

BRISTOL CITY COUNCIL
OVERVIEW & SCRUTINY COMMITTEE

24th August 2016

Report of: Stephen Hughes, Interim Chief Executive

Title: West of England Devolution

Ward: Citywide

Officer Presenting Report: Anna Klonowski, Interim Strategic Director,
Business Change

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RECOMMENDATION

It is recommended that Overview and Scrutiny consider the consultation responses to the Secretary of State and decide whether to make further representations to the Secretary of State or the Mayor in light of the representations being made.

Summary

Overview and Scrutiny (OSM) met on 27th June 2016 to consider and feedback on the development of the proposals and recommendations for Devolution in the West of England. Following a discussion about the proposed public consultation that is required by the Secretary of State a motion was subsequently proposed and agreed by Full Council on 29th June as follows:

“if the scheme is approved, OSM wishes to meet in early-mid August to give consideration to the public consultation responses, and in light of that further consideration, may wish to submit further comments to the Secretary of State by the closing date of 26 August. OSM also suggested that a provisional Extraordinary Full Council could take place before final consent is given by Cabinet if necessary.”

Following agreement by the three participating Councils to proceed, a public consultation commenced on Monday 4th July and closed at midnight on Monday 15th August.

The significant issues in the report are:

1. A public consultation on the proposed arrangements for a Mayoral Combined authority opened on 4th July and ran for six weeks. This report was undertaken on behalf of the Secretary of State. The consultation was managed by Bristol City Council on behalf of the three participating authorities, Bristol, B&NES and South Gloucestershire.
2. A summary of the consultation results has to be provided to the Secretary of State by 26th August for his consideration, together with the governance review and governance scheme for the Mayoral Combined Authority.
3. Provided the Secretary of State is satisfied an Order will be laid before Parliament in the autumn to enable the creation of a mayoral combined authority, with mayoral elections taking place in May 2017.
4. The draft Order will be shared with the three participating Councils and referred to Cabinet for final approval.

Policy

1. Not applicable

Consultation

2. Internal

Not applicable

3. External

Not applicable

Context

4. In March 2016 a devolution deal offering over £1 billion of investment to the West of England economy was announced by the then Chancellor, George Osborne in his budget speech.
5. The area's four councils (Bath & North East Somerset Council, Bristol City Council, North Somerset Council and South Gloucestershire Council) worked with the LEP to negotiate the best available deal for the West of England. This deal would devolve significant powers to the

region, including decisions about transport, investment, funding, skills training, business support, housing and strategic planning.

6. The deal sets out how the investment and new powers would be overseen by the leaders of the councils, plus a West of England Mayor elected by the public, through what is referred to as a Mayoral Combined Authority.
7. Each of the Councils considered whether to proceed with the deal in June 2016. North Somerset voted not to proceed on 7th June 2016. Bristol, B&NES and South Gloucestershire each voted to proceed on 29th June 2016.
8. Following this agreement to proceed, a six week public consultation on the arrangements for the combined authority commenced on 4th July 2016. This report was undertaken on behalf of the Secretary of State. The consultation was managed by Bristol City Council on behalf of the three participating authorities.
9. A summary of the consultation responses received by the authorities has to be provided to the Secretary of State by 26th August for his consideration, together with the strategic governance review and governance scheme for the Mayoral Combined Authority.
10. Based on the information provided, the Secretary of State will take a decision whether to proceed in September. Provided he is satisfied, an Order will be laid before Parliament in November, for Assent by December/January. This Order enables the creation of a combined authority, with mayoral elections taking place in May 2017.
11. The draft Order will be shared with the three participating Councils in October.

Involvement of Overview and Scrutiny

12. Overview and Scrutiny met on 27th June 2016 to consider and feedback into the development of the proposals and recommendations for Devolution in the West of England. A motion was subsequently proposed to Full Council on 29th June by OSM which was agreed by Full Council on 29th June:

“if the scheme is approved, OSM wishes to meet in early-mid August to give consideration to the public consultation responses, and in light of that further consideration, may wish to submit further comments to the Secretary of State by the closing date of 26 August. OSM also suggested that a provisional Extraordinary Full Council could take place

before final consent is given by Cabinet if necessary.”

13. The overall approach to the consultation was shared with Full Council on 29th June and is attached as Appendix 1.
14. A summary of the activities undertaken to promote the consultation will be included in the summary report detailed in paragraph 15.
15. A summary of the responses received for the region will be collated and analysed as soon as the consultation ends at midnight on 15th August. This work will be completed as soon as possible and circulated to Members of OSM no later than close of business on 19th August.

Next Steps

16. It is recommended that Overview and Scrutiny consider the consultation responses and decide whether to make further representations to the Secretary of State or the Mayor in light of the representations made.

Other Options Considered

17. None

Risk Assessment

18. n/a

Public Sector Equality Duties

19. Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
 - i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant

protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –

- tackle prejudice; and
- promote understanding.

20. An Equality Impact assessment on the Devolution Programme will be undertaken in September to take into account the responses to the public consultation and to identify future actions which will be taken forwards through the Programme to address any equalities issues identified.

Legal and Resource Implications

Legal

21. Monitoring officers from the three participating West of England Authorities are fully involved in the preparation of the response to the Secretary of State.

Financial

22. Section 151 officers from the three West of England Authorities are fully involved in the implementation planning for the Mayoral Combined Authority, working closely with officials from the Cities and Local Growth Unit.

23. Each of the three Councils made a one-off financial provision to support the costs of establishing a MCA as part of their Budget Reports for 2016/17.

24. Bristol City Council has committed to both financial resources of £250k and input from officers within the Council which are currently factored into our budget monitoring activities. There is a potential risk that the input from the Council will lead to a need to back fill roles but, at present all steps are being taken to mitigate this risk.

Land

Not applicable

Personnel
Not applicable

Appendices:

Appendix 1: Consultation Approach (presented to Full Council 29th June 2016)

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers:

None