

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

**A DEVOLUTION PROPOSAL FOR GREATER LINCOLNSHIRE AND
COMMENCE CONSULTATION ACTIVITIES**

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 This report asks the Council to support:

- the terms of a proposed devolution deal for Greater Lincolnshire,
- a draft proposal for the creation of a new Greater Lincolnshire Combined County Authority to give effect to the devolution deal and
- the carrying out of public consultation to inform a later decision whether the Council should submit a formal proposal to the Secretary of State under the Levelling Up and Regeneration Act 2023 for the creation of a Greater Lincolnshire Mayoral Combined County Authority.

2. BACKGROUND INFORMATION

2.1 Devolution provides an opportunity to seek the transfer of a range of powers and budgets from Government that can be targeted to local need, used to boost growth in the local economy and level up communities. It also provides the opportunity for some current local authority powers to be exercised on a wider footprint.

2.2 In December 2022 the three upper tier councils of Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council, agreed to engage with government officials to secure a devolution deal for Greater Lincolnshire; agreed in principle for devolution to a mayoral county combined authority for Greater Lincolnshire; and for continued engagement with key stakeholders to put Greater Lincolnshire in as strong a position as possible to secure a deal. The report to that meeting set out the stages when Members would be asked to formally consider progress at key decision points including:

- (i) Seek a deal and enter into negotiation with government (December 2022 report)
 - (ii) Consult on a draft devolution proposal following negotiations with Government (this report)
 - (iii) The final proposal and to establish a mayoral county combined authority (future report).
- 2.3 This report details the second decision point for Council and provides for consideration of a draft proposal for the creation of a new Greater Lincolnshire Combined County Authority to give effect to a Greater Lincolnshire devolution deal.
- 2.4 Decision making to agree the draft proposal and to consult on the draft proposal is an Executive function of the Council. In accordance with the process set out in the December 2022 Council report, the Leader of the Council is seeking the support of the Council before taking/reaching a decision.
- 2.5 The attached report and appendices set out the proposed decision and advice to the Leader of the Council and steps required to implement the deal and to progress the process for creation of a Combined County Authority covering Lincolnshire, North Lincolnshire and North East Lincolnshire in accordance with the Levelling-Up and Regeneration Act - as the only mechanism for delivering on that deal.
- 2.6 The report recommendations also enable the upper tier councils to progress the next stages of the process including ensuring that appropriate consultation is undertaken, and comments are sought from stakeholders and are considered prior to consideration of approval of a final proposal.
- 2.7 Council is asked to consider and support the proposed decisions as set out in the Executive (Leader of the Council) report and the appendices to the report including:
- Devolution Deal for Greater Lincolnshire
 - Draft proposal for a Greater Lincolnshire mayoral combined county authority and for devolution to Greater Lincolnshire
 - Consultation on the draft proposal
 - Equality Impact Assessment (EqIA)

3. OPTIONS FOR CONSIDERATION

- 3.1 The Council is asked to support the following options:

- a. Support the draft proposal for the creation of a new Greater Lincolnshire Combined County Authority to give effect to the devolution deal and support the carrying out of a public consultation on the Proposal to inform a later decision whether the Council should submit a formal proposal to the Secretary of State under the Levelling Up and Regeneration Act 2023 for the creation of a Greater Lincolnshire Mayoral Combined County Authority from May 2025.
- b. Not to support the draft proposal. This is not recommended because to allow for the maximum amount of devolved powers and funding (a “Level 3” deal), the legislation requires that a Mayoral Combined County Authority must be established in the area. There is no guarantee that a devolution deal and the associated funding would be available to the area in the same way in the future.
- c. Not to support consultation upon the proposal or to delay consultation. Neither of these options is recommended as failure to consult would mean that a key requirement of the Levelling up and Regeneration Act not being met and that the proposal could not be put forward to Government, preventing the delivery of the significant additional funding and powers that devolution and the creation of the Greater Lincolnshire Combined County Authority would bring.

The timeline to create a Mayoral Combined County Authority by Mayoral elections in May of 2025 requires a consultation on the proposal to be completed by early 2024. Any delay would not allow for the area to meet this timeline.

4. ANALYSIS OF OPTIONS

- 4.1 In December 2022 the three upper tier councils of North Lincolnshire Council, Lincolnshire County Council, and North East Lincolnshire Council, agreed to engage with government officials to secure a devolution deal for Greater Lincolnshire, agreed in principle for devolution to a mayoral county combined authority for Greater Lincolnshire and for continued engagement with key stakeholders to put Greater Lincolnshire in as strong a position as possible to secure a deal.
- 4.2 A devolution deal for Greater Lincolnshire has now received. This report progresses the steps required to deliver on an historic devolution deal for Greater Lincolnshire and to progress the process for creation of a Combined County Authority covering North Lincolnshire, Lincolnshire and North East Lincolnshire in accordance with the Levelling-Up and Regeneration Act - as the only mechanism for delivering on that deal.
- 4.3 The recommendations support and inform decision making by the executive and ensures that appropriate consultation is undertaken, and comments are sought from stakeholders and are considered prior to

consideration of approval of a final Proposal for submission to Government.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 There are no direct resource implications associated with this report. Members attention is drawn to the resourcing and legal comments detailed in the Executive (Leader of the Council) decision report attached.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 Members attention is drawn to the equality implications detailed in the Executive(Leader of the Council) decision report and the Equality Impact Assessment appended to that report.

6.2 Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

6.3 The devolution proposal does not include for the transfer of police and crime functions or community safety powers or budgets, but recognises that safer communities are key to the Government's Levelling Up Missions. The proposed Greater Lincolnshire MCCA provides membership for the Police and Crime Commissioners (PCCs) for Lincolnshire and Humberside to reflect their public safety role in the operation of the MCCA and the future prosperity of Greater Lincolnshire.

6.4 The devolution proposal includes provisions for the devolution of powers and funding that could be used to "invest to achieve net zero, to drive productivity and to grow jobs and to "invest to take advantage of our unique natural environment in a responsible way, whilst protecting our communities from climate change impact" which are viewed as supportive to the Council's commitment to be a carbon net zero organisation by 2030 and to ensure that the local natural environment is protected, enhanced and self-sustaining.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 n/a

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 Members of the council have received a briefing at the briefing meeting held on 27 November 2023. The views of members will be reported to the Leader of the Council to inform the decision making.

8.2 Further details of consultation are set out in the substantive body of the Executive (Leader of the Council) report.

9. RECOMMENDATIONS

9.1 It is recommended that the council considers the report to the Leader of the Council attached as appendix 1 and supports:

- (i) the devolution deal document attached at Appendix A
- (ii) the draft proposal for the creation of a Greater Lincolnshire Combined County Authority attached at Appendix B (“the Proposal”) for the purposes of public consultation in accordance with the Levelling Up and Regeneration Act 2023
- (iii) the carrying out of public consultation on the proposal in accordance with paragraphs 26 to 30 of the Executive (Leader of the Council) Report and the Consultation document at Appendix C, and
- (iv) delegated authority to the Head of Paid Service/Chief Executive to approve any minor amendments to the draft proposal or consultation arrangements. This delegation is to be exercised in consultation with the Leader of the Council and is conditional upon agreement to such amendments by the other Constituent Councils.

HEAD OF PAID SERVICE/DIRECTOR: OUTCOMES

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Background Papers used in the preparation of this report –

| Background Paper | Where it can be viewed |
|---|---|
| Levelling Up White Paper | https://www.gov.uk/government/publications/levelling-up-the-united-kingdom |
| The Levelling Up and Regeneration Act 2023 | https://bills.parliament.uk/bills/3155 |
| Report to Council December 2022 - A Devolution Deal for North Lincolnshire | Item 6 - A Devolution Deal for North Lincolnshire.docx |