please state that there are none. If after completion of the assessment there are environmental implications please provide a brief summary. If you require any further information please contact the Sustainability and Climate Change Officer. Email completed EACs to donna.sibley@torridge.gov.uk

There are none

8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

- 8.1.1. The commercialisation agenda:
- 8.1.2. Improving customer focus and/or
- 8.1.3. Regeneration or economic development

8.2 It is hoped that there will be no adverse implications on corporate priorities.

9. CONSTITUTIONAL CONTEXT

9.1. The decision in respect of the recommendations in this report can be made pursuant to Article 4 of the Constitution.

10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

Devon and Torbay CCA offer

12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers