

Report to: **Council**

Date: **21 March 2024**

Title: **Proposed Devon & Torbay Combined Authority and Devolution Deal**

Portfolio Area: **Councillor Julian Brazil
Leader of the Council**

Wards Affected: **All**

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RECOMMENDATIONS:**That Council:**

- 1. NOTES the intention of Devon County Council and Torbay Borough Council to enter into a devolution deal with Government and to form a County Combined Authority; and**
- 2. RESPONDS to the consultation in line with the considerations set out in part 3 of the report.**

1. Executive summary

- 1.1 The offer of a devolution deal for Devon and Torbay was announced by the Secretary of State for Levelling Up, Homes and Communities and published by the Department for Levelling Up, Housing and Communities (DLUHC) on 25 January 2024.
- 1.2 The deal was approved for consultation by Devon County Council and Torbay Borough Council by their respective cabinets/executives on 2 February. The consultation went live on 12 February and runs for a period of 6 weeks. Details of the proposed deal are available at www.devontorbaydeal.org.uk

2. Background

- 2.1 In early 2022, Devon, Plymouth and Torbay were selected as one of nine pilot areas in England by Government in the Levelling Up White Paper for "County Deal" negotiations. Plymouth City Council subsequently decided in late 2023 to withdraw from the deal.
- 2.2 The negotiations with the Government have been for a Level 2 Deal which would not require an elected mayor but would

devolve powers and funding to a new body called a County Combined Authority (CCA).

- 2.3 The proposed devolution deal is intended to bring new powers and additional funding from the Government to tackle priorities such as public transport, jobs, training and skills. More information on each of the priorities can be found on the consultation website here
<https://www.devontorbaydeal.org.uk/benefits/>
- 2.4 Subject to the outcome of the consultation process, and passage of the parliamentary process, the aim is for the Devon and Torbay CCA to be created during 2024.

3. Considerations for South Hams District Council

- 3.1 The Devolution Deal for Devon and Torbay is structured in accordance with the prescribed statutory framework set down within the Levelling Up and Regeneration Act 2023. The proposed devolution deal does not require a change to the organisation of local government in Devon, nor the formal support of the District Councils.
- 3.2 In principle devolving powers and funding from central government to local government allowing for decisions to be made at a local level by those elected to represent the area is to be welcomed. Nevertheless, there are a number of specific concerns that we would urge the relevant parties to the deal to consider as part of the implementation process.
- 3.3 In common with the other districts across Devon, we have concerns in a number of specific areas:
 - **Economic Programmes:** While there is no certainty about future rounds of the UK Shared Prosperity Programme, we would expect any future such funding streams to be devolved from the CCA to district level by default. The remaining CCA remit being to broker conversations about strategic commissioning of countywide (generic) business support activity, to maximise the effectiveness of local investment aligned to the economic activity returning to the county council as part of the winding down of the Local Enterprise Partnership (LEP). The LEP failed on both its democratic mandate and had little local relevance. It is important for the CCA to set off firmly on the right foot by committing to retaining local delivery methods for business support where this is currently in place within districts.
 - **Housing Empowerment:** South Hams District Council has declared a housing crisis and is already taking positive action to address housing challenges within the District. We expect any

CCA to enable and accelerate delivery with and through districts and local housing associations. Much is made of the potential for a shared strategic investment pipeline with Homes England, and while we recognise the potential for shared investment and the need for strategic conversations to deliver this, we would wish to make it clear that districts expect existing housing functions and groupings to be utilised – such as the Devon Housing taskforce which covers the whole of the Devon and Torbay area. The aims of the CCA should be to build on best practice and expertise; to provide a stronger platform and empower the excellent work being done across the Team Devon landscape, not to duplicate or add extra bureaucracy.

- **Governance & Voting Rights:** We are disappointed that the government rejected the House of Lords amendment which would have allowed district councils to be constituent members of the CCA with full voting rights reflecting their democratic mandate on behalf of their areas. We intend to lobby a future government to rectify this democratic deficit. In the meantime, we ask that all such opportunities within the legal framework are considered to ensure that districts can have a voice on 'reserved' matters. We fully support the proposal to move 'Team Devon' onto a more robust governance footing by converting this to a statutory joint committee in order to inform the voting intentions wielded at the CCA board.
- **Transport:** We recognise that operational highways matters will remain with DCC and Torbay respectively. However, in the duty to produce a joint strategic transport plan across the CAA geography, we would urge inclusion of district councils in the formulation of this in order to ensure that vital economic and housing plans are aligned to transport plans and that sustainable transport options are embedded – both in terms of strategic intent and future investment.
- **Community:** Our district and Devon as a whole benefits hugely from the resilient and resourceful communities that make up its towns and villages. Working with and for our communities is a key priority for this Council and we expect that the voice of those communities, organisations and of the towns and parishes which deliver services at a very local level are also heard by the CCA.

4. Proposed next steps

- 4.1 Note that, subject to consultation, Devon County Council and Torbay Council intend to form a Combined County Authority as set out in the Devon Devolution Deal.
- 4.2 Respond to the formal consultation on the CCA.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	There are no Legal/Governance implications for South Hams District Council however this report does highlight potential governance issues that wish the CCA to consider (as set out in Section 3.3)
Financial implications to include reference to value for money	Y	There are no financial implications for the Council as a direct result of the proposals in this report.
Risk	N	The content of the report does not impact the Council's risk profile.
Supporting Corporate Strategy	N	
Consultation & Engagement Strategy	N	
Climate Change - Carbon / Biodiversity Impact	N	
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

Supporting Information

Appendices:

Appendix A – report to Devon CC Cabinet on 2 February 2024

Appendix B – Devon and Torbay Devolution Deal

Background Papers:

None