
**Customer and Corporate Services Scrutiny
Management Committee**

6 March 2023

Report of the Chief Operating Officer
Portfolio of Leader of the Council

York and North Yorkshire Devolution Update

Summary

1. On 23 February 2023, Full Council approved the submission of a consultation summary to Government, to be considered by the Secretary of State as the next step in the process towards implementing the Devolution Deal.
2. This report explains the next steps in the process.

Recommendations

3. The Committee is asked to note the process and implications for City of York Council and the proposed York and North Yorkshire Combined Authority.

Reason: to ensure the Committee has oversight of the process.

Background

4. At Full Council on 23 February 2023, Councillors voted in favour of the following recommendations, relating to the Executive Report from 14 February 2023.
(<https://democracy.york.gov.uk/ielssueDetails.aspx?IIId=69045&PlanId=0&Opt=3#AI64548>):
5. Approve :
 - a. The submission of a Consultation Summary Report to Government.

Reason: to inform the Secretary of State of the consultation outcome, allowing him to consider the next stages of the statutory

process facilitating the creation of a York and North Yorkshire Combined Authority.

- b. Amendments to the Scheme and proposals for the operating model of the Combined Authority outlined in paragraph 92, for submission to Government.

Reason: to utilise the information received during the consultation to improve the proposed governance arrangements.

- c. The delegation of authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to submit the Consultation Summary Report and Scheme to Government, in line with recommendations 1a and 1b.

Reason: to facilitate the submission of the required documents to Government within the required timescales.

- d. Amendments to the Terms of Reference for the York and North Yorkshire Joint Devolution Committee outlined in paragraphs 103-107 and attached at Annex 2.

Reason: to ensure appropriate, robust and transparent decision-making.

- e. The delegation of authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to provide consent to the Order facilitating the creation of the Combined Authority in line with the scheme submitted to Government, as outlined in paragraph 115.

Reason: to allow the progress of the statutory process facilitating the creation of the Combined Authority.

- 6. Based on the approval of Full Council, a submission to Government is being drafted (at the time of writing) to provide the summary of the consultation and the agreed changes to the scheme (which relate to clarity over the requirement for consent of National Park Authorities in respect of Mayoral Development Areas within their boundaries.)
- 7. This will be submitted jointly by the Chief Operating Officer of City of York Council and the Chief Executive of North Yorkshire County Council.

8. Upon receipt, we understand that civil servants will review the submission and provide information for the Secretary of State to consider whether the statutory tests have been met. This means that (a) He considers that creating a Combined Authority is likely to improve the exercise of statutory functions in the area or areas to which the order relates; (b) The constituent councils' (which at the time of making the order will be North Yorkshire Council and the City of York Council) consent; and (c) Consultation has been carried out, either by the Secretary of State or the constituent councils.
9. The Secretary of State must also have regard to the need:
 - (a) To reflect the identities and interests of local communities
 - (b) To secure effective and convenient local government.
10. We expect to receive notification of this decision after City of York Council's elections in May 2023 and, if approved, we may be sent a draft Order. This Order reflects the secondary legislation required to allow the creation of the Combined Authority.
11. Consent to the Order will be required from both councils, likely to be in the summer, and this can be given by the Chief Operating Officer and Chief Executive based on the delegations received at Full Council.
12. We would expect that the Order may be passed in the Autumn, giving the potential for the inception of the Combined Authority in late Autumn 2023. Mayoral elections could be held in May 2024, which is when the PFCC elections are due (the Mayoral role replacing the PFCC role from that point).
13. Work is underway across a number of workstreams to prepare to implement the deal. The Brownfield and Net Zero funding would be available from the point at which the Combined Authority is formed, and it has been necessary to commence a process to identify projects already. The shortlist of projects will go to the Joint Devolution Committee for approval on 13 March 2023.
14. The Full Council approval also included amending the terms of reference for the joint committee to facilitate there being a joint chair (rather than Chair and Vice Chair), and non-executive Members to act as substitutes on the committee.

15. The overall programme arrangements to deliver the Combined Authority and agreements within the Deal continue to be delivered by officers in City of York Council, North Yorkshire County Council, the Local Enterprise Partnership and the Office of the Police, Fire and Crime Commissioner. Transition work will increase in scale over the coming months to support the development of the new organisation.

Consultation

16. Statutory consultation was undertaken between October and December 2022 and is outlined in the report referenced above.

Council Plan

17. Devolution for York and North Yorkshire has the potential to make positive contributions to all aspects of the council plan. However, this will be determined by the future decisions taken by the proposed Combined Authority, in the exercise of its powers and the investments supported by the additional funding.

Implications

18. There are no direct implications of the recommendations of this report.

Risk Management

19. There are no known risks related to the recommendations of this report.

Contact Details

Author:

Will Boardman

Head of Corporate Policy and
City Partnerships

will.boardman@york.gov.uk

Chief Officer Responsible for the report:

Ian Floyd

Chief Operating Officer

**Report
Approved**

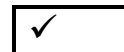


Date 23/02/23

Specialist Implications Officer(s) None

Wards Affected:

All



For further information please contact the author of the report.

Background Papers:

Executive report – 14 February 2023

<https://democracy.york.gov.uk/ielssueDetails.aspx?IId=69045&PlanId=0&Opt=3#AI64548>)

List of Abbreviations Used in this Report:

PFCC Police, Fire and Crime Commissioner