

**15<sup>th</sup> April 2020**

**Progressing the South Yorkshire Devolution Deal: Summary of the Public Consultation**

**Purpose of Report**

This report summarises progress in the implementation of the South Yorkshire Devolution Deal. Focused on summarising the results of the recent public consultation, the report recommends the submission of the outcomes of this process to the Secretary of State, as the next step to unlock the benefits of devolution in the region.

**Thematic Priority**

Cross cutting

**Freedom of Information and Schedule 12A of the Local Government Act 1972**

The paper will be available under the Combined Authority Publication Scheme

**Recommendations**

That the Mayoral Combined Authority:

- Notes the outcome of the consultation undertaken as outlined in Annex A and B.
- Agrees to submit the reports on the consultation at Annexes A, B and C alongside the Governance Review and Scheme to the Secretary of State.
- Delegates to the Head of Paid Service, in consultation with the Mayor and the MCA Members from the four Constituent Authorities, authority to take forward and conclude the legal steps necessary to implement the Devolution Deal including consenting on behalf of the Authority to the enabling Powers Order, provided that such Order corresponds to the proposals contained in the Governance Review and Scheme, agreed by the MCA in January.

**1. Introduction**

- 1.1** At its meeting on the 27<sup>th</sup> January the Sheffield City Region MCA agreed to launch a public consultation on the Scheme and Governance Review as the next step to implement the South Yorkshire Devolution Deal. This is in accordance with the legal requirement that a public consultation is undertaken where additional functions are to be conferred upon the MCA.
- 1.2** Following the conclusion of the consultation, a summary of the responses that were received has been prepared, which is set out at Annex A. This report sets out the main findings from this process and the proposed next steps to unlock the benefits of devolution in South Yorkshire.

## 2. Overview of the Consultation Process

- 2.1** Commencing on the 3<sup>rd</sup> February, the public consultation ran for six weeks until the 15<sup>th</sup> March. Its ambition was to offer the public and stakeholders the opportunity to share their views on the additional functions that it is proposed be conferred on the SCR MCA, as set out in the scheme, which the authority approved in January. The consultation was designed so that every resident, business and stakeholder could respond if they wished to do so and the purpose was to enable responses to our devolution proposals.
- 2.2** The consultation was led by the SCR Executive and delivered in conjunction with South Yorkshire local authorities and partners. The consultation was conducted primarily through digital channels with consultation feedback gathered via the SCR website from the public and stakeholders. However, respondents were also able to submit responses through a paper-based survey, by letter or email if they wished to do so. Consultation documents and publicity materials were made available at Sheffield City Region offices and in key local authority buildings across South Yorkshire.
- 2.3** As documented in the report at Annex B, the consultation was widely publicised through a variety of mechanisms including:
- pro-active media releases and pro-active engagement of regional and local media throughout the consultation, including advertisements in the South Yorkshire printed press;
  - web content for the SCR website, including a feedback form;
  - similar, but locally adapted content for local authority and partner websites;
  - social media using local authority and SCR MCA and LEP family channels; and
  - staff messaging.
- 2.4** Paid adverts on social media channels ran for six weeks from w/c 3 February across Facebook, Twitter, Instagram and LinkedIn, reaching a total of 420,615 people with clear information about how to contribute to the consultation, as well as providing a link to the website. Meanwhile, organic social media posts published by the Sheffield City Region and the four South Yorkshire local authorities, across the same four social media channels, had the potential to reach a combined audience of 257,100 followers.
- 2.5** During the consultation period, there were a total of 11,728 page views on the dedicated consultation area of the SCR website, which provided information about the draft scheme and consultation, as well as the call to take part. This was the most-visited page on the website during this period, gaining more views than the main homepage.
- 2.6** To supplement media related promotional activity, the SCR MCA directly contacted more than 40 stakeholders across the region and in neighbouring areas, writing to make them aware of the consultation. Those contacted included public, private and third sector organisations with, wherever possible, a senior named individual being written to. Organisations reached included MPs, business representative organisations, colleges and universities, business leaders, and others.

## 3. Summary of the consultation outcomes

### Overview

- 3.1** A total of 675 responses were received (673 through the online survey and two by email). 653 or 96.7% of the responses received were from the public and 22 or 3.3% were from stakeholders.
- 3.2** The report summarising the results of the consultation is included at Annex A. Please note that due to the timescales, this is a summary report, which will be followed by a full

consultation report by the research analysts, IPSOS MORI. The consultation questions were designed to elicit people's views on the additional powers that the SCR MCA was seeking to transfer through the implementation of its Devolution Deals. These were grouped into themes, with a question per theme. The results to this process are summarised in the table below.

**Table 1: Summary of all responses to policy areas and new powers as identified in the Scheme to progress the South Yorkshire Devolution Deal**

Theme	Support*	Oppose**	Other***
The principle of the devolution of powers from Westminster	590	59	23
Skills and education	560	59	51
Housing	568	59	42
Development and regeneration	530	80	56
Transport	576	60	31
Finance	458	105	107
Constitutional and governance	434	136	98

Notes:

\* Includes strongly support / agree and tend to support / agree responses

\*\* Includes strongly oppose / disagree and tend to oppose / disagree responses

\*\*\* Includes don't know and neither support nor disagree answers

### Overall support for the proposals

- 3.3** As the table above indicates, the majority of responses were supportive of the proposals outlined in our Scheme to implement our Devolution Deal. In particular there was very strong support for the general principle of more powers being devolved from Westminster to MCAs and for our proposed transport powers.
- 3.4** The positive responses received illustrate the strength of support for:
- Providing local decisions makers with the tools needed to meet local needs and solve local problems;
  - Greater local autonomy, power and control in the local area;
  - The deal as it will benefit the region and local communities;
  - Securing these powers to provide education and skills support that is required locally; and
  - The proposals to secure greater powers to improve transport.
- 3.5** In tandem with these responses was a general trend from a significant number of respondents that set out negative views of the current political system, including a perceived dominance of the Greater South East London at the expense of the North. Whilst a number of respondents raised this issue, they did not specifically state that the powers proposed through the Devolution Deal would address these issues.

### Areas of concern / objection

- 3.6** While a majority of respondents were in favour of the proposals, key concerns identified by the minority of respondents who did not support the proposals are set out below. This is accompanied by a commentary for consideration by the MCA. None of the concerns raised are considered to represent a fundamental impediment to moving forward to the next stage of the process.
- 3.7** Issues raised were:
- A perception by some that the governance proposals would lead to greater

bureaucracy and cost – this may be based on the view that this creates another layer of local government, which is not the case given the Combined Authority has now been in existence for six years.

- Uncertainty regarding forthcoming levels of government funding and whether or not this will be sufficient – whilst the additional money to be awarded to South Yorkshire through the Deal is significant, totalling £30m per annum for 30 years, it alone will not be sufficient to deliver the recognised scale of transformation required in the region. Future funding of local government under any model is not guaranteed, but by progressing this Deal the MCA will be eligible to secure further investment from Government, for example, its share of the £4.6bn announced as part of the UK's 2020 Budget in March.
- A potential increased burden and cost on taxpayers through the mayoral precept and a perceived 'mayoral tax' – the use of any powers related to securing additional income from local tax payers by the MCA would need to follow the process set out within the legislation. In other MCAs such additional investment is being used to fund a range of priorities, for example, bus services in Greater Manchester, including free travel on buses for those aged between 16 and 18. As such these powers may provide an opportunity for the MCA in the future, if and only if the MCA chose to utilise these functions. There is no intention to do so at present.
- Powers to be provided to the elected mayor – securing the benefits of the Devolution Deal are dependent on the provision of additional powers to the directly elected and accountable metro mayor. The MCA is aware of the proposals in the Governance Review and Scheme that would ensure there are appropriate checks and balances on the respective powers of the elected mayor and the Combined Authority. It will be important that these aspects are clearly communicated to the public and other stakeholders.

## Summary

- 3.8** In summary, it is considered that the MCA's rationale for progressing with the implementation of the Devolution Deal are supported by the outcomes of the consultation exercise and that the relevant statutory criteria have been met. However, as set out below, whether the consultation has been sufficient and if the statutory tests have been met is ultimately a matter for the determination of the Secretary of State.

## 4. Proposal and justification

- 4.1** The production of this summary of the consultation represents the continued progress to unlock the benefits of the South Yorkshire Devolution Deal. The legislative process to secure the Devolution Deal comprises a number of stages that culminate in Parliament passing a statutory order (setting out the additional functions that will be devolved to the MCA) (Powers Order) into law.
- 4.2** The next step in this process is for the MCA to agree to submit the summary of consultation, with the Governance Review and Scheme agreed in January, to the Secretary of State for Housing, Communities and Local Government. Additional supportive material including the overview of the mechanisms put in place to publicise the consultation and the equalities impact assessment will also be included in this submission.
- 4.3** Subject to the agreement of the MCA to submit this information to the Secretary of State, the next steps in the legislative process are as follows:

- The Secretary of State considers the material submitted and produces a draft Powers Order, conferring the powers needed to implement the Deal, subject to the statutory tests being met. Mid-April to mid / end May.
- The constituent councils, the Mayoral Combined Authority and the Mayor to consent to the draft Powers Order. By 8th June.
- The Powers Order to be laid in Parliament – following the provision of the necessary consents and to pass into law. Before summer recess.

**4.4** By meeting the above timetable, South Yorkshire has the potential to gain access to the benefits of the Devolution Deal (including release of the gainshare funding) by the summer. Should there be any delays in this process, the legislative process is unlikely to conclude until October, given parliamentary recess periods. However, the current COVID-19 pandemic may impact on the ability to meet this timetable given the evolving situation.

**4.5** In order to maximise the region's ability to complete this process as quickly as possible, it is proposed to delegate to the Head of Paid Service, in consultation with the Mayor, authority to progress and conclude the legal steps required of the Authority necessary to implement the Devolution Deal. This includes consenting on behalf of the MCA to the enabling Powers Order, provided this corresponds with the proposals set out in the SCR MCA's Governance Review and Scheme. The agreement of such delegations is consistent with and complementary to the delegations that in recent weeks have been agreed by all four of the South Yorkshire constituent councils. The Powers Order is subject to the consent of the Constituent Councils as well as that of the MCA and the Mayor. No order can be made without all these consents.

### **3. Consideration of alternative approaches**

**3.1 Do nothing** – If the Combined Authority decides not to submit the summary of the consultation to Government it will be unable to secure the benefits of the Devolution Deal for South Yorkshire.

**3.2 Agree to submit the summary of consultation responses but not to give delegated authority to consent to the Order** - if these delegations are not put in place the legislative process will be completed over a longer period and require additional urgent, meetings of the SCR MCA. This would in turn generate a delay in the benefits of the Deal being secured for the people and communities of South Yorkshire.

### **4. Implications**

#### **4.1 Financial**

By implementing the Devolution Deal South Yorkshire will secure an additional £30m per annum of funding for economic development for 30 years. It will also mean that the MCA could benefit from wider borrowing powers for more than just transport schemes as is currently the case; representing a significant opportunity to successfully manage the area's investment profile. In addition, subject to meeting certain criteria, the area will gain control over the 19+ adult education budget, equating to c.£35m per annum.

As evidenced by the £4.6bn announced in the UK's 2020 Budget in March, by progressing with the Devolution Deal, the MCA is best placed to secure further devolved funds and flexibilities from Government. Government has agreed additional funds and powers for other MCAs on a range of issues including housing, homelessness, responding to economic shocks, and employment support. Through the Devolution White Paper, the Government is expected to progress its 'levelling up' agenda, devolving more to MCAs to progress local priorities.

## 4.2 Legal

Following the conclusion of the public consultation, the next stage of the statutory process is for the MCA to submit a summary of the consultation responses to the Secretary of State pursuant to section 113 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”). The Secretary of State will then consider whether the consultation is sufficient before deciding whether the relevant statutory criteria in section 113 of the 2009 Act have been met to enable him to make the statutory order(s) to provide the additional powers and functions to the MCA.

Before making an order, the Secretary of State must consider that to do so is likely to improve the exercise of statutory functions in the area or areas to which the order relates. Furthermore, in making the order(s), the Secretary of State must have regard to the need:

- to reflect the identities and interests of local communities; and
- to secure effective and convenient local government.

## 4.3 Risk Management

By continuing to progress the Devolution Deal the MCA has the opportunity to unlock additional powers and resources in the region to deliver local priorities and the outcomes identified in the Strategic Economic Plan (SEP). As such, this seeks to mitigate the risk of SCR’s economic performance falling relatively further behind those areas that do have access to these additional resources.

## 4.4 Equality, Diversity and Social Inclusion

In making the decisions contained in this report, Members are reminded of their legal **duty** under section 149 of the Equality Act 2010 to have *due regard* to the need to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- foster good relations between those who share a protected characteristic and persons who do not share it.

In having due regard to the need advance the equality of opportunity between persons who share a protected characteristic and persons who do not, Members should have due regard to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low.

An Equality Impact Assessment has been undertaken, see Annex C, this concluded that there are no adverse impacts on persons with protected characteristics from proceeding with the Devolution Deal. Each individual initiative will be assessed at the appropriate time in the decision-making process to allow Members to have due regard to their Equality Act duties.

It is for Members to determine the weight to be given to the various factors that inform the decision, including the equality impacts and the legal duty under section 149.

## 5. Communications

- 5.1 Building on the work undertaken around the public consultation it will be important to continue to set out the benefits that devolution can bring to people, communities and businesses across South Yorkshire. This includes providing a clear overview of the progress being made in progressing the Order and thus when the benefits will be unlocked.

## 6. Appendices/Annexes

- 6.1 Annex A – Summary of consultation responses  
Annex B - How the consultation was promoted to the public and stakeholders  
Annex C – Equalities Impact Assessment

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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Other sources and references:

**Sheffield City Region Mayoral Combined Authority, 27<sup>th</sup> January, [Item 11 Progressing Devolution](#)**