

CABINET

2 February 2024

Present:-

Councillors A Davis, R Gilbert, J Hart (Chair), S Hughes, J McInnes (Vice-Chair), L Samuel, A Saywell and P Twiss

Councillor Leadbetter (remote attendance)

Apologies:-

Councillor R Croad

Members attending in accordance with Standing Order 25

F Biederman, J Brazil, D Cox, C Leaver, C Whitton and M Wrigley

F Letch (remote attendance)

* **463** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **464** **Announcements**

There was no announcement by the Chair at this meeting.

* **465** **Petitions**

There was no petition received from a Member of the Public or the Council.

* **466** **Question(s) from Members of the Council**

There was no question from a Member of the Council.

* **467** **Proposed Devon & Torbay Combined County Authority and Devolution Deal**

(Councillors Biederman, Brazil, Cox, Leaver, Letch, Whitton and Wrigley attended in accordance with Standing Order 25(2) and spoke to this item raising questions such as governance arrangements of the proposed Combined Authority (CA) (voting, representation, staffing, gender balance), costs of the deal and the CA, new money associated with the deal, role of District Council's, distribution of funds, powers afforded to the CA in terms of responsibility of functions, shared prosperity fund, the measure of success for consultation outcome and the role of the PCC on the Board)

The Cabinet considered the Report of the Chief Executive (CX/24/1) outlining the proposed Devon & Torbay Combined County Authority and Devolution Deal, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet also received a presentation which covered the benefits for Devon in terms of economy and growth, housing, skills, transport and net zero / low carbon, the approach to the consultation as well as the ambition and partnership. The presentation was appended to the minutes.

Devon, Plymouth and Torbay were one of nine areas invited by Government, as part of the February 2022 Levelling Up White Paper, to agree a devolution deal. Plymouth City Council (on 17 November 2023) decided to withdraw from the negotiations and therefore a proposed 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. It was available on the DLUHC website and at www.devontorbaydeal.org.uk.

The powers and the transfer of Government funding included in the proposed devolution deal promised to bring greater control to Devon and Torbay to help tackle local priorities, including the need for: new training and retraining opportunities; improved coordination of public transport; more affordable housing and investment to support local business and green jobs to increase productivity and pay.

Government would devolve the powers and funding to a new legal body established by Parliament that brought Members of the existing local authorities together: the Devon & Torbay Combined County Authority (DT CCA). The DT CCA would include Members of Devon County Council and Torbay Council together with District Council Member representatives and other stakeholders. The statutory requirements for implementing the proposed deal included public consultation on the draft proposal to establish the DT CCA and the Council's consent to the secondary legislation.

The Report recommended that a public consultation on the draft proposal to establish the DT CCA was undertaken in conjunction with Torbay Council from 12 February 2024 to 24 March 2024.

The Cabinet noted that the Levelling Up White Paper, described opportunities for areas to secure devolved powers, funding, and influence based on a devolution framework (outlined in appendix 1 of the Report). The framework had three levels of devolution depending on the type of governance model with the powers and funding available ranging from the highest level 3 to the lowest level 1. The proposed Devon and Torbay devolution deal was a level 2 deal.

The Report gave further detail on the decision of Plymouth City Council to withdrawal from the proposed devolution deal, relating to the transfer of the local transport authority's functions moving to the new CCA. The Minister could not accept the City Council's alternative proposals. However, Plymouth City Council said it remained committed to continuing to work closely with its partners across the region on areas such as transport, housing inward investment, jobs, the Plymouth and South Devon Freeport and skills and education. In response, the Leaders of Devon County Council and Torbay Council confirmed they would continue to work in partnership for the collective benefit of communities and businesses across the area. The provisions of the proposed devolution deal enabled Plymouth to apply to join the DT CCA at some point in the future.

The Report gave further details on the devolution deals for other areas, such as Suffolk, Norfolk, East Midlands, Cornwall and Lancashire and the progress and process to date. Each of the devolution deals summarised in the Report were available at <https://www.gov.uk/business-and-industry/city-deals-and-growth-deals>.

The proposed devolution deal covered:

- Governance.
- Finance and investment.
- Skills and education.
- Housing and land.
- Transport.
- Net zero and climate change.
- Culture and tourism.
- Digital.
- Innovation, trade, and investment.
- Sector development.
- Public service reform.
- Resilience and public safety.

The proposed devolution deal reflected the Levelling Up White Paper's devolution framework Level 2 offer of functions and funding from Government which included a number of commitments such as the formation of the DT CCA, new powers to better shape local skills provisions to meet the needs of the local economy, £16 million of new capital funding to support the delivery of local housing priorities, drive Net Zero ambitions and support green skills capacity, greater collaboration between the DT CCA and Homes England and agreement to discuss the recommendations of the Devon Housing Commission, new powers to improve and better integrate local transport, including the ability to introduce bus franchising and the integration of the functions of the Heart of the South West Local Enterprise Partnership.

Section 5 of the Report focused on the public consultation on the draft proposal to establish the DT CCA. The draft proposal (included as a separate document with the agenda) explained in detail why the area was seeking to establish the DT CCA, the benefits and how it would operate.

The consultation would be open to anyone to respond to and would be publicised through social media and news releases and it was possible to respond in a number of ways. Themed meetings for invited stakeholders would also be organised, details of which would be published at www.devontorbaydeal.org.uk/. The presentation further highlighted that as well as the digital routes to respond, there would be printed materials made available via libraries and community hubs across Devon and Torbay. A wide programme of events and engagement included dedicated consultation events to cover the 8 Districts, a range of thematic events for business, community and education/ skills partners, and one to one engagement with key community stakeholders, employers and wider partners.

Work was also ongoing with DALC and District Councils around additional engagement and consultation opportunities, with the aim of extending the opportunity to respond to as wide an audience as possible.

In order to ensure clarity and unity around devolution, the proposed devolution deal set out six core principles for future governance and delivery: relating to Partnership, Accountability, Inclusivity, Additionality, Subsidiarity and Collaboration. The Governance of the Devon and Torbay Combined County Authority was outlined in section 5.3 including addressing issues such as membership, chair, voting and levels of decision making, policy frameworks and delegations as well as associated Scrutiny and Audit arrangements.

It was noted that prior to the establishment of the DT CCA, there would be a transitional phase where it operated as a shadow authority to support a smooth transition to the fully established DT CCA. The DT CCA would be an employer in its own right but the arrangements would, as far as practicable, draw on the capacity (e.g. secondments and sharing of staff) of the existing authorities.

The Report outlined the roles and relationships between the Team Devon Joint Committee and the DT CCA, outlined in appendix 2 and well as a proposed timescale for matters such as statutory instruments and parliamentary timetables with an expectation for the DT CCA and establishment of the Team Devon Joint Committee being established in Autumn / Winter 2024.

The proposed devolution deal contributed to the Council's "Best Place¹" Strategic Plan in a number of ways and this was reported in section 8.

The Cabinet further noted that to support the establishment of the DT CCA in its early stages, the Government would provide £1million of capacity funding over three years: £250,000 in 2024/25, £500,000 in 2025/26 and £250,000 in 2026/27 and it was expected that the creation of the DT CCA would lead, through the delivery of the devolution deal, to additional funding, including the £16 million of capital, being made available to be spent within the Devon and Torbay area on a wide range of services, projects and schemes.

A draft Impact Assessment had been prepared for the attention of Members at the meeting and had been circulated with the agenda and was available at [Devon and Torbay Devolution - Impact Assessment / https://www.devon.gov.uk/impact/devon-and-torbay-devolution/](https://www.devon.gov.uk/impact/devon-and-torbay-devolution/)

The Cabinet noted that data would be collected from those who chose to respond to the consultation including those who identified as having a protected characteristic. A final equality impact assessment would be prepared and made available in April 2023 when the Cabinet and Council considered the final proposal. The views of the Devon Equality Reference Group on the equality impacts of the draft proposals would be invited in order to inform the final Equality Impact Assessment.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) as set out in the Chief Executive's Report having been considered:

it was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that the proposed Devon & Torbay devolution deal be supported; and

(b) that a public consultation be carried out in conjunction with Torbay Council from 12 February 2024 to 24 March 2024 to invite views on the draft proposal to establish the Devon & Torbay Combined County Authority.

* **468** **Question(s) from Members of the Public**

There was no question from a Member of the public.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 12.01 pm



Devon and Torbay Devolution Deal

Deals within the UK

- Government's ambition to have every area of the Country covered by a Devolution Deal by 2030
- Deals in principle now agreed to cover 60% of England's population
- Delivery however proving more difficult. Of 10 Deals announced in the 2021 White Paper, only 6 moving forward as planned. Cornwall failed to progress with a mayoral deal, Suffolk currently stalled and Norfolk delayed for a year.
- Only three Level 2 (non-mayoral) Deals agreed so far; Devon and Torbay, Lancashire and Cornwall.
- However, Government currently seeking to fasttrack 7-8 County Deals at Level 2 amongst unitary counties.



Benefits for Devon – Economy and Growth

- The new body will take a lead role in promoting economic growth, working closely with Devon’s Councils and Businesses
- Additional opportunities to create more jobs, increase investment in our businesses, and better support the County to grow.
- Will include the transfer of residual functions from the Local Enterprise Partnership, including a proportion of its remaining funding and assets. This includes resources to take forward business support, boost innovation and enable ongoing collaboration with the business community.
- Opportunities for additional activity to be devolved in the future, including joint working around tourism (through the Local Visitor Economy Partnership), inward investment and innovation funding.

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Benefits for Devon – Skills

- The Combined Authority will become the accountable body for a range of devolved skills and training activity, including the Adult Education Budget (circa £15m per annum).
- Will also take the lead on careers and work experience activity, joint working with Department of Work and Pensions around employment and employability, and in developing our Colleges, Universities and wider training providers.
- Ability to deliver more skills and training opportunities to help people to secure a job they value.
- Opportunities for future devolution of skills activity and funding over time, including technical skills resources, nationally procured and administered employment support programmes and vocational and apprenticeship activity.



Benefits for Devon – Housing

- New role for the Combined Authority, working in partnership with the District Councils, to accelerate and support housing development.
- More homes, in the right place, of the right size, supporting local people.
- Seeks to build on the work of the Housing Commission and the Housing Task Force.

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Includes a new role working with Homes England around a shared pipeline of development projects and accelerating local housing programmes.

- To kickstart approach, £8m of capital funding to be made available next year to support small, net zero and green housing projects across Devon and Torbay.
- Opportunities to devolve further activity over the next few years, including Brownfield Development and Affordable Housing Funding



Benefits for Devon – Transport

- New role for the Combined Authority as the local transport authority
- Commitment to produce a provisional area-wide Local Transport Plan (LTP) by March 2025 – strong foundation with Torbay, with current joint LTP
- Stronger voice with Government to take advantage of future grant funding opportunities to support delivery of key transport asks, e.g:
 - Expansion of active travel networks: LCWIPs / multi-use trails
 - Transformational bus system – stronger area-wide brand; modernised ticketing systems; low carbon fleet and stronger partnership.
 - Growing the Devon Metro – new rail stations and line enhancements, delivering better connectivity, capacity and resilience
 - Enabling infrastructure to facilitate economic growth
- Creation of Single Enhanced Partnership with bus operators and Combined Authority resp. for subsidised bus services and Concessionary Fare schemes



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Benefits for Devon – Net Zero and Low Carbon

- Combined Authority to have a convening and funding role to delivery net zero and climate activity.
 - Ability to do more to respond to our Climate Emergency, and better align our local response and strategy.
 - £5-8m of capital support for Net Zero business and skills projects to be made available in 2024/25.
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- A starting point on Net Zero, with the opportunity to seek further control over net zero public investment and support local regulation and strategy.
- Longer term opportunities to accelerate progress on critical issues like retrofit, low carbon energy production and distribution, aquaculture and marine opportunities (including floating offshore wind) and habitat and landscape management.



Approach to Consultation

- Full consultation programme due to launch on the 12 February for 6 weeks, to cover every area of the County.
- Includes a dedicated website, range of social media and other digital routes to respond, and printed materials to be made available via our libraries and community hubs across Devon and Torbay.
- Wider programme of events and engagement planned over the 6 weeks, including dedicated consultation events to cover our 8 Districts, a range of thematic events for business, community and education/ skills partners, and one to one engagement with key community stakeholders, employers and wider partners.
- Work currently ongoing with DALC and District Councils around additional engagement and consultation opportunities, with the aim to extend the opportunity to respond to as wide an audience as possible.



Ambition and Partnership

- Devolution Deal is the start of a journey for Devon and Torbay.
- Opportunity through Devolution to do more moving forward, demonstrating our ability as local government partners to more effectively deliver on the County's needs and opportunities.

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Huge potential to do more for our residents. National programmes often fail to focus fully on things that matter for us; supporting our communities and places, fully meeting the needs of our young people or older residents. New flexibilities will allow us to choose what works.

- Gives us new tools through which to work with our partners, with collaboration essential to many of our shared challenges. Devolution provides us with further scope to re-set relationships – Government and reinforce our shared Team Devon approach.

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