

City Council

6 December 2016

Implementing the Devolution Agreement – Mayoral Combined Authority Functions

1.0 Purpose

- 1.1 To seek Council's consent to the Mayoral West Midlands Combined Authority Order to be laid in Parliament, detailing the functions required by the Combined Authority, in order to deliver the devolution deal, as agreed at the City Council meeting in March.
- 1.2 To seek delegated consent to the Chief Executive in consultation with the Leader for minor and drafting amendments to the Order.

2.0 Background

- 2.1 The development of the government's devolution agenda created the opportunity for the West Midlands Combined Authority to negotiate and subsequently agree a proposed [Devolution Agreement](#). A period of clarification was then carried out on the agreement, which was then ratified by the seven constituent councils throughout February and March 2016, including the Birmingham City Council on 1 March,
- 2.2 The devolution agreement is the first step for the West Midlands in securing the powers, resources and independence needed to drive economic growth, public service reform and deliver real outcomes for local people in terms of jobs, homes, better transport and better public services. It will open up potential investment funds totalling £8bn and increase confidence in the local area so that further private sector investment can be leveraged. It sits alongside the Midlands Engine project, a partnership with government covering the whole West and East Midlands, including the Midlands Connect initiative to take forward east-west transport investment.
- 2.3 The key focus areas of the first devolution agreement are:
 - Finance - including £36.5 million per annum of government revenue funding for 30 years, to support a locally controlled investment fund
 - Governance - including the election of a Mayor for the West Midlands metropolitan area in May 2017
 - Transport
 - HS2 growth

- More and better homes
- Skills & employment
- Supporting and attracting business & innovation
- Public service reform

2.4 Following the ratification of the devolution agreement, the next stage was to establish the position of the Mayor, a prerequisite to the devolution agreement. The Mayoral 'elections' Order, to create the position of the Mayor, was approved by the Chief Executive, in consultation with the Leader under delegations given by the City Council in March. A Scheme outlining the new functions for the Combined Authority under the Devolution Agreement was then drawn up and consulted upon. That Scheme is the basis of the Order that Council is now asked to approve.

3.0 Consultation for functions to be conferred upon a Combined Authority

3.1 It is a requirement that a public consultation be undertaken in most cases where additional functions are to be conferred upon a Combined Authority. Therefore the functions required by a Mayoral West Midlands Combined Authority to deliver the devolution agreement, were detailed in a ['Scheme'](#) and consulted upon.

3.2 The [consultation](#) was carried out from 4th July – 21st August 2016 to seek views from the public and stakeholders on the additional functions proposed to be conferred on the WMCA, in order to deliver the devolution agreement.

4.0 The Mayoral WMCA Order

4.1 Following the consultation, a summary of responses was submitted to the Secretary of State for Communities and Local Government. The summary report is available on the WMCA website via the following [link](#) for Council's information.

4.2 Following consideration of the consultation, the Secretary of State has indicated that he is satisfied that the statutory tests have been met (detailed in [Section 113, Local Democracy, Economic Development and Construction Act 2009](#), as amended by the [Cities and Local Government Devolution Act 2016](#)) and no further consultation is required.

4.3 Therefore the Department for Communities and Local Government have prepared the draft statutory Mayoral West Midlands Combined Authority Order, based on the Scheme, in consultation with the West Midlands Combined Authority and the relevant government departments. It is the Order being presented to Council for consideration.

4.4 If approved by the seven Constituent Councils and the Combined Authority, the Order is laid in Parliament for approval, enabling functions to be transferred to the Combined Authority.

6.0 Implementing the devolution agreement timeline

Aug – Nov 2015	Devolution negotiations
Nov 2015	Proposed devolution agreement signed
Nov 2015 - Mar 2016	Clarification period carried out on devolution agreement
Mar – May 2016	Constituent Councils ratified the devolution agreement and the Scheme drafted
May – Jun 2016	Constituent Councils approve Mayoral 'elections' Order and approve the Scheme for consultation
Jul – Aug 2016	Consultation on the proposals in the Scheme carried out
Sep – Oct 2016	Consultation responses collated and submitted to the Secretary of State and DCLG for consideration. The Order is drafted by DCLG, based on the Scheme
Oct – Dec 2016	The Mayoral Combined Authority Order presented to Constituent Councils and Combined Authority for approval and consent to lay in Parliament.
Jan – Mar 2017	Functions incorporated into Combined Authority's governance and constitutional arrangements
May 2017	First Mayoral election.

MOTION

This City Council :

1. Consents to the draft Mayoral West Midlands Combined Authority Order (appendix A) being laid in Parliament.
2. Delegates to the Chief Executive, acting in consultation with the Leader of the Council, the power to approve minor and drafting amendments to the Order.