

Cabinet

Report Title:	East Anglian Devolution: Norfolk and Suffolk Devolution proposals
Meeting Date:	30 June 2016
Lead Councillor(s):	Councillor Colin Noble
Local Councillor(s):	All
Director:	Deborah Cadman OBE, Chief Executive
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Brief summary of report

1. The purpose of this report is for Cabinet to consider the outcomes of discussions held at the meeting of Full Council, prior to determining a number of recommendations as detailed above relating to a combined authority for the Norfolk and Suffolk area, with a directly elected Mayor.
2. Subject to the recommendations of Council, Cabinet are requested to endorse the Review, approve the content of the Devolution Deal and the draft Governance Scheme and to approve the arrangements for public consultation on the Governance Scheme and to authorise the Chief Executive, in consultation with the Leader of the Council, to provide the Secretary of State with a summary of consultation responses in due course and to progress any further matters as required in connection with the proposed Deal.
3. It is a legal requirement that Cabinet meet to approve the consultation process and this meeting is to take place immediately following the Council meeting which allows Cabinet members to have regard to the discussions of and the will of Council when considering whether to approve the recommendations in this report.
4. This report is to be read in conjunction with the report and appendices contained within the Extraordinary Council agenda pack for the meeting held on 30 June 2016.
5. The report contained within the Council agenda pack at agenda item 3, summarises the review of the functions and governance arrangements for the proposed Norfolk and Suffolk Combined Authority, including how additional functions and arrangements would be likely to improve the exercise of statutory functions in Norfolk and Suffolk.

6. Relevant appendices to the report also detail the outcome of the Governance Review and the draft proposed Scheme.

What is Cabinet being asked to decide?

7. It is recommended that Cabinet, having considered the outcomes of the discussions held at Council, agrees:
 - a) That, on the basis of the Governance Review, 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.
 - b) The publication of the draft Scheme for a Norfolk and Suffolk Mayoral Combined Authority (as attached to the Council report) for consultation purposes, subject to such final minor 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 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, Cabinet authorises the Chief Executive to make the relevant, necessary changes to be made to the Deal Agreement, the Scheme and the Governance Review to reflect that Authority's non-participation.
 - c) That the outcome of the consultation exercise is submitted to the Secretary of the State by the Chief Executive in consultation with the Leader.
 - d) That Council and Cabinet both meet by no later than 28 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Norfolk and Suffolk.
 - e) Insofar as any of the matters referred to in this report concern the discharge of non-executive functions, 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.
 - f) 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 Chief Executives/Managing Directors across Norfolk and Suffolk to make the necessary changes to the Scheme.

Reason for recommendation

8. To consult on a scheme for the Norfolk and Suffolk area, with a directly elected Mayor, in order to devolve powers from Government to a combined authority.

What are the key issues to consider?

9. **Legal Implications:** The legislation on combined authorities is found in Part 6 of the Local Democracy, Economic Development and Construction Act 2009, (the 2009 Act), which has been substantially amended by the Cities and Local Government Devolution Act 2016. The recent legislation has greatly extended

the range of powers and functions which may be delegated to a Combined Authority and Mayoral Combined Authority.

10. Council Leaders have been briefed previously in relation to the decision-making process and the status of decisions in the process for devolution. It is important that all elected members are aware of the status and implications of the recommendations contained in this report if formalised in to decisions.
11. Under the current timetable for the devolution deal, consent to a draft Order from the Secretary of State will be sought from each authority in October 2016. This is because the latest date for laying the Order which will create a Mayoral Combined Authority (in order to comply with Electoral Commission deadlines for notification of a mayoral election) is 4th November. At that point in October each authority will have to meet to decide whether to consent to the Order. The draft Order is subject to consideration by both Houses of Parliament before it can be made.
12. Before this, however, all participating authorities are being asked to take a decision on devolution arrangements in June (i.e. in this report). The principal purpose of this decision is to approve the draft Scheme of Governance for publication and public consultation.
13. In this report the Cabinet is also being asked to endorse the terms of the Norfolk and Suffolk Combined Authority proposal and the Governance Review as well as agree the draft Scheme of Governance.
14. Although the June decision is not the final decision and does not legally commit an authority to participating in a Combined Authority, any significant change in the proposals after the public consultation has been triggered on 4 July is likely to require a new Scheme to be prepared for consultation and thus the timetable for creation of the Combined Authority would not be met.
15. **Waive of call-in:** As this matter has been publically debated at a Full Council meeting and owing to the tight timescales involved, the waive of call-in provision has been invoked on this decision, as allowed within the Constitution (Part 2, Rules of Procedure, paragraph 13.5).

What are the resource and risk implications?

16. The resource implications are dependent on the next stages of the development of the devolution process. Most will involve the use of existing officer time and resources.
17. All council Leaders have agreed that the administration costs of setting up the Mayoral Combined Authority will be kept to a minimum, using existing resources within their councils.
18. The objective is to ensure that the total cost of the delivery of public services in Norfolk and Suffolk is no more than is currently the case and all partners will be looking to take advantages of the opportunities presented by working together across this area.

What are the timescales associated with this decision?

19. These are explained above.

Alternative options

20. The Governance Review, at Appendix A of the Council report, considered a number of alternative options and concluded that establishing a Mayoral Combined Authority for Norfolk and Suffolk is the most effective way of exercising statutory functions in the area.

Who will be affected by this decision?

21. Councils, organisations, residents and businesses in Suffolk and Norfolk.

Sources of further information

a) Extraordinary County Council, 30 June 2016 - East Anglia Devolution: Norfolk and Suffolk Devolution Proposal

<http://committeeminutes.suffolkcc.gov.uk/meeting.aspx?d=30/Jun/2016&c=County Council - Extraordinary Meeting>