

Council

Date: **30 January 2025**

Time: **4.30pm**

Venue: **Council Chamber, Hove Town Hall**

Members: **Councillors:** Asaduzzaman (Chair), Grimshaw (Deputy Chair), O'Quinn, Atkinson, Alexander, Allen, Bagaeen, Baghoth, Burden, Cattell, Czolak, Daniel, Davis, Earthey, Evans, Galvin, Fishleigh, Fowler, Gauge, Goddard, Goldsmith, Guilmant, Helliwell, Hewitt, Hill, Hogan, Loughran, Lyons, Mackey, McGregor, McLeay, McNair, Meadows, Miller, Muten, Nann, Oliveira, Pickett, Pumm, Robins, Robinson, Rowkins, Sankey, Shanks, Sheard, Simon, Sykes, Taylor, C Theobald, Thomson, West, Wilkinson, Winder and Williams.

Contact: **Anthony Soyinka**
Head of Democratic Services
01273 291006
anthony.soyinka@brighton-hove.gov.uk

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk.
Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through ModernGov: [iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper



Chief Executive
Hove Town Hall
Norton Road
Hove BN3 3BQ

Date of Publication - Wednesday, 22 January 2025

AGENDA

Part One

Page

56 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

57 MINUTES

To approve as a correct record the minutes of the last Council meeting held on the 19 December 2024 which will be circulated separately as part of an addendum for the meeting.

Contact Officer: Anthony Soyinka

Tel: 01273 291006

58 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

59 LEADERS AND PORTFOLIO HOLDER'S ANNOUNCEMENTS

To receive announcements by the Leader and Portfolio Holders.

60 TO RECEIVE PETITIONS AND E-PETITIONS

To receive any petitions to be presented to the Mayor by members of the public and/or Members as notified by the due date of 16 January 2025 (10 working days) which will be circulated separately as part of an addendum for the meeting.

61 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A list of public questions received by the due date of 12noon on the 20 January 2025 will be circulated separately as part of an addendum for the meeting.

62 DEPUTATIONS FROM MEMBERS OF THE PUBLIC

A list of deputations received by the due date of 12noon on the 20 January 2025 will be circulated separately as part of an addendum for the

meeting.

PETITIONS FOR DEBATE

Petitions to be debated at Council.

63 CITY PLAN CONSULTATION 9 - 10

64 CALL OVER FOR REPORTS OF COMMITTEES

(a) Call over (items 67 – 71a) will be read out at the meeting and Members invited to reserve the items for consideration.

(b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

65 WRITTEN QUESTIONS FROM COUNCILLORS 11 - 24

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Anthony Soyinka

Tel: 01273 291006

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

66 ORAL QUESTIONS FROM COUNCILLORS 25 - 28

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Anthony Soyinka

Tel: 01273 291006

REPORTS FOR DECISION

67 CHANGES TO CONTRACT STANDING ORDERS 29 - 104

Contact Officer: Nigel Manvell

Tel: 01273 293104

Ward Affected: All Wards

68 PAY POLICY STATEMENT 2025/26 105 - 118

Contact Officer: Laura Rush

Ward Affected: All Wards

69 BUDGET PROTOCOL 119 - 132

Contact Officer: Nigel Manvell

Tel: 01273 293104

Ward Affected: All Wards

70	REVIEW OF SCHEME FOR MEMBER ALLOWANCES 2024-2028	133 - 156
	<i>Ward Affected: All Wards</i>	
71	REPORTS REFERRED FOR INFORMATION	
	a Devolution Update	157 - 296

NOTICES OF MOTION

The following Notices of Motion have been submitted by Members for consideration:

72	MAINTAINING QUALITY EDUCATION FOR ALL	297 - 298
73	SUPPORTING UNISON'S BRING IT BACK CAMPAIGN	299 - 300
74	GRITTING & HIGHWAYS WINTER SERVICE PLAN	301 - 302
75	ROYAL SUSSEX COUNTY HOSPITAL ACCIDENT & EMERGENCY DEPARTMENT	303 - 304

76 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*
 - (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
 - (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.
 - (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*
2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*

3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

Once all the remaining items have been dealt with the Mayor will close the meeting.

FOR INFORMATION

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 10:00am on the eighth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

Webcasting notice

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy.

Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

Access notice

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.**Fire & emergency evacuation procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so

Further information

For further details and general enquiries about this meeting contact Anthony Soyinka, (01273 291006, email anthony.soyinka@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Brighton & Hove City Council

Council

Agenda Item 63

Subject: Petition for Debate

Date of meeting: 30 January 2025

Report of: Director of Governance & Law

Contact Officer: Name: Anthony Soyinka
Tel: 01273 291006
Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.

2. RECOMMENDATIONS:

- 2.1 That the petition is noted.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

- 3.1 To receive the following petition signed by over 1250 people at time of publication:

City Plan Consultation

Dear members of the Council,

As an Alliance, we are always keen to help where we can. We are grateful for the meetings we've had with some of you so far (particularly Cllrs Sankey, Williams, Taylor, Loughran, and Allen).

We are asking that you consider our contributions when re-shaping the City Plan - our city's plan - and, specifically, that you ensure that key sections are devoted to specifying how 'affordability' can take into account 'local income' measures, to specifying how key workers will be supported, and to specifying how developments will honour the need to nurture a sense of belonging and community.

*We look forward to working with you to make our city one where people can thrive.
Brighton & Hove Citizens*

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the petition and confirm the number of signatures;
- (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Cabinet Member to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Cabinet Member to respond to the debate;
- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day before the meeting; otherwise it will be subject to the Mayor's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
- (v) (a) Any amendments in the order in which they are moved, and
(b) The substantive recommendation(s) as amended (if amended).

Brighton & Hove City Council

Council

Agenda Item 65

Subject: Written questions from Councillors

Date of meeting: 30 January 2025

Report of: Director of Governance & Law

Contact Officer: Name: Anthony Soyinka
Tel: 01273 291006
Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

The following questions have been received from Councillors and will be taken as read along with the written answer detailed below:

1. Councillor West

Many of our residents have been left shocked at the collapse of the Magpie Green box service. This much-loved subscription service predates the council's own door-step recycling service. In fact Green Box showed the way forward, embarrassing the then Labour council to commence its own door-step service. Council recycling rates have always been poor, which comes down to the limited range of items recycled and insufficient communications to explain and incentivise more households to recycle more and better. The City's super-recyclers stayed loyal to Magpie despite being charged as they knew there were better outcomes being achieved. Super-recyclers set the bar, and the loss of Green Box is a loss to the city. Will the Council now set up a subscription scheme for super-recyclers so those standard bearers can continue to show the way to raising recycling rates more generally?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

2. Councillor West

I'm sure the Leader of the Council would agree with me, in saying how proud we all are that the Council is endeavouring to create a more respectful environment for its staff and 'customers'. As a council we have long sought to support and share the adoption of good values in the city. The corporate values we see exhibited by Elon Musk's X (formerly Twitter) however, do seem far removed from and at odds with what the City Council stands for. X has been a popular communication tool for reaching residents, but I see there is now a growing movement of individuals and organisations abandoning X and migrating to other platforms like Bluesky. Is it not high time the Council showed its leadership and joined the exodus too?

Brighton & Hove City Council

Reply from Councillor Sankey, Leader of the Council and Cabinet Chair:

3. Councillor Sykes

Would the lead for Environment and Net Zero care to comment on this excerpt from a January 2025 email from a B&A resident, with profanities removed: "The rubbish bin at the top of Lansdowne Place looks like we have had a 2 week dustmen strike and all of ours are overflowing again. Just at what point does the administration get to grips with this?"

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

4. Councillor Sykes

Can the administration provide Cllr attendance figures on Personnel Appeal Panels since May 2023.

Reply from Councillor Sankey, Leader of the Council and Cabinet Chair:

5. Councillor Sykes

Can the administration provide Cllr attendance figures on Licensing Panels since May 2023.

Reply from Councillor McGregor, Chair of Licensing Committee:

6. Councillor Sykes

Parking income: can B&HCC revenue figures be provided for the first seven months of the 2024-25 financial year with respect to (a) parking permit fees (resident and visitor) (b) suspended bay fees (c) Net Penalty Charge Notice revenue from parking infractions (d) off- street parking revenue (e) on- street parking revenue.

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

7. Councillor Sykes

Can Cllr Pumm provide an update on the future of the memorial at Palmeira Square following concerns raised by a Brunswick and Adelaide resident at last Full Council and undertakings made by Cllr Alexander?

Reply from Councillor Pumm, Cabinet Member for Communities, Equalities & Human Rights:

8. Councillor West

Brighton & Hove City Council

Springfield Road residents are neighbourly folk and keen to improve their local environment. For many months they have been patiently and tenaciously seeking a replacement street which will also act as a memorial for a lost loved one. A tree pit was created and this month a tree was planted by contractors. Contractors then returned, removed the tree and told residents the pit would be removed too. Following contact with officers and Councillor Muten by ward councillors and residents a new tree suddenly appeared along with a protective cage. It is of course panto season, but can the Councillor Muten please explain what on earth has been going on?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

9. Councillor Pickett

With the increased tendering out of various council services to private companies, can the administration please confirm if it is the aim to outsource as much senior adult social care provision as possible, as evidenced by the recent removal of dementia beds at Ireland Lodge at a time when older people are living longer, and people living with dementia becomes more likely?

Reply from Councillor Burden, Cabinet Member for Adult Social Care, Public Health & Service Transformation:

10. Councillor Pickett

Does the administration really not think that a freeze on recruitment may prove counterproductive? What if there isn't the capability within the lower ranks for someone to step up into a role, yet filling that role is essential to realising savings of greater value than that person's salary?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

11. Councillor Hill

Does the administration support the merging of East and West Sussex Fire and Rescue Service for the purpose of having both under the remit of the new Sussex mayor? When do you believe this should be achieved by?

Reply from Councillor Sankey, Leader of the Council and Cabinet Chair:

12. Councillor Hill

In conversations with Marianne Overton the LGA independent Chair, the Minister for Local Government, Jim McMahon has indicated a willingness to give the powers to call in major planning applications to certain new mayors rather than with the new enlarged unitary authorities. Does the Council lead

Brighton & Hove City Council

believe that Mayors should be responsible for the call in of major planning applications?

Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes

13. Councillor Hill

The new glyphosate contract is up for its annual renewal. When the council prepared to set up an opt out system to ensure a more formal system for communities to revert to using manual weeding?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

14. Councillor Hill

Rainy weather during glyphosate spraying meant that for a great many places the spraying had little to no effect in removing weeds, will that be taken into account with the new weeding contract?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

15. Councillor Hill

At the emergency Cabinet meeting, the Leader of the Council indicated her support for the supplementary vote election system for the Sussex Mayor. The government has stated that all regional Mayors will be elected through First Past the Post. What is the Leader of the Council doing to lobby the government on this matter? It comes across as though the government isn't listening.

Reply from Councillor Sankey, Leader of the Council and Cabinet Chair:

16. Councillor Hill

Are Cityclean culture change stakeholder meetings still ongoing?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

17. Councillor Hill

What is the Council doing to protect bus services to Ditchling Beacon?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

18. Councillor Shanks

Brighton & Hove City Council

The Level will be used a lot more in the next couple of years for hosting outdoor events due to the VG3 compound being sited at the Level. The site used by the circus at The Level has been left in no fit state since September meaning it can't be used by residents or sports groups. No Fit State event organisers would have paid into a bond. How much and where is the No Fit State Circus Bond money? Has it been returned and when will the site be repaired.

Reply from Councillor Miller, Cabinet Member for Culture, Heritage & Tourism:

19. Councillor Shanks

Will the council consider introducing a levy for all outdoor events held on The Level, St Peters and Richmond Square, Victoria Gardens, and the Old Steine which would, for example, go into the Level Forum Community trust fund and be used for upkeep of the green areas, and to the benefit of the community groups and users of those areas?

Reply from Councillor Miller, Cabinet Member for Culture, Heritage & Tourism:

20. Councillor Shanks

Has there been any interest in anyone taking on the Velo Cafe site?

Reply from Councillor Robins, Cabinet Member for Sports & Recreation:

21. Councillor Shanks

Has a tenant been found for the McClaren Pavilion Kiosk? When will the toilets be open?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

22. Councillor Shanks

Will the council consider introducing the requirement of all Event Organisers to produce a publicly available Environmental impact statement as part of the license agreement?

Reply from Councillor Miller, Cabinet Member for Culture, Heritage & Tourism:

23. Councillor Shanks

How does the food strategy align with our allotment strategy?

Brighton & Hove City Council

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

24. Councillor McLeay

Recently I attended a residents meeting at Theobald House where an update was shared on the progress of major works for the building. Given the complication of the BSR requirements and a delayed application time, as well as further consultation needed with contractors and leaseholders, it was suggested the works would not start until as late as March 2026. This raised concerns for residents regarding the allocated funds for these works and the potential risk of the funds being lost to other projects considering a difficult budget setting period. Could you confirm if the original monetary commitment for these works has been ringfenced for Theobald House, and that it will not be impacted by budget setting over the coming month?

Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:

25. Councillor Lyons

Will the contract with RNLI provide the same number of lifeguards & cover the same beaches as when the service was in-house? How do the two budgets & costings compare?

Reply from Councillor Miller, Cabinet Member for Culture, Heritage & Tourism:

26. Councillor Hogan

Is the council looking into returning to cleaning up fallen leaves to avoid drain blockages and floods? It must be more expensive to deal with the flooding than collecting the leaves.

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

27. Councillor Lyons

How much has B&H Council paid out to residents in 2024 from damage caused by potholes & flooding?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

28. Councillor Hogan

Why were none of the main roads out of Brighton gritted when the weather warnings were saying snow was forecast?

Brighton & Hove City Council

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

29. Councillor Lyons

Thank you for responding in December 2024 as to why Brighton & Hove Council lags other councils in PET1 recycling.

However, why does B&H only accept PET1 in the form of plastic bottles but not in any other shape? How do other councils recycle these materials with no trouble? What equipment do they have which Hollingdean does not have? Why does Veolia provide such limited recycling in Brighton?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

30. Councillor Hogan

Are plans in place to recycle more of our household items?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

31. Councillor Hogan

The parking bays on Shirley Drive are too close to residents' drives and often too close to each other. Would it be possible to have a review of the position of the bays so as to reduce the possibility of an accident?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

32. Councillor McNair

There is a building site in Winfield Avenue. There appears to be no work happening. Also, children have been filmed climbing on the roofs of the buildings. This has been reported to the council. What is happening to this building site, and do we know when the housing will be completed? In the meantime, are there plans to make the building site safe?

Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:

33. Councillor Meadows

Why are residents in Birch Grove Crescent unable to report missed recycling via the council's website using the postcode BN1 8DP? Recycling is often not collected in this location.

Brighton & Hove City Council

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

34. Councillor Meadows

Residents in Patcham will be severely affected by Park & Ride in Mill Road. Will Patcham residents have a consultation?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

35. Councillor McNair

One side of the clock at the top of Patcham clocktower appears to have lost a hand. Can this be replaced? There is also stonework erosion at the base of the tower. Can this be repaired before it gets worse? Patcham clocktower is an important landmark, built in the 1930s.

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

36. Councillor Meadows

Recycling was not collected in Cedars Gardens for 6 weeks. When it was finally collected residents were told it was put into general refuse. What solutions are being considered so residents can receive the fortnightly service they are paying for?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

37. Councillor McNair

All Saints Church Patcham has two open-top wire bins in the churchyard which are very unsightly with dog poo bags open to the elements and everyone's view. Cityclean have been contacted with no response. Can these bins be replaced with regular black bins?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

38. Councillor Fishleigh

When does BHCC anticipate that the Black Rock brief will be presented to the cabinet? Will that be before the budget?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

39. Councillor Fishleigh

Brighton & Hove City Council

Can BHCC give a date for when the new Promenade link at Black Rock will be completed and open to public use?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

40. Councillor Fishleigh

Is it BHCC's intention to open the new link without street lighting?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

41. Councillor Fishleigh

When does BHCC anticipate that the low level lighting on the board walk will function?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

42. Councillor Fishleigh

Cable has been laid and installation points provided for street lighting along Madeira Drive East. When will BHCC start the installation?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

43. Councillor Fishleigh

Dukes Mound Kemptown is unlit. Please can BHCC supply a timeline to install street lighting?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

44. Councillor Fishleigh

Does BHCC anticipate that the events team will use the Black Rock site in 2025 to host community and/or commercial outdoor activities?

Reply from Councillor Miller, Cabinet Member for Culture, Heritage & Tourism:

45. Councillor Fishleigh

Brighton & Hove City Council

Heritage lanterns on Madeira Drive and Marine Parade street lights were removed for safety reasons several years ago for repair and restoration. Please provide a detailed timeline of the complete replacement programme.

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration / Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

46. Councillor Fishleigh

Can BHCC confirm that phase two of the Madeira Terrace restoration is funded as per budget meeting in Feb 2021?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

47. Councillor Fishleigh

Please provide an update on BHCC's intention for repairing and bringing the Madeira Drive Concorde 2 lift back into use.

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

48. Councillor Earthey

The Decarbonising Pathways Study was presented in December, having initially been written in May. Does the delay in opening it to comment from concerned residents, fit well with the urgency implied by declaring a Climate Emergency?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

49. Councillor Earthey

Has the 2024 Weed Management Campaign based on Glyphosate been a success in terms of its original objectives and terms of reference?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

50. Councillor Earthey

How many areas of the City opted out of using Glyphosate, and tackled the weed problem manually?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

Brighton & Hove City Council

51. Councillor Earthey

Did the results of manual weed removed compare favourably with those using Glyphosate?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

52. Councillor Earthey

What lessons from the 2024 Campaign can be learned for the 2025 Weed Management Campaign, including the use (or not) of Glyphosate?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

53. Councillor Earthey

Can and will BHCC commit to ensuring that resident-groups intending to opt out of any 2025 Campaign based on chemical weedkillers will be properly equipped with tools appropriate to manual weed removal?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

54. Councillor Earthey

Can and will BHCC commit to banning the use of Neonicotinoids pesticides on its parks, green spaces, and other land because of their known toxicity to bees?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

55. Councillor Earthey

How will the rise in Employers' NI contributions impact on BHCC's current staffing costs?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

56. Councillor Earthey

Will the rise in Employers' NI contributions prevent BHCC from being able to replace current staff lost through natural wastage, and prevent the hire of new staff for expanding areas such as AI and climate change?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

Brighton & Hove City Council

57. Councillor Earthey

The i360 consists of the tower itself and some entertainment space around the base. Is it possible to re-open the entertainment space so that there will be some revenue coming in from events, and lessen the number of staff redundancies?

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:

58. Councillor Earthey

Is the level of 2025 BHCC funding for the Brighton and Hove Climate Change, Sustainability and Environmental Education Programme for 'Our City Our World' be increased to at least match inflation?

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:

59. Councillor Earthey

Many if not most schools in the City have ageing fossil-fuel boilers which are coming up for replacement, or due for major servicing involving new parts that are increasingly hard to obtain. The risk of a systemic, large-scale heating-system failure across the City's schools is rising. At the same time, Central Government is committed to phasing out fossil-fuel boilers. Does BHCC have sufficient funds to cover a city-wide programme of fossil-fuel boiler-repair and/or boiler-replacement if requested by the City's schools or caused by systemic failure?

Reply from Councillor Daniel, Cabinet Member for Children, Families, Youth Services & for Ending Violence Against Women & Girls:

60. Councillor Earthey

Are any pilot schemes being offered to Brighton schools who wish to trial greener, non-fossil-fuel heating technologies? (By acting as a 'Guinea Pig' for the trial, the school would receive a subsidy for switching to the new heating technology.)

Reply from Councillor Daniel, Cabinet Member for Children, Families, Youth Services & for Ending Violence Against Women & Girls:

61. Councillor Bagaeen

Snakey Hill (King George VI Avenue) in Westdene and Hove Park impassable with a small amount of snow on 8 January 2025. The Toads Hole Valley development site is on Snakey Hill and roads in and out of the site connect into Snakey Hill.

Brighton & Hove City Council

Will the Council open conversations with the new owners of the Toads Hole Valley development site to revisit access roads ahead of the site's planning permission hitting its 3 year anniversary in June 2025?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

62. Councillor Bagaeen

When Hove was hit by snow in early January 2025, Court Farm Road and Snakey Hill Snakey Hill (King George VI Avenue) very quickly became impassable. As a council, we must be better prepared and more resilient. In December 2022, when the delicately put together gritting rota for Brighton and Hove's residential streets fell apart, I challenged the then administration to do better next time. The speed by which chaos descended on 8 January 2025 looks like the snow had taken everyone by surprise.

What went wrong with the street gritting rota on 8 January 2025? And how can the Council do better next time to keep our roads open?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

63. Councillor Bagaeen

For residents living off Colebrook Road, by the Withdean Sports Complex, it has become increasingly dangerous exiting from side roads onto Colebrook Road, especially since the introduction of paid parking at the Sports Complex. Most recently, there was an road traffic collision on Boxing Day.

Would the Council agree to installing mirrors on the opposite side of the road to serve the three roads off Colebrook Road?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

64. Councillor Bagaeen

The Deneway railway tunnel as you enter Westdene has been heavily targeted with graffiti in recent weeks. Residents have expressed concerns that this could begin to spread into Westdene shops if not tackled more quickly and regularly.

What is the Council's plan for partnering with Network Rail to target graffiti and tagging in Westdene?

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:

Brighton & Hove City Council

Council

Agenda Item 66

Subject: Oral questions from Councillors

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the mayor will call a halt and proceed to the next item of business of the agenda.

The following Members have indicated that they wish to put questions to the Leader, Cabinet portfolio holder, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

Date of meeting: 30 January 2025

1. Councillor Davis

Subject Matter: Park and Ride

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm

2. Councillor McNair

Subject Matter: Bus Service

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm

3. Councillor Fishleigh

Subject Matter: Rottingdean High Street

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm

4. Councillor Simon

Subject Matter: Winter Preparedness

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm

5. Councillor McLeay

Subject Matter: Private Rented Sector Policy

Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes

6. Councillor Meadows

Subject Matter: Lighting

Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes

7. Councillor Earthey

Subject Matter: Bin Collections

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services

8. Councillor Allen

Subject Matter: 16 June 2025

Reply from Councillor Sankey, Leader of the Council and Cabinet Chair

9. Councillor Sykes

Subject Matter: Council and Sustainability

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services

10. Councillor Theobald

Subject Matter: Rubbish Collections

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services

11. Councillor Gauge

Subject Matter: Customer Service

Reply from Councillor Burden, Cabinet Member for Adult Social Care, Public Health & Service Transformation

12. Councillor Hill

Subject Matter: Inclusion of GMB at Cityclean Culture Change Stakeholder Meetings

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services

13. Councillor Hogan

Subject Matter: Winter Readiness

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm

14. Councillor Thomson

Subject Matter: Seafront Amenities

Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration

15. Councillor Shanks

Subject Matter: Cabinet Review

Reply from Councillor Sankey, Leader of the Council and Cabinet Chair

16. Councillor Lyons

Subject Matter: Saplings

Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services

17. Councillor Grimshaw

Subject Matter: Live Bus Time Screens

Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm

Brighton & Hove City Council

Council

Agenda Item 67

Subject: Contract Standing Orders

Date of meeting: 30 January 2025

Report of: Director of Governance and Law

Contact Officer: Name: Anthony Soyinka
Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Action Required of Council:

- 1.1 That the report, recommendations and Minutes Extract of the Audit, Standards & General Purposes Committee held on 28 January 2025 be noted.
- 1.2 That full Council approves the proposed new Contract Standing Orders at Annex 1 with effect from 24th February 2025.
- 1.3 That full Council delegates authority to the Council's Monitoring Officer to amend the council's Constitution to incorporate the proposed Contract Standing Orders when the new Procurement Act 2023 comes into effect, and to make amendments to Appendix 1 of the new Contract Standing Orders as legislative, technical or organisational changes require.

Brighton & Hove City Council

Audit, Standards & General Purposes Committee

Agenda Item 37

Subject: Contract Standing Orders

Date of meeting: Audit, Standards & General Purposes Committee – 28th
January 2025
Full Council – 30th January 2025

Report of: Director of Property & Finance

Contact Officer: Name: Nigel Manvell

Tel: 01273 29

Email: Nigel.Manvell@brighton-hove.gov.uk

Ward(s) affected: All Wards

Key Decision: No

For general release

1. Purpose of the report and policy context

- 1.1 The introduction of the Procurement Act 2023 (PA23) and associated regulations (The Procurement Regulations 2024) requires significant changes to the Council's Contract Standing Orders (CSOs). This report sets out the changes required and includes as Annexes a copy of the new CSOs and an Appendix to the CSOs for approval by Full Council.

2. Recommendations

Audit, Standards & General Purposes Committee

- 2.1 That Audit, Standards & General Purposes Committee notes the proposed changes to Contract Standing Orders and recommends the updated Contract Standing Orders at Annex 1 to full Council for approval.

Full Council

- 2.2 That full Council approves the proposed new Contract Standing Orders at Annex 1 with effect from 24th February 2025.
- 2.3 That full Council delegates authority to the Council's Monitoring Officer to amend the council's Constitution to incorporate the proposed Contract Standing Orders when the new Procurement Act 2023 comes into effect,

and to make amendments to Appendix 1 of the new Contract Standing Orders as legislative, technical or organisational changes require.

3. Context and background information

- 3.1 The Procurement Act 2023 (PA23) comes into effect on 24th February 2025. There will be a transition period between the old and new regulations, which will involve the two regimes running in parallel. The Procurement Act goes beyond Procurement teams and will result in changes for contract managers, finance teams, service commissioners, legal teams and reporting teams.
- 3.2 Aside from the details concerning changes to the process of running tenders, including the reduction of 7 procedures down to 3, there are some key elements of the regulations that will affect areas of the council beyond procurement.
- **Transparency Notices:** There were 4 notices under Procurement Contract Regulations (PCR2015) but will be 15 under Procurement Act (PA23), noting not all are mandatory and/or applicable to all procurements.
 - **Contract Management:** There is a significantly increased focus on contract management, governance, and supplier performance. Some of the transparency notices relate to contract management and payments, for example, contracts >£5M require annual publication of performance against a minimum of 3 KPIs. There will be a need to manage contracts and record data, including facilitating contract termination notices.
 - **Procedures:** 3 Procedures are identified in the new regulations (Open, Competitive Flexible, Direct Award).
 - **Most Advantageous Tender:** Under the PCR2015 regulations, public contracts must be awarded on the principle of Most Economically Advantageous Tender (M.E.A.T.). PA23 changes that requirement to Most Advantageous Tender (M.A.T.).
 - **Preliminary market engagement:** New obligations and transparency notices are required to prevent unfair supplier advantage/disadvantage. There is a broad definition of what may be considered pre-market engagement and a need to be aware of what may constitute pre-market engagement.
 - **Conflict of interest:** Strengthened requirements for identifying and managing conflicts of interest that span the entire procurement and contract lifecycle. Robust recognition and documentation of potential/perceived Conflicts of Interest will be required.
 - **Forward planning/procurement pipeline:** A mandatory 18-month (min) Pipeline Notice of all planned procurements >£2M, published annually on the Central Digital Platform. Advance notice of planned procurements will be essential to meet this requirement.
- 3.1 The PA23 also increases the focus on the **National Procurement Policy Statement** and will introduce a **Procurement Review Unit (PRU)**. The PRU

will have enhanced powers to assess an authority's approach to all aspects of procurement, including social value.

3.2 The key changes that are proposed to the Council's Contract Standing Orders as a result of the introduction of the PA23 and in order to improve the clarity of our procurement rules can be summarised as follows:

- A simplified, **rules-based** document providing greater prescription and less room for misinterpretation or error;
- Inclusion of the new legal requirement for a **2-year** Procurement Forward Plan;
- Provision of **summary tables** to aid understanding of Procurement methods and identify the procurement legislation applicable for any given activity;
- Highlights key **Procurement Policy objectives** – for example Social Value, Sustainability, Modern Slavery – and the need to have regard to National Procurement Policy Statement and incorporate the Act's key principles (e.g. remove barriers for SME businesses);
- The use of an **Appendix** containing thresholds, links to related policies and legislation etc, to allow for easier updates when these elements change; and
- Includes defined **roles and responsibilities** for Procurement Officers, Commissioners and Contract Managers.

3.3 A copy of the current Contract Standing Orders is attached as Annex 3 and the proposed new Contract Standing Orders are attached as Annex 1.

Implementation Plan

3.4 Following approval by full Council Procurement Officers will:

- Arrange publication on the council's intranet, **The Wave**, with associated communications highlighting what Members and Officers need to know.
- Provide briefings for Members on the new CSOs, focusing on elements they need to be aware of to undertake their roles, such as the Procurement Forward Plan.
- Update and present content to **Directorate Management Teams** and **Business Improvement Managers** with options for them to subsequently:
 1. Disseminate information provided through Directorates themselves; and/or
 2. Invite Procurement Officers to existing forums to repeat the presentation of information.

4. Analysis and consideration of alternative options

4.1 The Contract Standing Orders require changing to reflect new legislation therefore maintaining the previous CSOs is not a viable option. It is

necessary to bring the Council's rules relating to procurement in line with the new legal framework.

5. Community engagement and consultation

5.1 Officers have been consulted via working groups, stakeholder reviews and briefings at Directorate Management meetings etc.

- **Resources Directorate Management Team** have discussed the changes numerous times, including October and December 2024.
- **Corporate Leadership Team** have discussed the changes numerous times, including October and December 2024.
- **Lead Member** for procurement and Contract Management has been engaged with briefings in September and December 2024 and January 2025.
- **BHCC Legal** Services have worked with Procurement to develop the document.
- This report has been shared with the **Audit, Standards & General Purposes Committee** for comment prior to full Council approval. Any comments from the Committee will be shared with full Council by way of sharing an extract of the Committee's minutes with full Council.

6. Financial implications

6.1 There are no direct financial implications arising from this report. However, as noted elsewhere, the proposed changes to Contract Standing Orders are important for maintaining compliance with the new regulations and therefore for minimizing the risk of potential legal challenges or fines which can result in significant financial loss and/or resource implications, for example, needing to re-run a complex procurement process following legal challenge.

Finance officer consulted: Nigel Manvell

Date consulted: 3/1/25

7. Legal implications

7.1 The legal implications are incorporated in the body of the report. The new Procurement Act and associated Regulations, when in force, will substantially change the procurement processes and procedures which the Council must follow. The Council's own rules relating to the management of procurements and contracts must therefore be updated to reflect the new legislative framework. Full Council is the body with responsibility for approving the Contract Standing Orders. Where possible, it is good practice to take proposed Constitutional changes to the Audit, Standards & General Purposes Committee for comment before they are considered by full Council.

Name of lawyer consulted: Elizabeth Culbert

Date consulted (6/1/25):

8. Equalities implications

- 8.1 There are no equality impacts arising directly from this report. However, the council's equality duty and equality impacts are considered in relation to each individual procurement undertaken.

9. Sustainability implications

- 9.1 The council has adopted the Orbis Environmentally Sustainable Procurement Policy with its Orbis Partners Surrey County Council and East Sussex County Council.
- 9.2 Each council is committed to ensuring their operations are environmentally sustainable and resilient to future change. The councils recognise that a healthy and properly functioning natural environment is the foundation of a thriving economy, employment stability, prospering communities and personal wellbeing.
- 9.3 Environmentally sustainable procurement is the commissioning, purchase and management of goods, works and services in a way that reduces or negates negative environmental impacts within the supply chain. This policy considers four interconnected focus areas of environmentally sustainable procurement:
- Climate change mitigation and adaptation;
 - Prevention of pollution;
 - Sustainable resource use and consumption; and
 - Protection and restoration of biodiversity.
- 9.4 As a result of this policy, environmental considerations will be built into the procurement and delivery of goods, works and services through specifications, tender questions, evaluation criteria, key performance indicators and clauses of contracts.
- 9.5 Emissions from goods, works and services procured by the council form part of the "scope 3" emissions of the authority. Where possible, the council is seeking to decarbonise these in line with council specific carbon reduction targets. In addition, the council has committed to improve biodiversity, recover natural capital or enhance the natural environment. The procurement of goods, works and services have been identified as a Strategic Priority to drive significant carbon reductions and improve the natural environment.

10. Health and Wellbeing Implications:

- 10.1 Social Value can provide additional benefit to the community of Brighton and Hove through a variety of means. Brighton and Hove City Council (BHCC) embeds Social Value throughout its commissioning and procurement activities to ensure that the social, environmental and economic impacts of procurements are considered. Social Value considerations are built into procurement processes through:
- Designs and specifications;

- Tender questions;
 - Key performance indicators; and
 - Clauses of contracts.
- 10.2 BHCC has a policy of allocating at least 10% of its quality evaluation weighting to Social Value in its tenders. This applies where relevant and proportionate, but the council also seeks to increase that percentage where possible.
- 10.3 Working with suppliers is key to delivering the aims of the Social Value policy. We will check and measure their performance. We will also encourage them to deliver outcomes that support our Social Value Framework principles.

Other Implications

11. Procurement implications

- 11.1 The procurement implications are set out in the body of the report. The proposed changes to Contract Standing Orders will ensure that the authority remains compliant with procurement regulations and changes and is able to run efficient and compliant procurement processes, minimizing the risk of potential legal challenges, fines or associated reputational damage.

12. Crime & disorder implications:

- 12.1 N/A

13. Conclusion

- 13.1 The Procurement Act 2023 goes live on 24th February 2025. It is essential that the Council's Contract Standing Orders are updated to reflect legislative changes.
- 13.2 Recent changes to the Authority's governance structure also require updates to the CSOs.

Supporting Documentation

ANNEXES

1. **ANNEX 1** - Brighton & Hove City Council – Proposed New Contract Standing Orders- January 2025.
2. **ANNEX 2** - Brighton & Hove City Council – Proposed New Contract Standing Orders- January 2025 – Appendix 1.
3. **ANNEX 3** – Current version of the CSOs

Contract Standing Orders

Rules to be followed when buying on behalf of the Council
Issue 1 Jan 2025

Version History
Issue 1 January 2025

1. Introduction

These Contract Standing Orders (“the Orders”) set out how the Council authorises and manages expenditure and resulting commercial contracts with other organisations. The purpose of these Orders is to ensure that prior to any significant expenditure there is proper consideration of whether there is a need to buy or if the need could be serviced internally and that when external expenditure is required, that it is done in a fair, open and transparent way, whilst delivering value and maximising public benefit. Anyone who buys on behalf of the Council, including staff, suppliers and consultants, is responsible for following these Orders and all relevant policies and Statutory Guidance (see Appendix 1) as well as guidance provided by Procurement. Senior Officers (Heads of Service and above) are accountable for all procurement in their respective area of responsibility. Functions delegated to particular officers under these Orders may be carried out by other officers specifically authorised by them for that purpose.

All definitions and interpretations used in these Orders, are set out in the Definitions table in Appendix 2.

1.1. Legal status of these Contract Standing Orders

The Council is required by section 135 of the Local Government Act 1972 to maintain these Orders as part of our Constitution.

The Council’s Monitoring Officer is the custodian of these Orders and is responsible for keeping them under review. If the law is changed in a way that significantly affects these Orders, then the Director of Procurement will recommend an update to the Audit, Standards and General Purposes Committee.

The Director of Procurement, in consultation with the Head of Cabinet Office and the Director of Governance and Law, shall have delegated authority to make incidental amendments from time to time to these Orders, for example when minor updates are required to the guidance in Appendix 1 due to changes to Procurement Legislation, and to job titles and roles of staff.

1.2. Governing Legislation

Procurement Legislation has been updated significantly since the publication of the Public Contracts Regulations 2015 (“PCR”). New procurements undertaken by the Council, apart from those for certain health care services, are regulated by the Procurement Act 2023 and the Procurement Regulations 2024.

Procurement of certain health care services is regulated by the Health Care Services (Provider Selection Regime) Regulations 2023 (“PSR”). Schedule 1 of the PSR set out those services that are subject to this regime.

Other legislation may also be applicable, such as the Public Services (Social Value) Act 2012 and the Transparency Code 2015, which also impacts on procurement. It is important that Officers are aware of the wider legislative Framework.

Where a procurement was started under the PCR, governance for that procurement or contract continues to be under those Regulations rather than the Procurement Act 2023 (“PA 23”).

1.3. Key Principles

These Orders are based on the following key principles:

- a. To ensure that the Council meets its statutory duty to deliver **best value** and creates healthy competition and markets for the Goods, Services and Works purchased.
- b. To share information and be **transparent** to our residents and suppliers about how the Council spends its money and its procurement policies and decisions.
- c. To ensure that public money is spent **legally and fairly**.
- d. To act, and be seen to act with integrity.
- e. To treat suppliers the same unless a difference between the suppliers justifies different treatment and not put any supplier at an unfair advantage or disadvantage.
- f. To address the environmental impacts of our supply chain in accordance with the Council's Climate and Biodiversity Emergency declaration.
- g. To support **social value** objectives, and our public sector **equality** duty, encouraging local small businesses and maximise public benefit.
- h. To consider how to remove or reduce any barriers to participation for small and medium sized enterprises.

1.4. Compliance

Any breaches will be reported to the Audit, Standards and General Purposes Committee and may be subject to disciplinary action in line with the Council's Disciplinary Policy.

Every contract made by, or on behalf of the Council, must comply with Procurement Legislation, all other applicable legislation, these Orders and the Council's Financial Regulations and Standard Financial Procedures. Where there is a difference between Procurement Legislation and these Orders, the Procurement Legislation prevails. Where these Orders appear to conflict with other Council determined rules, the Director of Governance and Law shall determine which takes precedence.

1.5. Roles and Responsibilities

The Director of Procurement is responsible for all stages of procurement up to and including contract award across all Services and local systems. The Director's responsibility is managed on a day-to-day basis by the Procurement Team, who advise and assist service areas in undertaking their procurement activities.

All officers are responsible for:

- a. Complying with these Orders, all relevant policies and statutory guidance (see Appendix 1).
- b. Complying with prevailing Procurement Legislation.
- c. Adopting the Key principles set out in paragraph 1.3 throughout all procurement activities.

Procurement is responsible for:

- a. Working closely with key stakeholders Commissioners and Corporate Directors to agree and deliver the Procurement Forward Plan.
- b. Providing expert procurement advice to secure the right suppliers for the Council.
- c. Maintaining the Contract Management Framework for how contracts are managed. See Appendix 1
- d. Ensuring transparency of contract spend, contracts and contract opportunities.
- e. Maintaining accurate procurement records as required by internal and external governance.
- f. Ensuring agreed social value and environmental sustainability requirements are embedded in relevant procurement activities.

All commissioners and those who buy on behalf of the Council are responsible for:

- a. Purchasing from existing compliant contracts where they are available and appropriate.
- b. Ensuring there is adequate budget available for any purchase.
- c. Ensuring that the requirement and specification takes into account and addresses environmental impacts, wherever possible.
- d. Considering how the social value priorities should be supported by the requirements and the supplier.
- e. Ensuring suppliers act ethically and responsibly in accordance with legislation and Council policies.
- f. Raising a properly completed purchase order and ensuring it is approved before the requirements are delivered to the Council, regardless of which system is used.
- g. Ensuring specifications meet the defined need and requirements and properly take into account wider local and national priorities where applicable.
- h. Ensuring that HR is consulted, and the appropriate approval obtained for requirements of temporary workers or consultants outside any agreed corporate contract.
- i. Following the guidance and procedures set out in the Contract Management Framework, according to the value, risk and complexity of the contract.

All Contract Managers and those who manage contracts on behalf of the Council are responsible for:

- a. Following the guidance and procedures set out in the Contract Management Framework, according to the value, risk and complexity of the contract
- b. Ensuring Contracts are monitored and managed in accordance with prevailing procurement legislation requirements as well as individual contractual requirements, including transparency notifications.
- c. Ensuring, where applicable, Social Value and Environmental commitments are tracked and delivered.

1.6. Procurement Type

Prior to commencing any procurement activity, you are required to identify which of the below procurement types the activity falls into as this will determine which Procurement Legislation, and subsequently which thresholds, will be applicable:

- a. Goods and Services;
- b. Works;
- c. Light Touch (certain social, health, education, and other public services);
- d. Provider Selection Regime (some Healthcare services); or
- e. Concessions.

There is no flexibility in the application of the Procurement Legislation, so it is crucial the correct provisions are applied.

The Procurement Legislation contains a list of Common Procurement Vocabulary (CPV) codes which can be used to identify the types of services where the Light Touch and Provider Selection Regime can be applied. Similarly, CPV Codes can be used to determine where a requirement will be regarded as 'Works' for the purposes of the Procurement Legislation. A link to the CPV code lists is provided in Appendix 1.

Table 1 below shows the definitions for the types of procurement, the Relevant Thresholds for them and the Procurement Legislation that could apply.

To determine which Relevant Threshold applies, it is necessary to estimate the value of the Contract. Further guidance on how to do this is included in paragraph 1.8.

Table 1:

Procurement Type	Definition	* Thresholds (inc. VAT) (1 st Jan 2024)	Procurement Legislation applicable post 24 February 2025
a) Goods & Services	Goods or Services	£214,904	Procurement Act 2023
b) Works	Works - A contract is a “works contract” if its main purpose is— (a) the carrying out of works under the contract (whether or not resulting in a complete work), or (b) to facilitate the carrying out of works otherwise than under the contract, where those works are intended to result in a complete work that complies with specifications set out in, or determined under, the contract. “Works” means the activities which fall within the CPV codes listed in Schedule 3 to the Procurement Regulations 2024.	£5,372,609	Procurement Act 2023
c) Light Touch	Contracts wholly or mainly for the supply of services of a kind specified in regulations. These “light touch services” are set out in Schedule 1 of the Procurement Regulations 2024, using common procurement vocabulary (CPV) codes.	£663,540	Procurement Act 2023
d) Provider Selection Regime	The PSR 2023 are bespoke procurement regulations covering procurement of certain healthcare services in England (not Wales). The services in scope of PSR 2023 are set out in Schedule 1 of those regulations and describe services delivered to patients and service users by ‘relevant authorities’, which include NHS trusts and local authorities.	No minimum threshold all procurements are subject to the PSR requirements	Provider Selection Regime
e) Concessions	Concessions - A contract for the supply, for pecuniary interest, of works or services to a contracting authority where— (a) at least part of the consideration for that supply is a right for the supplier to exploit the works or services, and (b) under the contract the supplier is exposed to a real operating risk.	£5,372,609	Procurement Act 2023

*World Trade Organisation General Procurement Agreement Procurement Thresholds change every 2 years. Thresholds listed here are applicable between 1st January 2024 and 31st December 2025.

1.7. Exempted Contracts

Apart from the exceptions listed below, these Orders cover all spend with external suppliers, regardless of how they are funded, or which systems are used to place orders with suppliers.

The exceptions listed below are managed by separate legislation, policies and / or procedures as well as the applicable Constitutional requirements and Internal Schemes of Delegation (all of which may be amended, repealed and superseded, from time to time):

Exclusion	Notes
Services exempt under Schedule 2 of Procurement Act 2023.	See link in Appendix 1
Contracts for the acquisition or lease of land and/or real estate	Managed via Property Services
Contracts for permanent or fixed-term employment	HR/Recruitment Policies
Direct payments to customers following care assessment (for example, payments under Self-Directed Support or Individual Budgets)	Governed under The Care Act 2014
Non-trade mandatory payments to third parties, such as insurance claims, pension payments, payments to public bodies	
A declared emergency authorised by the Emergency Planning & Resilience Team	The Civil Contingencies Act 2004 / Council's emergency planning or business continuity procedures.
Placement of a child with Special Educational Needs where already directed following statutory assessment, including but not limited to, overarching contracts with independent schools	Children and Families Act 2014, Education Act 1996, SEND Code of Practice: 0 to 25 years and/or any guidance issued by the Education and Skills Funding Agency.

1.8. Valuation of Contracts

Procurement Legislation defines how Contract values should be estimated, and this must be complied with at all times. Guidance on the financial valuation of Contracts and principles to be applied is included in Appendix 1. Accurately estimating the value of the contract is important because it determines whether the contract is above or below the Relevant Threshold and therefore the legal obligations that must be complied with (and the relevant procedure (as set out in paragraph 1.9 below).

Contracts must not be artificially underestimated or disaggregated into two or more separate contracts with the intention of avoiding the application of these Orders or Procurement Legislation. Requirements that can reasonably be aggregated for the purposes of their estimation should be included, unless there are good reasons for not doing so.

Contract value' means the estimated total aggregate value payable in pounds sterling **inclusive of Value Added Tax (VAT)** over the entire contract period, and must include all of the facts which are material to the estimate and available at the time, including for example any permitted extensions of the contract, any additional options to procure, or fees, commissions, or interest payments.

In the case of Framework Agreements (for the purposes of the PSR) and Dynamic Markets (for the purposes of the PA 23), the contract value must be calculated to include the total estimated value, inclusive of VAT, of all the contracts that could be awarded for the total term of the Agreement. If you are unable to estimate the value of the Contract, it must be treated as above threshold and the relevant Procurement Legislation applied.

1.9. Procurement Method

Procurement must maintain a proper audit trail of all decisions and record all savings and benefits committed by the successful provider(s).

The Procurement Type Summary tables below detail who is authorised to carry out each of the procurement types, the procurement methods available and the Relevant Thresholds.

If the procurement exercise value falls below the Relevant Threshold, please follow the guidance set out in paragraph 1.11.

The person responsible for carrying out the procurement (as determined by the Procurement Type Summary Tables in paragraph 1.10) must ensure that all requirements are met, including publishing the required procurement notices within legislative timescales.

Any procurement, including extensions to contracts, set out in Part A of the Procurement Forward Plan (Approval to Procure) and approved by the Corporate Director, is regarded as authorised irrespective of the contract value, and must be awarded and signed/sealed in line with the Procurement Type Summary Tables below (see paragraph 2.1 for further information about the Procurement Forward Plan):

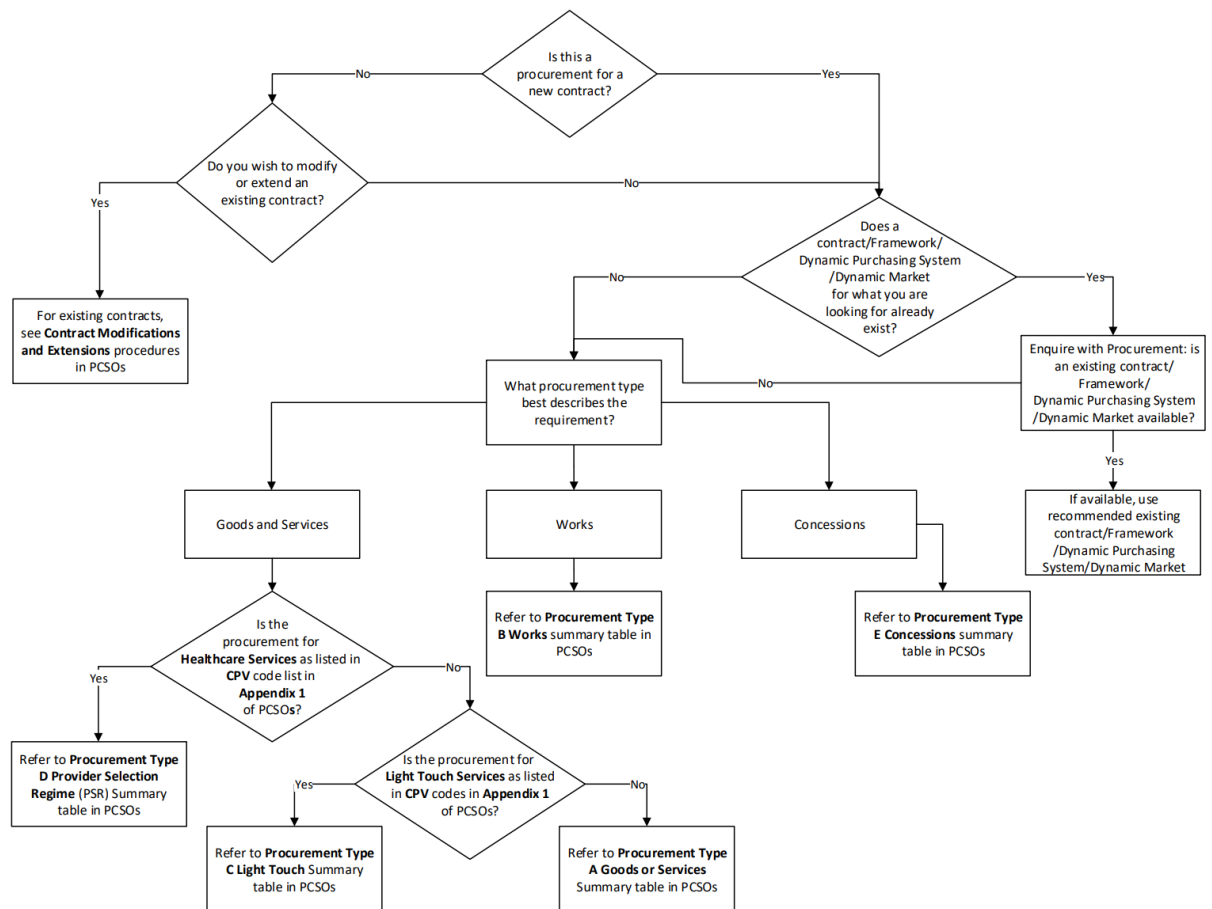
1.10. Procurement Type Summary Tables:

Step 1 Identify which Procurement Type applies to your procurement using **Table 1** located in paragraph 1.6.

Step 2 Identify which Procurement Legislation applies (this will depend on when the procurement was started and the Procurement type).

Step 3 Once you have identified the Procurement Type and Procurement Legislation that applies, undertake the procurement accordingly.

The decision tree below be used to help you identify which Summary table applies – if you are unsure, contact Procurement for support/advice.



Procurement Type A: Goods or Services*

Procurements Below the Relevant Threshold must also meet specific Procurement Legislation obligations, and you should familiarise yourself with the requirements of Below the Relevant Threshold procurements set out in Appendix 1.

Estimated Contract Value (see section xx)	Procurement Method	Teams authorised to undertake the Procurement	Type of Contract Required	Who must approve Contract Award prior to commencement	Who signs the contract on the Council's behalf
£0 - £29,999	Use available Frameworks or DPS' where they offer best value; or Minimum one written quote or commercial negotiation with supplier.	All Council Officers	Order Form or Letter	Budget Holder	Budget Holder's approval of the Purchase Order is sufficient If Framework or DPS: Budget holder to sign both Access Agreements and subsequent Call-Off Contracts.
£30,000 – £214,903* *Current regulatory threshold	Use available Frameworks or Dynamic Purchasing Systems where they offer best value; or Seek a minimum of 3 quotes or tenders	Procurement, unless agreed otherwise by Head of Procurement (or delegate)	Council's Standard Terms & Conditions or the established Framework or DPS Terms	Up to £100k – Head of Service £100k - £250k – Director	Budget holder
£214,904 - £1m Above regulatory threshold	Via a new procurement process in accordance with PA 2023 or via existing compliant Frameworks/DPS or Dynamic Markets.	Procurement	Council's Standard Terms & Conditions, bespoke Contract terms agreed by Legal Services or established Framework, DPS or Dynamic Market Terms	Under £250k – Director £250k - £1m – Corporate Director	Under £250k – Budget holder £250k - £1m – Corporate Director
Over £1m	Via a new procurement process in accordance with PA 2023 or via existing compliant Frameworks/DPS or Dynamic Markets.	Procurement	Contract Terms agreed by Legal Services	Beginning a procurement for £1m+ contracts must be authorised by Cabinet as a key decision. This may be via the Annual Procurement Forward Plan. Once authorised by Cabinet, contract awards within 5% of the agreed budget must be agreed by a Corporate Director. Contract awards over the agreed budget by more than 5% must be authorised by the relevant Lead Member.	Executed under Deed by Legal Services

Procurement Type B: Works

Procurements Below the Relevant Threshold must also meet specific Procurement Legislation obligations, and you should familiarise yourself with the requirements for Below the Relevant Threshold procurements set out in Appendix 1.

Estimated Contract Value (see section xx)	Procurement Method	Teams authorised to undertake the Procurement	Type of Contract Required	Who must approve Contract Award prior to commencement	Who signs the contract on the Council's behalf
£0 - £29,999	Use available Frameworks or Dynamic Purchasing Systems where they offer best value; or One written quote or commercial negotiation with supplier.	All Council Officers	Industry standard form of contract with Council amendments	Budget Holder	Not Required if Council's standard terms apply – (Approval of Purchase Order) If Framework, DPS: Budget holder to sign
£30,000 – £1m	Use available Frameworks or DPS' where they offer best value, or Seek minimum of 3 quotes/tenders.	Procurement, unless agreed otherwise by Head of Procurement (or delegate)	Industry standard form of contract with Council amendments, bespoke Contract terms agreed by Legal Services or established Framework Terms, DPS Terms or JCT / NEC Model Forms.	Up to £100k – Head of Service £100k - £250k – Director £250k - £1m – Corporate Director	Up to £250k – Budget holder £250k - £1m – Corporate Director
Over £1m	If below £5,372,608 (inc VAT): Use available Frameworks or DPS where they offer best value; or Minimum of 3 tenders; If over £5,372,608 (inc VAT): Via a new procurement process in accordance with the PA 23, or via existing compliant Frameworks, DPS's or Dynamic Markets.	Procurement	Contract terms agreed by Legal Services	Beginning a procurement for £1m+ contracts must be authorised by Cabinet as a key decision. This may be via the Annual Procurement Forward Plan. Once authorised by Cabinet, contract awards within 5% of the agreed budget must be agreed by a Corporate Director. Contract awards over the agreed budget by more than 5% must be authorised by the relevant Lead Member.	Executed under Deed by Legal Services

Procurement Type C: Light Touch

Procurements Below the Relevant Threshold must also meet specific Procurement Legislation obligations, and you should familiarise yourself with the requirements for Below the Relevant Threshold procurements set out in Appendix 1.

Estimated Contract Value (see section xx)	Procurement Method	Teams authorised to undertake the Procurement	Type of Contract Required	Who must approve Contract Award (prior to commencement)	Who signs the contract on the Council's behalf
£0 - £29,999	Use available Frameworks, Approved Lists or DPS' where they offer best value; or One written quote or commercial negotiation with supplier.	All Council Officers	Order Form or Letter	Budget Holder	Budget Holder's approval of the Purchase Order. If Framework or DPS or Approved List: Budget holder to sign both Access Agreements and subsequent Call-Off Contracts.
£30,000 – £663,540* *Current regulatory threshold	In consultation with Procurement, determine the best and most proportionate route to market for below threshold. This may include a full or limited competition or direct award, with consideration of the relevant market. This may include use of available Frameworks or DPS where they offer best value.	Procurement, unless agreed otherwise by Head of Procurement (or delegate)	Council's Standard Terms & Conditions, bespoke Contract terms agreed by Legal Services or established Framework/DPS Terms.	Up to £100k – Head of Service £100k - £250k – Director £250k - £1m – Corporate Director If direct award: Up to £250K – Director Over £250k – Corporate Director	Up to £250k – Budget Holder £250k - £663,540* – Corporate Director
£663,540- £1m Above regulatory threshold	Via a new procurement process in accordance with the PA 23, or via existing compliant Frameworks, DPS or Dynamic Market	Procurement	Council's Standard Terms & Conditions, bespoke Contract terms agreed by Legal Services or established Framework, DPS or Dynamic Market Terms.	Under £250k – Director £250k - £1m – Corporate Director	Corporate Director
Over £1m	This may be through a new procurement process in accordance with the PA 23, or via existing compliant Frameworks, DPS or Dynamic Market	Procurement	Council's Standard Terms & Conditions, bespoke Contract terms agreed by Legal Services or established Framework, DPS or Dynamic Market Terms.	Beginning a procurement for £1m+ contracts must be authorised by Cabinet as a key decision. This may be via the Annual Procurement Forward Plan. Once authorised by Cabinet, contract awards within 5% of the agreed budget must be agreed by a Corporate Director. Contract awards over the agreed budget by more than 5% must be authorised by the relevant Lead Member.	Executed under Deed by Legal Services

Procurement Type D: Provider Selection Regime (PSR)

Healthcare and Public Health Services that are in-scope of PSR have no minimum threshold.

Estimated Contract Value (see section xx)	Procurement Method	Teams authorised to undertake the Procurement	Type of Contract Required	Who must approve Contract Award prior to commencement	Who signs the contract on the Council's behalf
£0 - £29,999	One of the following PSR procedures: <ul style="list-style-type: none">• Direct Award A• Direct Award B• Direct Award C• Most Suitable Provider• Competitive Process	All Council Officers, with consultation with Procurement as required	Order Form or Letter	Budget Holder	Not Required – (Approval of Purchase Order)
£30,000 - £1m	One of the following PSR procedures: <ul style="list-style-type: none">• Direct Award A• Direct Award B• Direct Award C• Most Suitable Provider• Competitive Process	Procurement	Council's Standard Terms	Up to £100k – Head of Service £100k - £250k –Director £250k - £1m – Corporate Director	Under £250k –Budget Holder £250k - £1m – Corporate Director
Over £1m	One of the following PSR procedures: <ul style="list-style-type: none">• Direct Award A• Direct Award B• Direct Award C• Most Suitable Provider• Competitive Process	Procurement	Contract terms agreed by Legal Services	Beginning a procurement for £1m+ contracts must be authorised by Cabinet as a key decision. This may be via the Annual Procurement Forward Plan. Once authorised by Cabinet, contract awards within 5% of the agreed budget must be agreed by a Corporate Director. Contract awards over the agreed budget by more than 5% must be authorised by the relevant Lead Member.	Executed under Deed by Legal Services

Procurement Type E: Concessions

Procurements below regulatory threshold must also meet specific procurement legislation obligations, and you should familiarise yourself with the requirements of below threshold requirements in Appendix 1.

Estimated Contract Value (see section xx)	Procurement Method	Person authorised to undertake the Procurement	Type of Contract Required	Who must approve Contract Award	Who signs the contract on the Council's behalf
£0 - £29,999	One written quote or commercial negotiation with supplier.	All officers	Standard Terms	Budget Holder	Budget Holder
£30,000 - £1m	Seek at least 3 quotes/tenders/proposals	Procurement	Standard Contract in line with agreed level of risk and complexity	Up to £100k – Head of Service £100k - £250k –Director £250k - £1m – Corporate Director	Under £250k –Budget Holder £250k - £1m – Corporate Director
£1m - £5,372,608	Competitive quotations Utilise the flexibilities for sourcing the best route to market for below threshold	Procurement	Contract terms agreed by Legal Services	Beginning a procurement for £1m+ contracts must be authorised by Cabinet as a key decision. This may be via the Annual Procurement Forward Plan. Once authorised by Cabinet, contract awards within 5% of the agreed budget must be agreed by a Corporate Director. Contract awards over the agreed budget by more than 5% must be authorised by the relevant Lead Member	Executed under Deed by Legal Services
Over £5,372,609	Procure in compliance with the relevant Procurement Legislation.	Procurement	Contract terms agreed by Legal Services	Beginning a procurement for £1m+ contracts must be authorised by Cabinet as a key decision. This may be via the Annual Procurement Forward Plan. Once authorised by Cabinet, contract awards within 5% of the agreed budget must be agreed by a Corporate Director. Contract awards over the agreed budget by more than 5% must be authorised by the relevant Lead Member	Executed under Deed by Legal Services

1.11. Below Threshold Procurements

Below threshold procurements must also meet Procurement Legislation obligations and you should familiarise yourself with the requirements of Below Relevant Threshold requirements in Appendix 1.

Any existing below threshold contracts which, when modified, exceed the Relevant Threshold should be brought to Procurement for review and consideration if it can become a convertible contract (see paragraphs 2.2 and 2.3).

1.12. Direct award

Contracts below and above the Regulatory Threshold may be awarded directly as long as at least one direct award justification in the prevailing procurement legislation can be applied (See Appendix 1).

You must contact procurement prior to undertaking a direct award to ensure the criteria is met.

1.13. Evaluation

Tenders over Regulatory Thresholds are evaluated in accordance with prevailing Procurement Regulations.

1.14. Collaboration with other public bodies and Private Entities

The Council may enter into collaborative agreements for the procurement of goods and services with other public bodies or Central Purchasing Bodies and partnership agreements with private entities where this offers value for money for residents. Where this is proposed, you must seek advice from Procurement in the first instance.

1.15. Framework agreements, Dynamic Purchasing Systems (DPS) and Dynamic Markets

All proposals to establish or use existing Frameworks, Dynamic Markets or pre-existing DPS', must be referred to Procurement, who will make appropriate arrangements in consultation with Legal Services as required. There are strict legislative requirements for the use of Frameworks and Dynamic Markets, and additional guidance for their appropriate use can be found in Appendix 1.

1.16. Access Agreements

Where a contracting authority requires the Council to sign an Access Agreement relating to a Framework, Dynamic Purchasing System, or Dynamic Market, and there is no commitment to call-off, the signing of the Access Agreement must be authorised by the Head of Procurement.

1.17. Concession Contracts

Concession Contracts are contracts under which the council outsources works or services to a contractor or provider, who then has the right to commercially exploit those works or services in order to recoup its investment and make a return. The key feature is that the contractor/provider bears the operating risk of the arrangement and so has no guarantee of recouping its investment or operating costs. Concession Contracts must meet certain requirements, and advice must be sought from Procurement in the first instance if a concession contract is required.

1.18. Procurement Notices

All procurements must follow publication requirements as set out in the prevailing Procurement Regulations. (Guidance in Appendix 1).

2. Approvals

2.1. Procurement Forward Plan

Corporate Directors have a general delegated authority to authorise procurements with a view to managing the services for which they are responsible. This includes authorising the procurement of goods, works and services, where they deem this appropriate, provided they do so in accordance with these Orders and the Council's Financial Procedure Rules and Financial Regulations.

To enable the Council to maintain an accurate oversight of procurement activity across the full range of council services, the Director of Procurement is responsible for the development of a Procurement Forward Plan (PFP). This PFP will be in two parts, as follows:

PART A: Approval to Procure

A 12-month detailed forward plan is developed to identify, for each directorate, all contracts over £1m which are due for renewal, replacement or a new requirement in the coming financial year.

The PFP: Part A must be developed and agreed with the Directors of the relevant services and submitted to the Corporate Leadership Team for information and monitoring purposes during the business planning cycle each year.

If a need arises during the year for procurement activity on contracts over £1m which have not been reported through the PFP: Part A, then an Approval to Procure form must be raised by the service and approved by the Head of Procurement and the relevant Corporate Director before resource can be assigned to this procurement. Where the procurement includes IT & Digital, the Approval to Procure requires additional approval from the Chief Digital Information Officer.

Planned procurements for the financial year ahead with a value of £1m or more come to Cabinet for sign off in order to enable the procurement to proceed, unless previously authorised by Cabinet.

PART B: Procurement Pipeline

Under Procurement Legislation, the Council is required to publish a 'Pipeline Notice', which consists of a list of procurement activity proposed to take place in the forthcoming 18 month period for all projects over £2m. Procurement will publish all contracts over £1M and for a 24-month period, to fit better with the key decision making process and financial planning cycle.

In addition to Part A, the PFP will include (as Part B) procurements proposed to take place in the financial year which follows on from PFP Part A: Approval to Procure. For the avoidance of doubt, appearance on Part B alone does not constitute an approval to procure.

The Procurement Pipeline will be published on the Central Digital Platform (and/or any related platform as required by Procurement Legislation from time to time).

2.2. Contract Modifications and Extensions

Note: For all Modifications and Extensions above £30k (inclusive of VAT), you must contact Procurement.

Contracts that have been originally advertised with extension or modification options can be extended / modified (as applicable) in accordance with prevailing Procurement Legislation

Extensions or modifications of an existing Contract which are not included in the original public notice or the contract itself can potentially be made without triggering a requirement for a new Procurement exercise provided one of the safe harbours set out in the prevailing Procurement Legislation are satisfied and doing so would offer best value. Procurement guidance is available in Appendix 1 setting out the circumstances under which contract modifications or extensions are permitted.

Permitted Contract extensions and modifications must be approved as detailed in the Procurement Type Summary tables in paragraph 1.10 based on the value of the extension / modification.

For contracts with a value above the Regulatory Threshold extensions and modifications which were not included in the original public notice or contract but are allowed under the prevailing procurement regulations must also be reviewed by Legal Services.

2.3. Convertible Contracts

Any existing below threshold contracts which, when modified, exceed the regulatory threshold, should be brought to Procurement for review and consideration if it can become a convertible contract.

Where the extension or modification of a below Regulatory Threshold contract is to become a convertible contract under Section 74 of the Procurement Act 2023, the approval to convert the contract must be approved by the Head of Procurement (or delegate).

2.4. Technology, Digital Services and Software

Procurement works closely with IT & Digital to manage the Council's technology and digital needs and the security of the Council's data and network. This applies to any provision of technology, digital services and software that is used by the Council. No technology, digital services or software, including Software as a Service (SaaS), may be procured by the Council without prior approval from IT&D.

2.5. Temporary Staff, Consultants and Professional Services

Temporary and agency staff, and other consultants or contractors, must abide by the terms of their contract with the Council and follow the Council's Code of Conduct and Conflict of Interest Policy.

3. Waivers and Emergencies

3.1. Waivers

A waiver is required for any proposed procurement or contractual action which is not compliant with these Orders. All waivers must be documented by completing a Waiver Report which must be approved by the Head of Procurement and relevant Corporate Director. The Waiver Report must be in the format of the template included on the Procurement Templates section of the Wave.

A waiver cannot be given if it would contravene Procurement Legislation or any other applicable legislation.

A waiver cannot be granted retrospectively; this is viewed as non-compliance with these Orders and may be reported to Audit Standards and General Purposes Committee.

Procurement must maintain a log of all waivers and store documentation for waivers.

3.2. Emergency Purchases

An emergency purchase is only allowed for purchasing where there is an imminent risk to life or property. Where there is a need to secure Council property or assets e.g. when there has been a break in or equipment failure, such as a flood. You can use a Purchase Card, within your allocated limits, to pay. If the supplier does not accept Purchase Cards then you may give a verbal order and raise a formal purchase order the following working day. You must also inform Business Operations of any emergency purchases on the following working day.

Issues arising with contracts leading to a requirement for urgent mitigation action are not necessarily considered Emergency Purchases. This will be dealt with as part of risk mitigation within the contract management process.

4. Contracting with Suppliers

4.1. Purchase Orders

Once you have found the right supplier as required by these Orders, you must not make verbal commitments but must raise a Purchase Order (via prevailing accounting system system). This must be approved in accordance with the Council's Financial Standing Orders before it is sent to the supplier, and before any goods or services have been received. Details of financial approval levels are included in the table in the summary tables in paragraph 1.10.

4.2. Using Purchase Cards

The Council makes use of general Purchase Cards to make small purchases in a wide range of situations.

You must use purchase cards only as set out in the Purchasing Cards guidance on the Wave unless otherwise agreed in writing by Procurement, or in life-critical circumstances (see also paragraph 3.2).

4.3. Bribery, Corruption, Canvassing and Collusion

Bribery and Corruption

You must comply with the Council's Code of Conduct for Employees and the Council's Counter-Fraud Strategy and Framework. You must not invite or accept any gift or reward in respect of the award or performance of any contract. It will be for you, the officer, to prove that anything received was not received corruptly. Gifts and Hospitality must be declared (See Appendix 1 for link).

Canvassing and Collusion

All Invitations to Tender must include a requirement for bidders to declare their compliance in relation to canvassing and non-collusion. Every contract must contain a clause entitling the Council to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor or his representative has practised collusion in tendering for the contract or any other contract with the Council.

Conflict of Interest

All officers with influence or involvement in a procurement should comply with Procurement Legislation and must declare any actual, potential or perceived conflict of interest related to a specific procurement / contract and comply with any mitigating actions agreed. This may include the requirement to complete a conflict-of-interest assessment at the start of the procurement process that is proportionate to the procurement being undertaken. This must be updated at key points during the procurement, or when new information becomes available. Guidance on the Conflict-of-Interest Assessment and how to comply can be found in Appendix 1.

All Officers must also comply with the Council's Declarations of Interest Guidance and any declarations required as part of a specific procurement.

4.4. Audit Requirements

The procurement process must be documented throughout and a record of all material decisions must be kept.

4.5. Grants

Nothing in respect of the receiving, administration or management of grants into the Authority is covered by these rules. However, if any grant money received or issued is to be used for the procurement of goods, services or works then these rules may apply, and advice must be sought from Procurement before proceeding

5. Council Requirements / Obligations**5.1. Social Value**

The Public Services (Social Value) Act 2012 places an obligation on the Council to consider the economic, social and environmental well-being of our local area when we award contracts over the Relevant Thresholds. All Officers should review the requirements and procurement strategies prior to carrying out procurement activity to ensure that opportunities for maximising public benefit in relation to the use of Social Value are utilised. The factors to consider include but are not limited to:

- a. Requirements and specifications should be designed to enable suppliers to contribute to wider local and national social outcomes, such as local business, skills and employment, community needs, when performing the requirement;
- b. Bidders should be provided with relevant and targeted information in order to enable more effective social value commitments;
- c. As part of the tendering process, an assessment of relevant Social Value must be carried out and procurement record the results in the statutory procurement reports and relevant systems as identified;
- d. Appropriate weighting, criteria or other mechanisms should be included in the procurement strategy to secure social value;
- e. Appropriate measures should be included to ensure that social value requirements and commitments are monitored, delivered and, where required, reported on during performance of the requirement.
- f. Officers should consult the Council's Social Value toolkit (see Appendix 1) which provides a practical guide as to how to include social value outcomes in tenders, evaluate bidders and monitor the delivery of these outcomes during the contract.

- g. Contract Managers are responsible for tracking and reporting social value delivery in line with the Contract Management Framework and prevailing legislation.

5.2. Environmental Sustainability

The Council is committed to ensuring their operations (including the goods, works and services purchased are environmentally sustainable and resilient to future climate change, promote a circular economy and protect and enhance the natural environment.

Officers are required to support the implementation of the Council's environmental priorities and policies through inclusion of considerations into market engagement, specifications, questions and contract management.

If undertaking a procurement, you must ensure that procurement policy requirements are included in any procurement and contract management activity, this includes but is not limited to:

- a. Ensuring consideration is given to including environmental sustainability as an award criteria for relevant contracts.
- b. Ensuring all relevant procurements and contracts include the requirement for a supplier Carbon Reduction Plan;
- c. Ensuring specifications and requirements are reviewed in line with current local procedures and objectives, using any relevant systems, and appropriate measures which address environmental impacts;
- d. Having regard to current related environmental policies and measures adopted by the Council and act to address these in the requirement and procurement activity.

Contract Managers are responsible for tracking and reporting any environmental measures in line with the Contract Management Framework and prevailing legislation.

5.3. Modern Slavery

The Council has pledged to tackle modern slavery to support global and national efforts to eradicate slavery and exploitation. This includes a commitment to mitigating risks in our procurement activity and associated supply chains. Officers have a responsibility to have due regard to the risk of modern slavery and unethical labour practices in the supply chains of the goods, services and works that are being procured. Officers should implement appropriate due diligence measures in procurement and contract management activity to ensure that suppliers and their supply chain partners are conducting their business dealings fairly and ethically to mitigate the risk of exploitative practices. This includes, but is not limited to:

- a. Ensuring adherence to Section 54 (transparency in supply chains) of the Modern Slavery Act 2015;
- b. Building modern slavery considerations into specification requirements;
- c. Including modern slavery considerations in conditions of participation and tender stage to assess supplier capability to manage risks;
- d. Embedding due diligence requirements in contractual terms and conditions.

The Council may also introduce from time to time particular local and national policies which support ethical, environmental and sustainable procurement and support social value priorities, and Officers should include these in relevant procurement documentation and procedures. See Appendix 1.

6. Liability and Security

6.1. Insurance Liability

To protect the Council, insurance is required where we use goods, works or services provided by a supplier (including consultancy).

The standard levels of cover for Public Liability Insurance, Employers' Liability Insurance and Professional Indemnity Insurance are set out below:

- a. Public Liability - £10m
- b. Employers' Liability - £10m depending on the contract used
- c. Professional Indemnity - £2m (undertake a risk assessment and take advice from the Insurance Team)

In some instances where the contract value, risk or scope may be particularly high, additional cover may be required. Equally, some contracts may be suitable for lower levels of insurance may be considered. To obtain advice on what level of insurance is appropriate, contact the relevant officer within the Insurance Team. The agreed level of insurance should be recorded in the contract.

You may ask for insurance where it is proportionate to the delivery of the Contract. You cannot ask for this insurance to be in place prior to the commencement of the contract.

Insurance and turnover requirements must be reasonable and proportionate to the Contract.

6.2. Supplier Exclusion

Procurement legislation requires that suppliers are assessed to determine if they are excluded or excludable from the procurement. Refer to guidance in Appendix 1 on how to assess a supplier.

6.3. Financial Security

The Council must confirm that suppliers are financially robust both prior to contract award and during the life of the contract as appropriate. Where required, details of any bonds, guarantees or other financial security a supplier may need to provide must be set out in the procurement documents.

6.4. Document Retention periods

The retention of tenders and contractual documentation is prescribed in the Limitation Act 1980 and the Procurement Legislation and must be followed. In summary:

- a. All received Tenders and supporting documentation must be retained for a minimum of eighteen months following the issue of the Contract Award Notice.
- b. All signed contracts (including all tender documentation) must be retained for a minimum of twelve years for Deeds and six years for simple contracts following contract expiry or as stated in the Information Asset Register, if different.
- c. Records to be kept that are significant to explain material decisions throughout the procurement (including communications with suppliers). Appendix 1 provides

guidance on how to record and keep appropriate records, including after contract award.

Procurement must maintain an online record confirming the location of the contract/tender.

7. Managing Contracts

The Council manages the process of awarding contracts via its e-tendering and contract management systems, to ensure that contracts are properly filed and documented.

Heads of Service are responsible for the performance of contracts in their area in line with the Contract Management Framework.

All Contracts must have a designated Contract Manager named on relevant systems throughout the life of the contract. Contract Management activities are to be delivered either by a dedicated contract manager or by someone with that responsibility as part of a wider role.

If the Contract Manager changes, this should be declared to Procurement so that the contract records can be updated.

Contracts should be proportionately managed in line with the Contract Management Framework. See Appendix 1. All Level 1 and 2 contracts must have a written business continuity plan, and a contract management plan.

Where contract funding is received by the Council from a third party (for example, an incoming grant), the contract terms must include a provision for dealing with liabilities under the contract should that funding cease to be available.

7.1. Contract Formation and Sealing

Electronic signatures may be used provided that they are in a format approved for use by Legal Services.

Officers should seek advice from Procurement before entering into any Contract with an estimated value of £30,000 or less which does not use the Council's standard terms and conditions.

Any Contract with an estimated value of £30,000 to £100,000 which does not use the Council's standard terms and conditions must be referred to Procurement for advice before executing the Contract.

Any Contract with an estimated value over £100,000 which does not use the Council's standard terms and conditions must be forwarded to Legal Services prior to use for advice as to whether the proposed Contract adequately protects the Council's interests.

Without prejudice, the Monitoring Officer may approve other terms and conditions to be used in respect of a particular Contract or type of Contracts when appropriate to protect the Council's interests.

(i) Contracts with an estimated value over £1,000,000 shall be executed as a deed using the Common Seal of the Council; (ii) Contracts with an estimated value of £1,000,000 or less may be executed as a simple contract and signed by an officer duly authorised for that purpose.

The Monitoring Officer may, on a case by case basis or in relation to a particular class of contracts and taking all relevant circumstances into account, stipulate the method by which a particular contract or class of contracts is to be executed, irrespective of the overall estimated value of the Contract

7.2. Contracts Register

All contracts over £30,000 (inclusive of VAT), including any variations or amendments, must be registered and maintained in the appropriate Contract Management System (CMS). The Council is required by law to publish transparency data. Data regarding contracts may additionally be maintained in other systems for local use.

7.3. Notices required during the life of the Contract

All contracts must follow publication requirements as set out in the prevailing Procurement Legislation. See Guidance in Appendix 1.

Appendix 1 – policies and guidance relevant to these Orders

All Officers must follow the Council's policies, in particular those relevant to these Orders, which are listed below.

Guidance Docs / Policies - Appendix 1	Notes/Links	Description/section of PCSOs
Procurement Act 2023	Procurement Act 2023 (legislation.gov.uk)	External link to Procurement Act 2023 Legislation In PCSOs: 1.2. Governing Legislation 1.6. Procurement Type 1.7. Exempted Contracts 2.3. Convertible Contracts
Procurement Regulations 2024	The Procurement Regulations 2024 (legislation.gov.uk)	External link to Procurement Regulations 2024 In PCSOs: 1.2. Governing Legislation 1.6. Procurement Type
The Public Contract Regulations 2015	The Public Contracts Regulations 2015	External link to Public Contracts Regulations 2015 In PCSOs: 1.2. Governing Legislation
The Concession Contracts Regulations 2016	The Concession Contracts Regulations 2016	External link to The Concession Contracts Regulations 2016 In PCSOs: 1.6. Procurement Type
The Public Services (Social Value) Act 2012	The Public Services (Social Value) Act 2012	External link to The Public Services (Social Value) Act 2012 In PCSOs: 1.2. Governing Legislation 5. Council Requirements / Obligations – 5.1. Social Value
Financial Procedure Rules (part 4A1 of the Constitution)	Financial Procedure Rules	External link to BHCC Constitution In PCSOs: 1.4 Compliance 2. Approvals – 2.1. Procurement Forward Plan
Scheme of Delegation (see part 2F of the Constitution)	Scheme of Delegation	External link to BHCC Constitution In PCSOs: 1.7. Exempted Contracts

Code of Conduct (see part 4J of the Constitution)	Code of Conduct	External link to BHCC Constitution In PCSOs: 4. Contracting with Suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion
Brighton and Hove City Council Social Value Policy and Toolkit	Social Value Procurement Policy (brighton-hove.gov.uk) Brighton and Hove Social Value Framework.pdf (brighton-hove.gov.uk) Adding social value	External links to BHCC Social Value Policy Internal BHCC link to the SV toolkit In PCSOs: 5. Council Requirements / Obligations – 5.1 Social Value
BHCC Circular Economy Action Plan	Brighton & Hove Circular Economy Action Plan 2020 to 2035	External link to referenced Policy In PCSOs: 5. Council Requirements / Obligations - 5.2. Environmental Sustainability
Orbis Environmentally Sustainable Procurement Policy, Brighton and Hove City Council	Orbis Environmentally Sustainable Procurement Policy	External link to referenced Policy In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations - 5.2. Environmental Sustainability
Supplier Code of Conduct	Orbis Procurement Supplier Code of Conduct	External link to referenced Policy In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations
BHCC Anti-Slavery Pledge	Anti-slavery pledge APX. n 2.pdf (brighton-hove.gov.uk)	External link In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations
The Co-operative Party Charter Against Slavery	Co-operative Party Charter Against Modern Slavery – Co-operative Party	External link In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations
Guidance for Agency workers and consultants	Book an agency worker Contractors and consultants IR35 status	Internal links to guidance on the Wave In PCSOs: 2.5. Temporary Staff, Consultants and Professional Services
Guidance for Grants and External Funding	Services offered by Legal Services Contracts and Procurement	Internal link to Grants guidance on the Wave In PCSOs: 4.5 Grants
Consultants and IR35 assessment requirements	Contractors and consultants IR35 status	Internal link to guidance on the Wave In PCSOs: 2.5. Temporary Staff, Consultants and Professional Services

Conflict of interest and corruption	Preventing conflict of interest and corruption	Link to BHCC intranet (The Wave) In PCSOs: 4. Contracting with Suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
Which Summary table decision tree	Use Cabinet Office flow chart as starting point but amend to include light touch, PSR etc. Cabinet Office decision tree can be found on the DMS here: Document Management System - 16 - 20240215 Which procurement regime should I be following decision tree.pdf - All Documents Transforming Public Procurement Learning Manual - Summary Documents and Learning Aids	The internal flow chart that was created to help Officers decide which Procurement Type Summary Table applies to their requirements has now been embedded into the PCSOs: 1.10. Procurement Type Summary Tables Cabinet Office guidance/decision tree RE which procurement regime is available on the Procurement DMS and on the external gov.uk website (Transforming Public Procurement pages and E-learning manual)
Thresholds	Link to existing thresholds - Procurement Policy Note 11/23 – New Thresholds (HTML) - GOV.UK	External link to current thresholds In PCSOs thresholds are referenced in the following sections: 1.6. Procurement Type 1.9. Procurement Method 1.13 Evaluation 2. Approvals – 2.1. Procurement Forward Plan
Below Threshold Procurement Guidance	Publishing notices, No restrictions, SME barriers, - link to cabinet office checklist and guidance Guidance - Below Threshold FINAL.pdf (publishing.service.gov.uk) Below Threshold Contract Checklist Regulated Below Threshold Process Flow saved on the DMS here: Document Management System - Below threshold - All Documents	Internal and external links to Cabinet Office guidance on DMS and these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual) In PCSOs: 1.10. Procurement Type Summary Tables 1.11. Below Threshold Procurements 1.12. Direct Award 2.2. Contract Modifications and Extensions 2.3. Convertible Contracts

Contract management	<p>Utilise Cabinet Office resources</p> <p>Contract Management Framework</p>	<p>Cabinet Office resources available on gov.uk (Transforming Public Procurement pages and E-learning manual)</p> <p>Link to internal Contract Management Framework SharePoint site</p> <p>In PCSOs:</p> <p>1.5. Roles and Responsibilities 5. Council Requirements / Obligations - 5.1. Social Value, 5.2. Environmental Sustainability, 5.3. Modern Slavery 7. Managing Contracts</p>
Preliminary Market Engagement	<p>Utilise Cabinet Office guidance and checklist: https://assets.publishing.service.gov.uk/media/664dc112993111924d9d3980/Guidance_-_Preliminary_Market_Engagement.pdf</p> <p>Checklist can be found on the DMS here: Document Management System - Preliminary market engagement checklist.pdf - All Documents</p> <p>*Internal best practice/training can be created but would sit separately to the PCSOS and Appendices*</p>	<p>Internal and external links to Cabinet Office guidance on DMS and these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCOS:</p> <p>5. Council Requirements / Obligations, 5.2. Environmental Sustainability</p>
NPPS (National Procurement Policy Statement)	<p>*Central Government currently re-drafting – will include link once published*</p>	<p>Will include external link to NPPS once published by the Government</p> <p>In PCSOs:</p> <p>Not explicitly referenced as NPPS – mentioned more generically as national policies in the following sections: 1.5. Roles and Responsibilities 5. Council Requirements / Obligations, 5.1. Social Value, 5.3. Modern Slavery</p>
Valuation of Contracts	<p>Use Cabinet Office guidance. Guidance - Valuation of Contracts.pdf (publishing.service.gov.uk)</p>	<p>External link to Cabinet Office guidance</p> <p>In PCSOs:</p> <p>1.8. Valuation of Contracts</p>
Anti-Fraud Strategy/Whistleblowing	<p>BHCC: BHCC Anti-Fraud and Corruption Strategy and Framework 2022 to 2024</p> <p>Whistleblowing</p>	<p>Internal and external links to referenced strategy/policy</p> <p>In PCSOs:</p> <p>4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion</p>

Conflict of Interest Guidance	Use Cabinet Office guidance - https://assets.publishing.service.gov.uk/media/6698dc04fc8e12ac3edaff11/Guidance - Conflicts of Interest FINAL.pdf	External link to requirements under the 2023 Act (and associated regulations) In PCSOs: 4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
Conflict of Interest declaration	Internal COI Declaration template	Template updated – will be available on internal Procurement SharePoint site. In PCSOs: 4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
Conflicts assessment template	Use Cabinet Office template - *adapt to Orbis Procurement*	Template updated – will be available on internal Procurement SharePoint site. In PCSOs: 4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
CPV Codes - PSR	https://www.legislation.gov.uk/ukdsi/2023/9780348252613/schedule/1	External link to PSR CPV Codes In PCSOs: 1.6. Procurement Type
CPV Codes - Light Touch	The Procurement Regulations 2024 (legislation.gov.uk)	External link to Light Touch CPV Codes In PCSOs: 1.6. Procurement Type
CPV codes - Works	The Procurement Regulations 2024	External link to Works CPV Codes In PCSOs: 1.6. Procurement Type
PSR - choosing the right procedure flow chart	NHS England » Provider Selection Regime: getting to the right decision	External link to PSR guidance In PCSOs: This flow chart is not explicitly referenced but PSR in general is referenced in the following sections: 1.2. Governing Legislation 1.6. Procurement Type 1.10. Procurement Type Summary Tables

Direct Award	<p>Cabinet Office decision tree and guidance. Guidance - Direct Award FINAL.pdf (publishing.service.gov.uk)</p> <p>Decision tree can be found here: Document Management System - 26 - 20231208 Direct award decision tree (section 41).pdf - All Documents</p>	<p>External and internal links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.12 Direct Award</p>
Light Touch	<p>See Cabinet Office exemptions cheat sheet in training manual and guidance stored here: Document Management System - Exemptions cheat sheet - light touch contracts .pdf - All Documents</p> <p>Guidance - Light Touch Contracts FINAL.pdf (publishing.service.gov.uk)</p>	<p>External and internal links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: Light Touch is referenced in the following sections: 1.6. Procurement Type 1.7. Exempted Contracts 1.10. Procurement Type Summary Tables</p>
Publishing Notices (procedure)	*FTS / Proactis / Intend - instructions / guidance on this to be created*	Internal guidance to be created on how to publish notices.
Publishing Notices (legislative requirements)	<p>Cabinet Office summary/cheat sheet which can be found here: Document Management System - 18 - 20240209 Table of transparency notices - fact sheet.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.9. Procurement Method 1.18 Procurement Notices 7.3. Notices required during the life of the Contract</p>

Assessment & Award	<p>Use Cabinet Office guidance Guidance - Conditions of Participation FINAL 1 .pdf</p> <p>Guidance-Assessing-Competitive-Tenders-FINAL.pdf (publishing.service.gov.uk)</p> <p>https://assets.publishing.service.gov.uk/media/66aa2b50ce1fd0da7b5930c9/Guidance - Assessment Summaries FINAL.pdf</p> <p>https://assets.publishing.service.gov.uk/media/66aa2d7efc8e12ac3edb0875/Guidance - Contract Award Notices and Standstill .pdf</p> <p>Guidance on Contract Details Notices FINAL v2.0.pdf (publishing.service.gov.uk)</p>	<p>External links to Cabinet Office guidance</p> <p>In PCSOs:</p> <ul style="list-style-type: none"> 1.13 Evaluation 1.9. Procurement Method 1.18 Procurement Notices 6.4. Document Retention periods 7.3. Notices required during the life of the Contract
Specifications	<p>Use Cabinet Office guidance linked to this Procurement Act 2023 guidance documents - Define phase - GOV.UK (www.gov.uk)</p>	<p>External link to Cabinet Office Guidance</p> <p>In PCSOs:</p> <p>Specifications are referenced in the following sections:</p> <ul style="list-style-type: none"> 1.5. Roles and Responsibilities 1.6. Procurement Type 5. Council Requirements / Obligations - 5.1. Social Value, 5.2. Environmental Sustainability, 5.3. Modern Slavery
Selecting a Procedure	<p>Cabinet Office Selecting a procedure cheat sheet can be found here: Document Management System - 25 - 20231205 Choosing a procedure.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance this is also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs:</p> <ul style="list-style-type: none"> 1.6. Procurement Type 1.9. Procurement Method 1.10. Procurement Type Summary Tables
Timescales	<p>Cabinet Office decision tree/Tendering time limits cheat sheet can be found here: Document Management System - 22 - 20231212 Tendering time limits cheat sheet _decision tree.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance this is also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs:</p> <p>Timescales are referenced in the following section:</p> <ul style="list-style-type: none"> 1.9. Procurement Method

PA2023 - choosing the right procedure	Cabinet Office decision tree on Choosing a procedure can be found here: Document Management System - 25 - 20231205 Choosing a procedure.pdf - All Documents	Internal link to Cabinet Office guidance this is also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual) In PCSOs: 1.6. Procurement Type 1.9. Procurement Method 1.10. Procurement Type Summary Tables
Frameworks	See Cabinet Office guidance - Guidance - Frameworks FINAL.pdf (publishing.service.gov.uk) Framework Cabinet Office cheat sheets can be found here: Document Management System - Frameworks and Dynamic Markets - All Documents Appendix 1 Framework Guidance.docx	Internal and external links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual) In PCSOs: 1.10. Procurement Type Summary Tables 1.15. Framework agreements, Dynamic Purchasing Systems (DPS) and Dynamic Markets
Dynamic Markets	See Cabinet Office guidance - Guidance - Dynamic markets FINAL.pdf (publishing.service.gov.uk) Various Cabinet Office cheat sheets can be found here: Document Management System - Frameworks and Dynamic Markets - All Documents	Internal and external links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual) In PCSOs: 1.10. Procurement Type Summary Tables 1.15. Framework agreements, Dynamic Purchasing Systems (DPS) and Dynamic Markets
Record Keeping of key decisions	*Template currently in draft* - Min 3 years and procurement report - link to cab office guidance - needs to comply with our own retention periods - e.g. legal hold contracts for 12 years... Cabinet office template can be found on the DMS here: Document Management System - Record keeping.pdf - All Documents	Once document is created it will be available on internal Procurement SharePoint site. In PCSOs, record keeping is referenced in the following sections: 1.5. Roles and Responsibilities 1.9. Procurement Method 4.4. Audit Requirements 5. Council Requirements / Obligations - 5.1. Social Value 6.4. Document Retention periods 7. Managing Contracts

Supplier exclusion and debarment	<p>Use Cabinet Office guidance</p> <p>Guidance - Exclusions_FINAL v.2.pdf</p> <p>Guidance - Debarment_FINAL.pdf</p> <p>Guidance - Conditions of Participation_FINAL 1 .pdf</p>	<p>External Cabinet Office Guidance.</p> <p>In PCSOs this is referenced in the following section:</p> <p>6.2. Supplier Exclusion</p>
----------------------------------	--	--

DRAFT

PART 4 B CONTRACT STANDING ORDERS

General

Introduction

Procurement decisions are among the most important decisions an officer will make because the money involved is public money and the Council is concerned to ensure that high quality goods, works and services are provided. Efficient use of resources in order to achieve best value is therefore an imperative. The Council's reputation is equally important and should be safeguarded from any imputation of dishonesty or corruption.

All staff are expected to comply with the Council's agreed procedures, and this includes Contract Standing Orders.

Failure to comply with Contract Standing Orders when letting contracts is a serious matter, and employees should report any actual or suspected breach of Contract Standing Orders to an appropriate senior manager and the Head of Audit.

Important note:

Section A lists the Rules to be applied to the procurement and award of all contracts* governed by the Council's Contract Standing Orders except for Light Touch Regime Service Contracts governed by Section B.

****A limited category of contract types are not subject to any Contract Standing Orders (although legal requirements as well as the expectations of best value apply). See the definition of the term 'Contract' in Section A for further detail.***

Section A applies to all of the Council's contracts which are not governed by governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services.

Contract Standing Order 1: Interpretation

1.1 In these Contract Standing Orders, the following terms have the following meanings:

"Approved List"	a list of suitable Contractors drawn up for corporate use under CSO 6
"Budget Holder"	a Council Employee who is accountable for a defined budget, and is responsible for committing expenditure against that budget in accordance with the Council's Financial Standing Orders and Regulations
"Contract"	<p><u>Includes</u> any agreement:</p> <ul style="list-style-type: none"> (i) for the supply of goods, services, or the execution of works to or for the Council including the use of consultants, or (ii) where no payment is made by the Council but which is of financial value to the Council (for example a concession agreement), or (iii) any Framework Agreement. <p><u>but excludes:</u></p> <ul style="list-style-type: none"> (a) the use of external solicitors and counsel instructed by the Corporate Director – Corporate Services (b) a contract for the purchase or sale of land (c) Grants (d) Individual employment contracts
"Contract Consultant"	any person not being an employee of the Council who is acting for the Council in relation to a Contract or proposed Contract
"Contract Officer"	a Council Employee authorised to deal with Contracts in accordance with CSO 3.1
"Contractor"	the party or potential party to a Contract
"Contract Finder"	a centralised, Central Government run, online contract notice portal
"Contracts Register"	the Council's electronic register of Contracts
"Council"	Brighton & Hove City Council

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

“Council Employee”	any person employed on a permanent, temporary or agency arrangement by the Council
“CSO” / “CSOs”	Contract Standing Order / Contract Standing Orders
“DPS”	an electronic system used to purchase commonly used goods, works or services within a limited duration
“Corporate Director”	Includes all Chief Officers including the Chief Executive, all Corporate Directors, the Monitoring Officer and the S151 Officer
“Framework Agreement”	An arrangement made in accordance with the UK Regulations between the council (or another Contracting Authority) and a provider or providers of goods, works or services specifying the terms under which contracts can be “called off” or entered into over the period during which it is in force
“FTS”	Find a Tender: the UK e-notification service where notices for new procurements are required to be published pursuant to the UK Regulations
“Grants”	A grant is an arrangement where money is given for the benefit of all or for a section of the local community for a stated purpose other than for the procurement of services (whether the services are to be given to the Council or to third parties)
“Light Touch Regime”	A specific set of rules for certain service contracts. Those service contracts include certain social, health, education and cultural services. The list of services to which the Light Touch Regime applies is set out in Schedule 3 of the Public Contracts Regulations 2015 (Annex A).

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

“Most Economically Advantageous Tender”	A tender which has been selected by using weighted price and/or quality criteria. See CSO 9
“Procurement Guidance”	Corporate Procurement’s Codes of Practice (including the Procurement Toolkit), model contracts [and other guidance] that supplement these CSOs
“Head of Procurement”	The person appointed by the Council as the Head of Procurement or any Member of the Corporate Procurement Team authorised by them to act on their behalf
“Procurement Thresholds”	As of 1 January 2022, the thresholds inclusive of VAT are as follows: <ul style="list-style-type: none"> • Works: £5,336, 937 • Services: £213,477 • Light Touch Regime: £663,540 • Concession Contracts: £5,336,937
“Senior Officer”	All Heads of Service and any other officer who is a member of the Corporate Management Team.
“SME”	Small and medium-sized enterprises
“UK Regulations”	The Public Contracts Regulations 2015 (SI 102/2015) and/or the Concession Contracts Regulations (SI 2016/273), as amended, extended, re-enacted or consolidated from time to time
“works” “supplies” & “services”	as defined in the UK Regulations (“supplies” are also referred to as “goods” in these CSOs)

- 1.2 The Chief Executive, after consultation with the Monitoring Officer and the Chief Finance Officer, may change the non-statutory thresholds in CSOs annually (or as appropriate) to take account of changes in the retail price index and other factors so that the effectiveness and impact of the thresholds is maintained.

Contract Standing Order 2: Compliance with Contract Standing Orders and Legislation

- 2.1 The Monitoring Officer in consultation with the Head of Procurement shall compile and maintain CSOs and advise on their implementation and interpretation.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

- 2.2 Every Contract made by the Council or on its behalf shall comply with all relevant legislation, CSOs, and the Council's Financial Regulations. UK legislation will always override the provisions of these CSOs.
- 2.3 Contractors, Contractors' employees, subcontractors and agents utilised by the Council shall be required to, at all times, comply with the requirements of the Health & Safety at Work etc Act 1974, all secondary legislation made under that Act and all other Acts, Regulations, Orders or Rules relating to Health & Safety. All contracts shall reflect these requirements and reference to the Council's Health & Safety Code of Practice should be made in this regard.
- 2.4 The Corporate Procurement Strategy and Procurement Guidance held and disseminated by the Head of Procurement, shall supplement these CSOs, but these CSOs will always take precedence over the provisions of such Procurement Guidance.
- 2.5 It shall be a condition of any Contract between the Council and anyone who is not a Council Employee but who is authorised to carry out any of the Council's contracts functions, that they comply with these CSOs, and the Financial Regulations of the Council, as if they were Council Employees.

Contract Standing Order 3: Scheme of Delegation/Authorisation

- 3.1 Each Corporate Director has unrestricted delegated power to agree to the Council entering into Contracts or joining existing Framework Agreements up to the sum of £1,000,000. Above this sum and before inviting expressions of interest from potential bidders, Council Employees must seek approval from Cabinet.
- 3.2 Where a Corporate Director is unavailable or otherwise unable to act, their functions under these CSOs may be discharged by the relevant Senior Officer.
- 3.3 All Budget Holders (in relation to expenditure within their allocated budgets), Senior Officers, and Contract Officers authorised by the relevant Corporate Director or Senior Officer may agree to the Council entering into Contracts of up to £250,000 in value. Such authorisation may be expressed or implied from the duties attached to the Officer's post.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

Contract Standing Order 4: Declarations of Interest and Prevention of Corruption

- 4.1 Members of staff must avoid any conflict between their own interests and the interests of the Council. At the beginning of any Contract process the following persons shall declare any interest, as defined in the Code of Conduct for Employees set out in the Council's constitution, which may affect the Contract process:
 - 4.1.1 Council Employees involved in the procurement and management of a Contract
 - 4.1.2 Contractors
 - 4.1.3 Contract Consultants
 - 4.1.4 any other person involved in the Contract process
- 4.2 Corporate Directors and Senior Officers shall ensure that all Council Employees within the categories set out in CSO 4.1 and all Contract Consultants and Contractors appointed by them make written declarations of interest on their appointment and as required on any change in circumstances. Interests of Council Employees will be reviewed annually, either at the end or beginning of the financial year. The relevant Corporate Director or Senior Officer shall either certify interests as acceptable or take any necessary action in respect of potential conflicts of interest.
- 4.3 Corporate Directors and/or Senior Officers shall keep completed Council Employee declarations on the register of staff declarations indicating the names and grades of those declaring an interest and the nature of their interest.
- 4.4 Corporate Directors and/or Senior Officers shall keep completed Contract Consultants' and Contractors' declarations of interest and relevant Council Employees' declarations affecting the Contract on the contract file.
- 4.5 A Council Employee within the categories set out in CSO 4.1 has an interest in a Contract if they have or potentially have a pecuniary interest or has links (for example, a family member or close friend works for the organisation), with an organisation or Contractor tendering or quoting for a Contract with the Council or already has a Contract with the Council. If it is not the subject of an existing declaration, they must immediately give written notice of their interest to the relevant Corporate Director or Senior Officer and in any event must take no part in the procurement process.

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

- 4.6 Council Employee must not invite or accept any gift or reward in respect of the award or performance of any Contract. It will be for the Council Employee to prove that anything received was not received corruptly. High standards of conduct are obligatory and corrupt behaviour will lead to dismissal.
- 4.7 The Contract process shall ensure that the Council will operate strict separation of duties by ensuring that two authorised Council Employees are involved in the ordering, receiving and payment process.
- 4.8 The following clause, (or an equivalent clause in standard forms of contract or other wording as approved by the Monitoring Officer) must be appear in every written Council Contract:

“The Council may terminate this Contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor’s behalf do any of the following things:

- (a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council Contract (even if the Contractor does not know what has been done); or*
- (b) commit an offence under the Bribery Act 2010; or*
- (c) commit any fraud in connection with this or any other Council Contract whether alone or in conjunction with Council Members or Employees.*

Any clause limiting the Contractor’s liability shall not apply to this provision.”

- 4.9 A register of interests under CSO 4 may be a separate register or it may form part of a general register of declarations of interest as the Corporate Director or Senior Officer considers appropriate.

Contract Standing Order 5: Public Notices

- 5.1 All Contracts whose value exceeds the relevant Procurement Threshold and which - if below the threshold - may be of interest to local suppliers shall be advertised in the FTS and on Contracts Finder. Contract Officers are required to keep a record of their consideration of and decision in respect of the potential for cross border interest in a Council Contract.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

Approved Lists and Framework Agreements

Contract Standing Order 6: Approved Lists

- 6.1 The Head of Procurement may compile Approved Lists for Contractors for the supply of goods and other services for Contracts below the relevant Procurement Threshold as appropriate.
- 6.2 Where compiled pursuant to CSO 6.1, Approved Lists—
- 6.2.1 shall, in the case of internally managed Approved Lists, be established by advertised competition (subject to CSO 6.3).
 - 6.2.2 shall contain the names and addresses of all Contractors who meet the Approved List criteria.
 - 6.2.3 shall indicate the nature and value of Contracts for which the Contractors listed may be used. The value may not exceed the relevant Procurement Threshold.
 - 6.2.4 where maintained internally by the Council shall be reviewed in full at least every three years in addition to a review of the use of external providers from such Approved Lists.
- 6.3 Construction Line and standing lists of providers maintained by other public sector bodies compiled following responses to a public advertisement shall be deemed to be Approved Lists for the purpose of these CSOs.
- 6.4 In addition Corporate Directors with the assistance of the Head of Procurement may set up Framework Agreements in line with Procurement Regulations with one or more suppliers of particular types of goods or services.
- 6.5 The criteria for admission to and suspension and exclusion from internally managed Approved Lists shall be specified in writing by: -
- (a) the Head of Procurement, for goods and services and non-construction works
 - (b) the Head of Property and Design, for works and works related services
- 6.6 Any Contractor may, by giving written notice to the Council, withdraw from any internally managed Approved List.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

- 6.7 Where there is no Approved List or Framework Agreement, Corporate Directors and Senior Officers shall use an approved quotation or tender procedure in accordance with Procurement Guidance.

Contract Standing Order 7: Framework Agreements

- 7.1 Prior to accessing any Framework Agreement the relevant Corporate Director or Senior Officer must firstly determine that the Framework Agreement is available for legitimate use by the Council in accordance with Regulation 33 of the UK Regulations.
- 7.2 Where two or more Framework Agreements exist which are capable of fulfilling the Council's requirements, the relevant Corporate Director or Senior Officer shall select the one they consider (a) to represent the best value for money and (b) best meets any other relevant criteria; and shall keep a written record of the reasons justifying the selection.
- 7.3 Prior to the procurement of a new, or joining a pre-existing, Framework Agreement, the Head of Procurement must be satisfied that such an approach represents the most economically advantageous solution for a service, work, or supply provision.
- 7.4 When setting up a Framework Agreement for the Council, the relevant Corporate Director or Senior Manager shall use the most appropriate procurement procedure permitted by the Procurement Regulations.
- 7.5 When procuring goods or services from an existing Framework Agreement, the relevant Corporate Director or Senior Manager may –
- where there is only one supplier capable of fulfilling the requirement, select that supplier;
 - where there is more than one supplier capable of fulfilling the requirement listed on the Framework Agreement and the terms and conditions and requirements of the Framework Agreement are sufficiently specific without change as to allow award to any one of the suppliers, select one of the suppliers without the need for further competition subject to demonstrating value for money.
- 7.6 When procuring goods or services from an existing Framework Agreement and there is a need to refine or supplement any of the requirements referred to in 7.5 (ii) above, a mini-competition inviting all those persons on the Framework who are capable of providing the goods and services must be held, such mini-competition to be held in accordance with the Framework Agreement provisions and CSOs 9, 10, 11 or 12 as appropriate.

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

- 7.7 All tenders from potential suppliers on Framework Agreements must be submitted via the e-tendering system unless an exemption from e-tendering has been approved in advance by the Head of Procurement as for example in the case of incompatibility with the particular Framework Agreement requirements.
- 7.8 Before establishing a Framework Agreement, the relevant Corporate Director or Senior Manager shall be satisfied that:
- (i) the term of the arrangement shall be for a period of no longer than four years;
 - (ii) the terms and conditions of the Framework Agreement do not compromise the Councils' contractual requirements;
 - (iii) full, open, and proper competition in respect of the creation of the framework has taken place.
 - (iv) consideration is given to making the Framework Agreement available to other public bodies where appropriate.

Contract Standing Order 8: Contract Value and Aggregation

- 8.1 Council Employees shall estimate and record the total value of a proposed Contract net of VAT.
- 8.2 Contracts must not be artificially separated so as to circumvent the application of any CSO or of the Procurement Regulations.
- 8.3 The total value of a Contract for works, services or supply of goods is estimated to be the same as the total consideration to be payable over the term of the Contract by the Council to the Contractor. Where the Contract period is indefinite or uncertain then the estimated total value is calculated by assuming a four-year term. If the Council has an option to extend the Contract, the value is the value of the Contract including the period of the extension.

Requirement to Obtain Tenders

Contract Standing Order 9: Tendering Procedures

- 9.1 At the outset of each procurement the Contract Officer must:
- (i) assess the business need;
 - (ii) ensure the procurement complies with corporate policies and priorities;
 - (iii) when appropriate undertake a premarket testing exercise;

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

- (iv) ensure the necessary authority is in place to undertake the procurement; and
 - (v) ensure that adequate provision is made within the Council's capital or revenue estimates and that proper technical and financial appraisals have been carried out in accordance with the Council's Financial Procedure Rules.
- 9.2 Where procurement of goods, services or works is required and the estimated total value of the Contract is in excess of the relevant Procurement Threshold, public procurement procedures shall be followed as set out in the UK Regulations and these shall prevail over the tendering procedures set out in these CSOs.
- 9.3 For most goods, services and works Contracts the restricted, open, or competitive dialogue procedure will be appropriate. Enquiries should be made of the Head of Procurement or Legal Services if it is proposed to use an innovation partnership or a competitive procedure with dialogue or negotiation.
- 9.4 For Private Finance Initiative, Public Private Partnership and similar procurement arrangements introduced by the Government, where the total Contract value is in excess of the relevant Procurement Threshold, the restricted or competitive dialogue procedure will be used.
- 9.5 The Council may procure goods, services or works to any value in collaboration with other local authorities or other public or voluntary sector bodies. Where the Council is the lead buyer within the consortium, these CSOs shall apply. Where the Council is not the lead buyer, procurement procedures shall follow the CSOs of the lead buyer.
- 9.6 When determining a suitable procurement route, consideration will be given to all tenders with respect to:-
 - (i) separating the Contract into Lots in order to promote SME engagement;
 - (ii) sustainability issues in accordance with the Council's Sustainability Policy and Sustainable Procurement Policy;
 - (iii) in the case of service contracts, the provisions of the Public Services (Social Value) Act 2012.

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

- 9.7 The procedure must be both appropriate and proportionate to the value of the contract. It must ensure that the Council achieves best value which is to be assessed by an evaluation of both the price and quality of bids received so as to determine the Most Economically Advantageous Tender over the life of the contract. Price shall be the sole criterion only where the Corporate Director, Senior Officer or the Council Employee preparing the Contract for him/her considers this to be appropriate.
- 9.8 Evaluation criteria and weightings for each procurement shall be determined in advance and included in the invitation to tender. Determination of criteria at all stages shall be undertaken in accordance with Procurement Guidance.

Contract Standing Order 10: Contracts Not Exceeding £25,000

- 10.1 Where the appropriate Corporate Director or Senior Officer estimates the total Contract value for goods, services or works is unlikely to exceed £25,000 (in the case of Consultants is unlikely to exceed £10,000) and there is a suitable Framework Agreement available, that Framework Agreement shall be used. Where no Framework Agreement is available competitive quotations in writing shall be requested or a commercial negotiation with one preferred Contractor may take place. In the latter case the Corporate Director or Senior Officer shall certify that Procurement Guidance has been followed and that the Council shall receive value for money.
- 10.2 Contracts with an estimated total value not exceeding £25,000 shall be evidenced in writing in simple cases by way of letter or the issue of an order. In the case of consultants (whatever the value) and in all other cases formal written Contracts shall be completed.
- 10.3 Although the competitive process for ensuring Contracts not exceeding a total value of £25,000 is less formal than for Contracts of greater amounts, Officers should at all times bear in mind the need to seek value for money and be able to demonstrate that they have obtained it.

Contract Standing Order 11: Contracts Exceeding £25,000 and Not Exceeding £75,000

- 11.1 Where the Contract Officer estimates the total Contract value is likely to be greater than £25,000 (in the case of Consultants greater than £10,000) but not exceeding £75,000 and an Approved List or Framework Agreement is available then at least four competitive tenders in writing shall be sought from Contractors on the relevant Approved List or Framework Agreement.

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

- 11.2 In the absence of an Approved List or Framework Agreement being available an approved tender procedure shall be used in accordance with Procurement Guidance.
- 11.3 In either case, if less than four suitably qualified tenders are available, the Contract Officer must consult with the Head of Procurement.
- 11.4 Where criteria additional to price are to be used in evaluation, these must be set out in the invitation to tender. At least two bona fide tenders must be received and the Most Economically Advantageous Tender accepted.
- 11.5 If only one compliant tender is received, the Contract Officer must consult with the Head of Procurement and provide evidence to show that the Council can obtain value for money.
- 11.6 Contracts with an estimated total value greater than £25,000 and not exceeding £75,000 shall be evidenced in writing in simple cases by the receipt of a written quotation and the delivery of an official order form. In all other cases, including consultancy arrangements, a formal written Contract must be entered into.

Contract Standing Order 12: Contracts Exceeding £75,000

- 12.1 Where the Contract Officer estimates that the total value of a Contract is likely to exceed £75,000 and either a Framework Agreement or Approved List is available, then at least five tenders will be sought from Contractors on the relevant Framework Agreement or Approved List.
- 12.2 In the absence of a Framework Agreement or Approved List being available an approved tender procedure shall be used in accordance with Procurement Guidance and, where applicable, in accordance with the Procurement Regulations and at least five tenders must be sought.
- 12.3 If less than five suitably qualified tenders are available, the Contract Officer must consult with the Head of Procurement.
- 12.4 At least two compliant tenders must be received and the Most Economically Advantageous Tender must be accepted. Notwithstanding this, if only one compliant tender is received, the Contract Officer must consult with the Head of Procurement and provide evidence to show that the Council can obtain value for money.

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

- 12.5 Where the estimated total value of the Contract is such that the Council is required by law to comply with the Procurement Regulations, the Procurement Regulations shall be complied with and the tender procedures set out in these CSOs shall be deemed to be satisfied by such compliance.
- 12.6 Decisions relating to the Contract process for Contracts exceeding the relevant Procurement Threshold shall be made by the Corporate Director or Senior Officer in consultation with either:
- (a) the Head of Procurement, for goods and services Contracts; or
 - (b) the Head of Property and Design for works Contracts.

Contract Standing Order 13: Contract Formation and Threshold for Sealing

- 13.1 All Contracts should be formed using the Council's standard terms and conditions applicable to the type of contract in question, as issued from time to time by Legal Services.
- 13.2 Electronic signatures may be used provided that the sufficiency of security arrangements has been approved by the relevant Corporate Director.
- 13.3 Any Contract with an estimated value of £100,000 or less which does not use the Council's standard terms and conditions (as referred to in paragraph 13.1) must be referred to the Head of Procurement for advice prior to the issue of the tender or quotation documents.
- 13.4 Any Contract with an estimated value of £100,000 or less which does not use the Council's standard terms and conditions (as referred to in CSO 13.1) must be referred to Corporate Procurement for advice before executing the Contract.
- 13.5 Any Contract with an estimated value over £100,000 which does not use the Council's standard terms and conditions (as referred to in CSO 13.1) must be forwarded to Legal Services prior to the issue of a tender, for advice as to whether the proposed Contract adequately protects the Council's interests.
- 13.6 Without prejudice to paragraph CSO 13.1 the Corporate Director – Corporate Services may approve other terms and conditions to be used in respect of a particular Contract or type of Contracts when appropriate to protect the Council's interests.

Section A: Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services

13.7 Subject to paragraph 13.8 below:

- (i) Contracts with an estimated value over £1,000,000 shall be executed as a deed using the Common Seal of the Council;
- (ii) Contracts with an estimated value of £1,000,000 or less may be executed as a simple contract and signed by an officer duly authorised for that purpose in accordance with CSO 3.1.

13.8 The Corporate Director – Corporate Services may, on a case by case basis or in relation to a particular class of contracts and taking all relevant circumstances into account, stipulate the method by which a particular contract or class of contracts is to be executed, irrespective of the overall estimated value of the Contract.

Tendering Process

Contract Standing Order 14: Delivery, Opening and Evaluation of Tenders

- 14.1 Tenders for Contracts must be submitted by entirely electronic means using the Council's corporate e-tendering system.
- 14.2 Alternative methods of submission, including postal submissions, may be permitted in exceptional circumstances and only with the express written authorisation from the Head of Procurement.
- 14.3 Any form of electronic submission (including e-mail) that does not form part of the corporate e-tendering system shall not be permitted, and tenders submitted in such a way shall be treated as invalid.
- 14.4 Where tenders are to be submitted electronically, paragraphs 14.4.1 and 14.4.2 shall apply:
 - 14.4.1 All tenders for any Contract shall be returned via the e-tendering system.
 - 14.4.2 A tender box shall be used and all tenders shall be opened at the same time by a minimum of two authorised procurement officers. Any tender received after the specified time shall not be considered for evaluation.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

14.5 Where tenders are to be submitted by post, paragraphs 14.5.1 to 14.5.3 shall apply:

- 14.5.1 All tenders for any Contract estimated to be under a total of £75,000 in value shall be returned to the Corporate Director or Senior Officer inviting the tender (or their nominee), or as otherwise indicated in CSOs, in envelopes which shall bear no mark to identify the sender. The Officer shall be responsible for ensuring that a record of all such tenders received is kept.
- 14.5.2 For Contracts with an estimated total value exceeding £75,000 all tenders shall be returned as appropriate to the Head of Property and Design or the Head of Procurement in envelopes, which shall bear no mark to identify the sender and shall be opened by him/her at the same time in the presence of a Council Employee designated by the relevant Corporate Director or Senior Officer. The Head of Property and Design and the Head of Procurement shall each maintain a record of all such tenders received by him/her.
- 14.5.3 All tenders shall be opened at the same time, as soon as is reasonably practicable after the closing date, normally on the closing date. On receipt, all tender envelopes shall be endorsed with the time and date of receipt and kept secure until the time specified for tender opening. Any tender received after the specified time shall not be considered for evaluation and shall be returned promptly to the tenderer. A late tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed.

Contract Standing Order 15: Contract Award

- 15.1 No Contract may be awarded unless the expenditure involved has been included in approved estimates or on capital or revenue accounts, or has been otherwise approved by, or on behalf, of the Council. The Corporate Director or Senior Officer shall ensure that evidence of authority to spend, and the budget code to be used, is recorded on the Contract file.
- 15.2 Each Contract shall be awarded in accordance with evaluation criteria that have been adopted for the Contract.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

- 15.3 Contract Officers shall arrange for formal management reviews of high value and/or high risk contracts to be put in place by Corporate Directors and shall have regard to Procurement Guidance issued on the management of Contracts.

Contract Standing Order 16: Contracts Records

- 16.1 All contract awards in excess of £30,000 shall be published, via the Council's e-tendering platform, on Contracts Finder. For procurements above the Procurement Thresholds, the contract award details must be published on Find a Tender Service, as well as Contracts Finder.
- 16.2 Each Contract Officer, responsible for the procurement process, shall be responsible for publishing information regarding the contract, onto Contracts Finder and Find a Tender Service, through the Council's e-tendering platform, within 30 days of award. Where a member of the Council's Procurement team is responsible for the tendering process then they will undertake that responsibility instead.
- 16.3 The Officer responsible for procuring a Contract, Framework Agreement or DPS whose value is estimated to exceed the applicable Procurement Threshold shall maintain a record of each procurement and shall draw up a written report complying with the provisions of Regulation 84(1-5) of the UK Regulations.
- 16.4 All procurement procedures shall be documented regardless of value and the documentation retained for 3 years from the date of award of contract.

Contract Standing Order 17: Termination

- 17.1 Contracts regulated by the UK Regulations shall incorporate the right to terminate the Contract where:
- (i) the Contract has been subject to a substantial modification which would have required a new procurement procedure under Regulation 72 of the UK Regulations;
 - (ii) the Contractor has, at the time of the Contract award, been in one of the situations referred to in Regulation 57 of the UK Regulations (mandatory exclusions) and should have been excluded from the procurement procedure; or
 - (iii) where the Contractor (or their employees) is in breach of the provisions of the Bribery Act 2010.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

Operation of Contract

Contract Standing Order 18: Contract Modification

- 18.1 Funding must be identified before any modification of an existing Contract which will require the Council to provide additional funding is approved in accordance with the Council's Financial Regulations. See Financial Regulation D.2.2.17.
- 18.2 Subject to CSO 18.1 an existing contract may be varied in accordance with specific provisions provided for in the Contract.
- 18.3 A modification not provided for in an existing Contract may be implemented subject to CSO 18.1 and the approval of the Corporate Director or Senior Officer provided that the modification is permitted in accordance with the provisions of UK Regulations.

Contract Standing Order 19: Waivers of Contract Standing Orders

- 19.1 Special procedural exemptions or waivers may from time to time be given by the relevant decision making body to particular classes of Contracts in line with the Council's procurement strategy.
- 19.2 Subject to CSO 19.6, in relation to Contracts estimated to not exceed a total value of £75,000, a Corporate Director may waive the requirements of any CSO, as long as:
 - (a) the Head of Procurement is notified as soon as possible.
 - (b) the Corporate Director certifies in writing to the Head of Procurement the CSO being waived and the reasons for doing so.
- 19.3 Subject to CSO 19.6, in relation to Contracts estimated to exceed a total value of £75,000, an Corporate Director may, after consultation with the relevant Cabinet Member and the Head of Procurement, waive the requirements of CSOs as long as:
 - (a) the waiver report (the Report) is compiled after consulting with the Head of Procurement;
 - (b) the Report is issued setting out the CSO being waived and the reasons for the waiver;

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

- (c) the Report includes legal comments (if the contract is above the relevant Procurement Threshold, as defined above) and financial comments and highlights, as necessary, any future commitment (whether of a financial character or not) which the Contract may entail; and
 - (d) the Report justifies the method of Contractor selection so that value for money and compliance with the law can be demonstrated.
- 19.4 If an emergency has been declared under the Council's emergency planning or business continuity procedures and it is not possible or practicable for a Council Employee who would normally exercise the powers of waiver under CSO 19.2 and CSO 19.3 to do so, the powers may be exercised by:
 - (i) the Council Employee who is designated to be in charge under those procedures or
 - (ii) any Council Employee appointed by him / her to act on their behalf.
- Further, if it is not possible or practicable for that Council Employee, before exercising the powers under CSO 19.3, to consult the relevant Cabinet Member or the Head of Procurement or to issue the necessary Report, the Council Employee may exercise the powers without doing so but shall take such steps as appear appropriate at the time to keep the relevant Cabinet Member and the Head of Procurement informed and shall issue the Report as soon as is reasonably practicable.
- 19.5 A report for information giving a digest of all waivers under CSO 19.2, 19.3 and 19.4 shall be made by the Head of Procurement covering the previous financial year annually to Cabinet.
- 19.6 For the avoidance of doubt, no waivers may be made so as to alter the full application of CSO 4 (Declarations of Interest and Prevention of Corruption), CSO 15 (Contract Award), CSO 16 (Contract Registers and Records), CSO 18.3 (Contract Modification), or if such waiver would result in a breach of domestic law, provided that in exceptional circumstances where the Corporate Director is satisfied that a waiver of CSO 18.3 is necessary to ensure the continuity of services, works and/or supplies which would otherwise cease, a waiver of CSO 18.3 may be made so as to permit the continuation of the services, works and/or supplies until a new contract has been let.

Section A: *Contract Standing Orders which apply to all contracts which are NOT governed by Section B: Social Care & Public Health Services and other Light Touch Regime Services*

- 19.7 A register of all waivers will be maintained by Corporate Procurement and kept available for inspection by the public with reasonable notice during working hours.

Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

CONTRACT STANDING ORDERS FOR SOCIAL CARE AND PUBLIC HEALTH SERVICES AND OTHER LIGHT TOUCH REGIME SERVICES

Introduction

The Council recognises that the procurement of the health and social care services involves a range of unique considerations, which are different and/or additional to those that apply to the procurement of other goods, services and works.

Health and social care services are treated differently for the purpose of the UK Regulations. The Council is also mindful of the duties in respect of the commissioning of adult social care services brought into force by the Care Act 2014 and of the duties in respect of the commissioning of children's social services under the statutory scheme for children, including in particular the Children Act 1989, the Children Act 2004, the Childcare Act 2006, the Children and Families Act 2014 and associated regulations and statutory guidance. The Council additionally acknowledges its duties in respect of public health including those under the National Health Service Act 2006.

In order to reflect these principles, the Council has therefore adopted these Contract Standing Orders setting out the underlying principles and administrative procedures that will be followed in relation to the procurement and award of contracts for such services.

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

Contract Standing Order 1: Interpretation

1.1 In these Contract Standing Orders, the following terms have the following meanings:

“Authorised Officer”	the relevant Corporate Director, a Senior Officer within the relevant Corporate Director’s Directorate or the officer authorised by the relevant Corporate Director to deal with the matter on behalf of their Directorate;
“Budget Holder”	a Council Employee who is accountable for a defined budget and is responsible for committing expenditure against that budget in accordance with the Council’s Constitution including the Council’s Financial Standing Orders.
“Concession Contract”	a contract for pecuniary interest concluded in writing by means of which one or more contracting authorities or utilities entrust the provision and the management of services or works to one or more economic operators, the consideration of which consists either solely in the right to exploit the services or works that are the subject of the contract or in that right together with payment which also meets the requirements of Regulation 3(4) of The Concession Contracts Regulations 2016;

Section B: Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

"Contract"	<p>(i) any agreement of the supply of the Services; or</p> <p>(ii) any Framework Agreement for the supply of the Services;</p> <p>but does not include in any circumstances</p> <p>(iii) the use of external solicitors and counsel instructed by the Corporate Director of Governance, People and Resources;</p> <p>(iv) individual employment contracts;</p> <p>(v) Grants; or</p> <p>a Concession Contract.</p>
"Contract Consultant"	any person not being an employee of the Council who is acting for the Council in relation to a Contract or proposed Contract;
"Contractor"	the party or potential party to a Contract;
"Contracts Register"	the Council's electronic register of Contracts;
"Council"	Brighton & Hove City Council;
"Council Employee"	any person employed on a permanent, temporary or agency arrangement by the Council;
"Dynamic Purchasing System"	an electronic system used to purchase commonly used goods, works or services within a limited duration;
"Corporate Director"	the Chief Executive and all Corporate Directors of the Council;
"Find a Tender"	the UK e-notification service where notices for new procurements are required to be published pursuant to the UK Regulations;
"Framework Agreement"	an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged., whether procured in accordance with the UK Regulations or outside of them, under which specific purchases can be made (or "called-off");

Section B: Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

“Grants”	an arrangement where money is given for the benefit of all or a specified section of the local community for a stated purpose other than for by the procurement of services (whether or not the services are to be provided to the Council or to third parties);
“Law(s)”	means any applicable statute or any delegated or subordinate legislation;
“Light Touch Regime”	a specific set of rules for certain service contracts. Those service contracts include certain social, health, education, and cultural services. The list of services to which the Light Touch Regime applies is set out in Schedule 3 of the Public Contracts Regulations 2015. Please note that not all contracts procured by Adult Social Care, Children’s Social Care and Public Health will be Light Touch Regime contracts;
“Notification Procedures”	a contract notice, prior information notice or other method of advertisement or notification of Contracts in Find a Tender provided for by the UK Regulations from time to time;
“Out of City Contracts”	Individual Social Care placement contracts which are made outside the city of Brighton & Hove
“Prior Information Notice”	a prior information notice which issued in accordance with the UK Regulations;
“Provider(s)”	service providers or potential service providers of the Services;
“Procurement Threshold”	the procurement threshold for the Services as amended from time to time. As of the 1st of January 2022 the procurement threshold for the Light Touch Regime is currently £663,540 inclusive of VAT if applicable;
“Services”	Light Touch Regime Services including, but not limited to, children’s social care services and adult social care services and public health services commissioned by the Council or jointly commissioned by the Council under these Contract Standing Orders;
“Senior Officer”	all Heads of Service and any other officer who is a member of the Corporate Management Team;

“UK Regulations”	The Public Contracts Regulations 2015 (SI 102/2015) and/or the Concession Contracts Regulations (SI 2016/273) as amended, extended, re-enacted or consolidated from time to time;
“Young Person”	a person who is not a child but is aged under 25 and is within the scope of the duties owed to disabled young people, young people with special educational needs and/or care leavers under the Children Act 1989 (as amended) or the Children and Families Act 2014.

- 1.2 In the event that there is any conflict or inconsistency between the provisions of these Contract Standing Orders and the Council’s other Contract Standing Orders, in relation to the procurement of the Services, these Contract Standing Orders will take precedence.
- 1.3 The Chief Executive, after consultation with the Monitoring Officer and the Chief Finance Officer, may change the non-statutory thresholds in Contract Standing Orders annually (or as appropriate) to take account of changes in the retail price index and other factors so that the effectiveness and impact of the thresholds is maintained.

Contract Standing Order 2: Compliance with Contract Standing Orders and Legislation

- 2.1 The Monitoring Officer in consultation with the Head of Procurement shall compile and maintain these Contract Standing Orders and advise on their implementation and interpretation.
- 2.2 Every Contract governed by these Contract Standing Orders shall comply with these Contract Standing Orders, all applicable Laws and the Council’s Financial Regulations. The Law including the UK Regulations will always override the provisions of these Contract Standing Orders.
- 2.3 Contractors, Contractors’ employees, subcontractors and agents utilised by the Council shall be required to, at all times, to comply with the requirements of the Health & Safety at Work etc Act 1974, all secondary legislation made under that Act and all other Acts, Regulations, Orders or Rules relating to health and safety. All Contracts shall reflect these requirements and reference to the Council’s Health & Safety Code of Practice should be made in this regard.

The Monitoring Officer and Head of Procurement may issue guidance which shall supplement these Contract Standing Orders, but these Contract Standing Orders will always take precedence over the provisions of such guidance.

Section B: Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

- 2.4 It shall be a condition of any Contract between the Council and anyone who is not a Council Employee but who is authorised to carry out any of the Council's contracts functions, that they comply with these Contract Standing Orders, and the Financial Regulations of the Council, as if they were Council Employees.

Contract Standing Order 3: Scheme of Delegation/Authorisation

- 3.1 The relevant Corporate Director has unrestricted delegated power to agree to the Council entering into Contracts or joining Framework Agreements or Dynamic Purchasing Systems which require the Council to fund up to £1,000,000. Above this sum Council Employees must seek approval from Cabinet.
- 3.2 Where the relevant Corporate Director is unavailable or otherwise unable to act, their functions under these Contract Standing Orders may be discharged by the relevant Senior Officer.
- 3.3 All Budget Holders (in relation to expenditure within their allocated budgets), Senior Officers and other officers authorised by the relevant Corporate Director or a Senior Officer may agree to the Council entering into Contracts which require the Council to fund up to £250,000. Such authorisation may be expressed or implied from the duties attached to the officer's post.

The relevant Corporate Director may agree to Prior Information Notices being issued prior to seeking Cabinet approval (if required) for any procurement.

Contract Standing Order 4: Declarations of Interest and Prevention of Corruption

- 4.1 Members of staff must avoid any conflict between their own interests and the interests of the Council. At the beginning of any Contract process the following persons shall declare any interest, as defined in the Code of Conduct for Employees set out in the Council's Constitution, which may affect the Contract process:
- i. Council Employees involved in the procurement and management of a Contract;
 - ii. Contractors;
 - iii. Contract Consultants; and
 - iv. any other person involved in the Contract process.

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

- 4.2 The relevant Corporate Director and Senior Officers shall ensure that all Council Employees within the categories set out in Contract Standing Order 4.1 and all Contract Consultants and Contractors appointed by them make written declarations of interest on their appointment and as required on any change in circumstances. Interests of Council Employees will be reviewed annually, either at the end or beginning of the financial year. The Corporate Director or relevant Senior Officer shall either certify interests as acceptable or take any necessary action in respect of potential conflicts of interest.
- 4.3 The relevant Corporate Director and/or Senior Officers shall keep completed Council Employee declarations on the register of staff declarations indicating the names and grades of those declaring an interest and the nature of their interest.
- 4.4 The relevant Corporate Director and/or Senior Officers shall keep completed Contract Consultants' and Contractors' declarations of interest and relevant Council Employees' declarations affecting the Contract on the contract file.
- 4.5 A Council Employee within the categories set out in Contract Standing Order 4.1 has an interest in a Contract if they have or potentially have a pecuniary interest or have links (for example, a family member or close friend works for the organisation), with an organisation or Contractor tendering or quoting for a Contract with the Council or already has a Contract with the Council. If it is not the subject of an existing declaration, they must immediately give written notice of their interest to the relevant Corporate Director or Senior Officer and in any event must take no part in the procurement process.
- 4.6 Council Employees must not invite or accept any gift or reward in respect of the award or performance of any Contract. It will be for the Council Employee to prove that anything received was not received corruptly. High standards of conduct are obligatory and corrupt behaviour will lead to dismissal.
- 4.7 The Contract process shall ensure that the Council will operate strict separation of duties by ensuring that two authorised Council Employees are involved in the ordering, receiving and payment process.
- 4.8 The following clause, (or an equivalent clause in standard forms of contract or other wording as approved by the Monitoring Officer) must be appear in every written Council Contract:

Section B: Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

“The Council may terminate this Contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor’s behalf do any of the following things:

- (a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council Contract (even if the Contractor does not know what has been done); or*
- (b) commit an offence under the Bribery Act 2010; or*
- (c) commit any fraud in connection with this or any other Council Contract whether alone or in conjunction with Council Members or Employees.*

Any clause limiting the Contractor’s liability shall not apply to this provision.”

- 4.9 A register of interests under Contract Standing Order 4 may be a separate register or it may form part of a general register of declarations of interest as the relevant Corporate Director or Senior Officer considers appropriate.

Contract Standing Order 5: Contract Value and Aggregation

- 5.1 Council Employees shall estimate and record the total value of a proposed Contract inclusive of VAT.
- 5.2 Contracts must not be artificially separated so as to circumvent the application of any Contract Standing Order or the UK Regulations.
- 5.3 The total value of a Contract shall be estimated to be the same as the total consideration to be payable over the term of the Contract by the Council to the Contractor inclusive of VAT. Where the Contract period is indefinite or uncertain then the estimated total value is calculated by assuming a four-year term. If the Council has an option to extend the Contract, the value is the value of the Contract including the period of the extension.

Contract Standing Order 6: General Principles

- 6.1 Contracts for the Services must be procured in accordance with the UK Regulations to the extent that those rules apply.

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

- 6.2 The Council acknowledges that, whilst the full requirements of the UK Regulations do not apply to Contracts for the Services, they are nevertheless subject to the principles of transparency and equal treatment.
- 6.3 In procuring Contracts for the Services, from the formulation of the specification for a Service and throughout the tender and award process, the Council and its officers will have particular regard to:
- i. the quality, continuity, accessibility, affordability, availability and comprehensiveness of the Services being procured;
 - ii. the specific needs of different categories of service users including in particular disadvantaged and vulnerable groups;
 - iii. the involvement and empowerment of service users; and
 - iv. innovation in the type of and/or delivery of services.
- 6.4 The Council recognises that the Care Act 2014 introduces and consolidates a number of duties which will be relevant to its commissioning and procurement functions and decisions. Accordingly, in procuring Contracts for the Services where the Care Act 2014 is applicable, from the formulation of the specification for a Service and throughout the tender and award process, the Council and its officers will take account of the Council's duties to:
- i. promote the well-being of the individuals who will be in receipt of the Services;
 - ii. provide and arrange Services which will contribute towards the prevention or delay in the development of or reduction in the needs of adults and carers in the area;
 - iii. promote the integration of care and support with health services;
 - iv. provide a variety of different Providers of the Services in its geographical area;
 - v. facilitate a variety of high quality services from which an individual can choose to obtain the Services;

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

- vi. properly shape and maintain the sustainability of the market for the Services; and
 - vii. make available to Providers information about demand for the Services, both current and forecast and other relevant data about the market.
- 6.5 The Council also acknowledges its duties in respect of the commissioning of children's social services. Accordingly, in procuring Contracts for Services for children and Young Persons, the Council and its officers will also comply with its duties under the Children Act 1989, the Children Act 2004, the Childcare Act 2006, the Children and Families Act 2014 and associated regulations and statutory guidance.
- 6.6 The Council will comply with its duties in respect of public health under the National Health Services Act 2006 when procuring Contracts for the Services.
- 6.7 The Council will have regard to the Public Services (Social Value) Act 2012 when procuring Contracts for the Services.

Contract Standing Order 7: Tendering Processes

- 7.1 All tender processes will be proportionate to the value of the Contract and the nature of the Services.
- 7.2 Where the value of a Contract for the Services exceeds the Procurement Threshold, the Authorised Officer, following consultation with the Head of Procurement or Strategic Procurement Manager(s), will be responsible for deciding the process to be followed to ensure that the UK Regulations are complied with and the requisite details of the Contract are made known through the Notification Procedures.
- 7.3 Where the value of a Contract is below the Procurement Threshold, the Authorised Officer (who must in the case of Contracts over £25,000 must first consult with the Head of Procurement or Strategic Procurement Manager(s)) may determine that, save for any notice requirements set out in Contract Standing Order 7.2 above, a competitive procedure for the tender of the Contract is not required or only a limited competition is required. Such a decision may be appropriate for the reasons including (but not limited to) the following:

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

- i. the Service is of such a specialised nature that no other suitable Provider exists; and/or
- ii. the Provider(s) of the Service is(are) best placed to meet the needs of the service user(s) concerned; and/or
- iii. an innovative, specialised, cost effective or unique Service is being offered by a particular Provider(s) and the Council wishes to improve the effectiveness of that Service; and/or
- iv. a soft market testing activity conducted by Procurement indicates that the Provider is best placed to provide the Service; and/or
- v. the nature of the Service is such that it will not or cannot be adequately specified in advance because of the nature of the social care needs of the service user(s) concerned; and/or
- vi. an urgent service user placement needs to be made and cannot be made under an existing Framework Agreement or Dynamic Purchasing System which the Council is signed up to; and/or
- vii. there are special circumstances such as ownership of land or property, geographic locations or particular skills or experience of Providers of the Services which limit the choice of Provider; and/or
- viii. the application of a competitive tender process would adversely affect or result in the loss of a linked service, cause destabilisation, affect continuity of existing Services or lead to a lack of Service provision; and/or
- ix. the application of a competitive tender process is not proportionate to the value of Contract or the nature of the Services; and/or

Section B: Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

- x. it has become urgent to provide the Services and the timescales for a competitive tender process cannot be reasonably complied with.
- 7.4 The relevant Corporate Directors will be required to maintain a list of all Contracts within their Directorate with a contract value of £25,000 or above which they decide do not require to be procured through a competitive procedure on the basis of the determinations made under Contract Standing Order 7.3. This list must be provided to the Head of Procurement on an ongoing basis in accordance with the Head of Procurement's reasonable instructions.
- 7.5 In the case of Out of City Contracts, where the value of the Contract is below the Procurement Threshold, the Authorised Officer may determine, without prior consultation with the Head of Procurement, that save for any notice requirements set out in Contract Standing Order 7.2, a competitive procedure for the tender of the Contract is not required. Such a determination may be made by the Authorised Officer for the reasons set out in (but not limited to) CSO 7.3 (i) to (x).

Contract Standing Order 8: Stakeholder participation and engagement

- 8.1 Where possible and proportionate, the Council will aim to involve and encourage service users and their representatives in the commissioning and procurement process, for example to help inform the design the specification for the Service and act on any feedback on a Service provided.
- 8.2 The Council will aim to engage Providers or their representatives in the commissioning and procurement cycle to enable planning and investment in the Services and improved design of the Services where proportionate.

Contract Standing Order 9: Evaluation and Award

- 9.1 When awarding Contracts for the Services, the Council will use award criteria which are properly linked to the subject matter of the Contract. In addition to price the following will be (amongst others) appropriate considerations:
 - i. social and environmental aspects of the submission;

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

- ii. the quality, continuity, accessibility, affordability, availability and comprehensiveness of the Services being offered;
 - iii. any preferences expressed by individuals who will be in receipt of the Services or their representatives;
 - iv. the outcomes the Services are designed to achieve for individuals; and
 - v. the degree to which the Services are designed to prevent, delay or reduce the needs of individuals in receipt of the Services.
- 9.2 The Authorised Officer in consultation with the Council's Procurement team will ensure that tenders received for the Services are evaluated in accordance with the evaluation criteria that have been adopted for the Contract and stated in the invitation to tender ("the **Criteria**").
- 9.3 The Criteria must be capable of objective assessment the Authorised Officer must consider including quality aspects as well as price. Criteria will be weighted by relative importance in a way which reflects the needs of the Council and the ability of the market to deliver.
- 9.4 When deciding whether a tender submission offers best value for money, the Council will take into account the quality of the offer and any price/quality ratio. Within that the Council may choose the weighting of the different aspects as appropriate to ensure competent and quality delivery of the Services in balance with delivering against the Council's other pressures.

Contract Standing Order 10: Framework Agreements and Dynamic Purchasing Systems

- 10.1 Prior to accessing any Framework Agreement or Dynamic Purchasing System the relevant Corporate Director or Senior Officer must firstly determine that the Framework Agreement or Dynamic Purchasing System is available for legitimate use by the Council in accordance with the UK Regulations.

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

- 10.2 Where two or more Framework Agreements of Dynamic Purchasing Systems exist which are capable of fulfilling the Council's requirements, the relevant Corporate Director or Senior Officer shall select the one they consider (a) to represent the best value for money and (b) best meet any other relevant criteria including any potential service users' needs and shall keep a written record of the reasons justifying the selection.
- 10.3 When procuring Services from an existing Framework Agreement or Dynamic Purchasing System, the relevant Corporate Director or Senior Officer must select Providers in accordance with the UK Regulations and the requirements and the terms and conditions of the Framework Agreement or Dynamic Purchasing System.
- 10.4 When setting up a Framework Agreement or Dynamic Purchasing System for the Council, the relevant Corporate Director or Senior Officer shall use the most appropriate procurement procedure permitted by the UK Regulations and shall have regard to the criteria set out Contract Standing Order 9.1 above.

Contract Standing Order 11: Contract Formation and Threshold for Sealing

- 11.1 Subject to Contract Standing Order 11.3 and 11.4, Contracts should be formed using the Council's standard terms and conditions applicable to the type of contract in question, as issued from time to time by Legal Services.
- 11.2 Electronic signatures may be used provided that the sufficiency of security arrangements has been approved by the relevant Corporate Director.
- 11.3 Any Contract with an estimated value of £100,000 or less which does not use the Council's standard terms and conditions must be referred to the Head of Procurement(s) for advice prior to the issue of the tender or quotation documents and the execution of the Contract.
- 11.4 Any Contract with an estimated value over £100,000 which does not use the Council's standard terms and conditions must be forwarded to Legal Services prior to the issue of a tender and the execution of the Contract, for advice as to whether the proposed Contract adequately protects the Council's interests.

Section B: Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts

- 11.5 Without prejudice to paragraph Contract Standing Order 11.1, Legal Services may approve other terms and conditions to be used in respect of a particular Contract or type of Contracts when appropriate to protect the Council's interests.
- 11.6 Subject to Contract Standing Order 11.7 below:
- i. Contracts with an estimated value over £1,000,000 shall be executed as a deed using the Common Seal of the Council;
 - ii. Contracts with an estimated value of £1,000,000 or less may be executed as a simple contract and signed by an officer duly authorised for that purpose in accordance with Contract Standing Order 3.
- 11.7 The Monitoring Officer may, on a case by case basis or in relation to a particular class of contracts and taking all relevant circumstances into account, stipulate the method by which a particular contract or class of contracts is to be executed, irrespective of the overall estimated value of the Contract.

Contract Standing Order 12: Contracts Records

- 12.1 All contract awards in excess of £30,000 shall be published, via the Council's e-tendering platform, on Contracts Finder. For procurements above the Procurement Thresholds, the contract award details must be published on Find a Tender Service, as well as Contracts Finder.
- 12.2 Each Contract Officer, responsible for the procurement process, shall be responsible for publishing information regarding the contract onto Contracts Finder and Find a Tender Service, through the Council's e-tendering platform, within 30 days of award. Where a member of the Council's Procurement team is responsible for the tendering process then they will undertake that responsibility instead.
- 12.3 The Officer responsible for procuring a Contract, Framework Agreement or Dynamic Purchasing System whose value is estimated to exceed the Procurement Threshold shall maintain a record of each procurement and shall draw up a written report complying with the provisions of Regulation 84(1-5) of the UK Regulations.
- 12.4 All procurement procedures shall be documented regardless of value and the documentation retained for 3 years from the date of award of contract.

Section B: *Section B: Contract Standing Orders which apply ONLY to Social Care & Public Health Services and other Light Touch Regime Service Contracts*

Contract Standing Order 13: Contract Modification

- 13.1 Funding must be identified before any modification of an existing Contract which will require the Council to provide additional funding is approved.
- 13.2 Subject to Contract Standing Order 13.1 an existing contract may be varied in accordance with specific provisions provided for in the Contract.
- 13.3 A modification not provided for in an existing Contract may be implemented subject to Contract Standing Order 13.1 and the approval of the relevant Corporate Director or Senior Officer provided that the modification is permitted in accordance with the provisions of UK Regulations.

Brighton & Hove City Council

Council

Agenda Item 67

Subject: Pay Policy Statement 2025/26

Date of meeting: 30 January 2025

Report of: Director – People & Innovation

Contact Officer: Name: Laura Rush
Email: laura.rush@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 The Localism Act 2011 requires local authorities to produce a pay policy statement to be approved by Council annually before the start of the financial year to which it relates. The aim is to increase accountability, transparency, and fairness in the setting of local pay.

1.2 The pay policy statement:

- sets out the council's policies on a range of issues relating to the pay of its workforce, particularly its senior and lowest paid staff;
- summarises the parameters within which staff are paid;
- describes the parameters being governed by a local pay framework set with reference to national terms and conditions, and nationally agreed pay awards

1.3 The provisions in the Act do not seek to determine what decisions on pay should be taken, or what policies should be in place, but they do require councils to be open about their policies and how decisions are made.

1.4 This report asks Council to approve the attached pay policy statement for adoption from 1 April 2025.

2. Recommendations

2.1 That Full Council adopts the pay policy statement for 2025/26 attached at Appendix 1.

3. Context and background information

The Pay Policy Statement

- 3.1 The Localism Act 2011 requires local authorities to produce and formally approve an annual pay policy statement prior to the year to which it relates. The statement for 2025/26 is attached at Appendix 1. The council may amend its statement by resolution of Council if required during the year.
- 3.2 Schools' staff fall outside the scope of this legislation. Individual governing bodies are responsible for setting and updating their own Schools' Pay Policy each year.
- 3.3 The guiding principles for the council's pay policy are set out in the 'Aim' section of the statement. The council has adopted national terms and conditions, and these provide scope for local determination on grading structures, as well as the ability to negotiate on working pattern allowances. Local authorities have the ability to determine their grading structures and payments over and above basic pay.
- 3.4 Chief Officers, for the purpose of this legislation, are those who report to the Chief Executive and those who report to posts reporting to the Chief Executive i.e. deputy chief officers (aside from support roles).
- 3.5 The statement must provide a definition of lowest-paid employees adopted by the council for the purposes of the statement and include the council's policies relating to the remuneration of chief officers, payments to chief officers on leaving, and the publication of information on the remuneration of chief officers. The pay policy statement provides links to our existing policies on redundancy, retirement, and other compensation payments. These policies set out who is responsible for decisions on such payments.
- 3.6 The council's pay policy statement provides that an Appointment and Remuneration Panel is responsible for advising on any proposal to offer a salary package for any Officer that is outside of the current grading structure and exceeds £100,000. In this way, it is ensured that adequate systems are in place to ensure value for money. The same provision is made regarding severance packages above £100,000, with the Chief Executive having authority to agree a severance package above £100,000 where the severance package has been recommended by the Appointments & Remuneration Panel. In accordance with Statutory Guidance, this figure does not include amounts that may be payable by virtue of any enactment e.g. redundancy retirements where payment is in line with legal requirements and normal council policy.
- 3.7 All other severance packages are scrutinised by an officer Compensation Panel comprising the Director of People & Innovation, the Monitoring Officer and the s151 Officer (or their nominated deputies). The Compensation Panel makes recommendations to the relevant Corporate Director responsible for the severance package. The council's external auditors are also consulted about the value for money of any potential offers to Chief Officers. Compensation packages in excess of £100,000 which relate to the Chief Executive will be referred to full Council for approval.

- 3.8 Following the revocation in March 2021 of the Restriction of Public Sector Exit Payment Regulations 2020, the Government issued statutory guidance in May 2022 pursuant to the Local Government Act 1999, which sets out the Council's 'best value' duty in legislation. That guidance sets the criteria for the Council to consider when determining whether to make a 'Special Severance Payment' ('SSP'). SSPs are payments outside of statutory, contractual or other requirements and are discretionary. The Government's view is that SSPs should only be considered in exceptional circumstances. The Compensation Panel pays due regard to this guidance when considering relevant cases.
- 3.9 The Localism Act 2011 does not require specific numerical data on pay and reward to be published as part of a council's pay policy statement. However statutory guidance made under section 40 of the 2011 Act suggests that consideration be given to how the pay policy statement fits with data on pay and reward that councils are already required to publish on their websites under the [Local Government Transparency Code](#) and by the [Accounts and Audit Regulations 2015](#). The data published is in an accessible format according to the guidance contained in the aforementioned publications.
- 3.10 The council publishes pay data annually in accordance with the Local Government Transparency Code. The majority of this information is published as soon as possible after the start of the financial year. However, information required in line with the Accounts and Audit Regulations 2015 is published in May each year in an unaudited format, and then the fully audited accounts are published in July each year.
- 3.11 The Localism Act 2011 requires authorities to explain what they think the relationship should be between the remuneration of its chief officers and its employees who are not chief officers. The pay multiple is calculated using the median pay of all employees within the scope of the Pay Policy Statement as a multiple of the Chief Executive's salary. This method is in line with the Hutton report on Fair Pay, which is referred to in the 'Openness and Accountability in Local Pay' guidance. For the financial year 2023/24, the pay multiple was 5.2 to 1. This is a 0.2 increase from 2022/23. This is recalculated after the end of the financial year and published on the council's website as part of our pay data. The pay multiple is calculated using the definition contained in the Local Government Transparency Code, i.e. the ratio between the highest paid employee (usually the Chief Executive, as is the case with Brighton & Hove) and the median salary across the workforce (excluding school staff). In addition, in 2021, revised guidance on the publication of fair pay disclosures was issued, requiring the publication of additional data; the top to median, lower quartile and upper quartile staff pay multiples (ratios).
- 3.12 The fair pay disclosures (pay multiples) will be published on the Council's website and monitored annually. The pay multiples for financial year 2024/25 are yet to be calculated as the data used includes March 2025 pay data. This will take into account the national pay awards for 2024/25, most of which were agreed late in the year and only implemented recently.

- 3.13 The pay policy statement, when published on our website, will contain hyperlinks to related information. This will include reference to the separate pay policy for directly employed teachers at the council.
- 3.14 The Real Living Wage will increase from £12.00 to £12.60 per hour with effect from 1st April 2025: an increase of 10.10%. However, the council's lowest pay point has now exceeded this level of pay, with the lowest pay point as at April 2024 being £13.26, this is 5.24% higher than the Real Living Wage rate at the time and will likely increase further when the 2025 national NJC pay award is agreed.

Gender Pay Gap reporting for period to March 2023.

- 3.15 Driven by The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, the council reporting for the period to March 2024 showed that, on average, female employees earned 7.2% more than male employees, and that using the median as a measure, female employees earned 3.0% more than male employees.

4. Analysis and consideration of alternative options

- 4.1 Section 39(1) of the Localism Act 2011 requires the Council to approve its Pay Policy Statement, while section 39(5) requires that it publish its Pay Policy Statement as soon as reasonably practicable after approval. This Report and the Pay Policy Statement are considered to achieve the appropriate levels of transparency and to comply with relevant guidance.

5. Community engagement and consultation

- 5.1 The purpose of this pay policy statement is to provide transparency regarding how local decisions on pay are made. There will be no separate consultation, however trade unions have been made aware of the contents.

6. Conclusion

- 6.1 It is a requirement of the Localism Act 2011 that Members are consulted prior to the publication of the Pay Policy Statement. It is therefore recommended that Strategy, Finance & City Regeneration Committee approve this report and recommend that full Council formally approve the Pay Policy Statement 2025/26.

7. Financial implications

- 7.1 The annual pay policy statement supports good governance and also allows benchmarking comparisons with other local authorities to assess Value for Money and to demonstrate that consideration of the policy has been given in respect of the council's Best Value duty.

Finance officer consulted: Nigel Manvell Date: 19/12/24

8. Legal implications

- 8.1 This Pay Policy Statement complies with the requirements of s38 of the Localism Act 2011 and with relevant statutory guidance.
- 8.1 It is a requirement of section 39(1) of the Localism Act 2011 that the Pay Policy Statement be approved by full Council.

Name of lawyer consulted: Victoria Simpson Date consulted (06/01/25):

9. Equalities implications

- 9.1 The publication of a pay policy statement increases transparency in relation to pay and promotes fairness.

10. Sustainability implications

- 10.1 None

11. Other Implications

Social Value and procurement implications

- 11.1 The pay policy statement provides local taxpayers with information on how the council makes local decisions on pay and thus provides greater openness and transparency to assist the public to assess value for money

Supporting Documentation

1. Appendices

- 1. Appendix 1: Pay Policy Statement 2025/26

Appendix 1

Brighton & Hove City Council Pay Policy Statement 2025/26

1 Aim

Brighton & Hove City Council wants to ensure that the City and its residents receive high quality services and excellent value for money. In the context of the significant budget challenges that the council faces, pay levels need to be set at a level that will enable the council to attract and retain high caliber individuals while remaining prudent in its use of public funds.

To achieve this, the council requires a workforce that is conscientious, professional, and reliable at all levels and which has the relevant up-to-date skills and knowledge to deliver high quality services to the residents of and visitors to Brighton & Hove.

The council depends on a high calibre senior management team able to provide leadership and to work in close partnership with other private, public and voluntary agencies across the City. The senior team need to work with partners to assess and understand the level of need across the City and to commission and deliver services. At the same time, they need to be able to lead change programmes and reduce costs to deliver better outcomes for customers. An innovative, skilled and experienced workforce is vital to the delivery of our vision and this is at the heart of our pay policy. This principle applies from the lowest to the highest paid employee.

Whilst recognising the market rates for pay and seeking to attract the best talent, the council seeks to ensure that pay policies are based on fairness and equality and allow the workforce to live healthy and happy lives. The council has worked to address low pay and ensure that the pay gap between the highest and the lowest paid is appropriate and justified. As at April 2024 the council's lowest pay point £13.26, is 10.5% higher than the April 2024 'Real Living Wage' of £12.00, and 20.8% higher than the 24/25 National Living Wage Rate of £11.44. Note from 1st April 2025, the Real Living wage is due to increase to £12.60, and the NLW to increase to £12.21. The pay multiple between the Chief Executive and the median earnings of the workforce is published annually on the council's website.

2 Scope

This document complies with the council's statutory responsibility to produce a pay policy statement annually pursuant to s38(1) of the Localism Act 2011. This policy statement requires approval by full Council. The council wishes to ensure that local taxpayers are able to take an informed view on all aspects of the council's remuneration arrangements and the pay policy statement will be published on the council's website.

The statement applies to all employees of the council and 'casual workers', except for those staff based in schools and apprentices throughout the council.

3 Definitions

For the purposes of the pay policy statement the following definitions will apply:

- Brighton & Hove City Council defines its lowest paid employees as those who are paid on the lowest spinal column point of its [grading structure](#). This is spinal column point 7 and is applied to casual workers as well as employees. A full-time post is based on a 37-hour week.
- Chief Officers, for the purpose of this legislation, are those who report to the Chief Executive and those who report to posts reporting to the Chief Executive i.e. deputy chief officers (aside from support roles).
- The publication of the 'pay multiples' provides a calculation in the form of a ratio between the median average earnings across the organization, and the highest paid employee and was recommended by the Hutton report on Fair pay.

Senior Structure

With effect from 1st January 2025, the Corporate Leadership Team comprises the following posts:

- Chief Executive;
- Corporate Director Families, Children and Wellbeing ;
- Corporate Director Homes and Adult Social care;
- Corporate Director City Operations
- Director Governance and Law (Monitoring Officer)
- Director Property and Finance (S151)
- Director People and Innovation
- Head of Corporate Leadership Office
- Head of Cabinet Office
- Director Adult Social Care
- Director Public Health

The Extended Corporate Leadership Team comprises members of the Corporate Leadership Team and Directors ([Link to structure chart – new structure from 1/001/25 awaiting publication](#)).

National Pay and Conditions

There are a number of national agreements produced through collective bargaining arrangements for different groups of local government staff. The main negotiating bodies relevant to our workforce and their scope are listed below. Brighton & Hove City Council operates these national conditions as amended by local agreements.

The National Joint Council (NJC) for Local Government Services negotiates collective agreements on pay and conditions for local authority employees who are not covered by other specialist negotiating bodies (e.g. teachers).

The Joint Negotiating Committee for Chief Officers of Local Authorities (JNC) covers the pay and conditions for Chief Officers (this includes deputy Chief Officers).

The Joint Negotiating Committee for Chief Executives of Local Authorities covers the pay and conditions for Chief Executives.

The Soulbury Committee negotiates the pay and conditions for advisory staff in local authorities, such as: educational improvement professionals (previously advisers and inspectors) and educational psychologists.

The Joint Negotiating Committee for Youth and Community Workers covers the pay and conditions of youth and community workers.

4 Governance

While full Council formally approves the Council's Pay Policy Statement, Cabinet is responsible for setting policy on pay and conditions of employment within Brighton & Hove City Council. The council has adopted the National Joint Council terms and conditions for local authority staff as amended locally. Chief Officers, including the Chief Executive, are mainly employed on nationally negotiated terms and conditions but their pay structure is determined locally.

The relevant sub-committee, committee or the Chief Executive approves the appointment of staff in accordance with the Officer Employment Procedure Rules. The council has adequate systems in place through the Appointment & Remuneration Panel to ensure value for money.

The Appointments and Remuneration Panel may also be consulted for its views in connection with the statement of pay policy as defined in the council's Constitution. The policy in respect of the remuneration of interims and consultants is set out under paragraph 20 below.

5 Grading Structure

The council uses a recognised, analytical job evaluation scheme to ensure that there is an objective process for determining the relative size of jobs and thus allocating jobs to the appropriate grade. This is used for all posts, apart from staff employed on Teachers, Soulbury and Youth Worker conditions of service. The current pay and grading structure was implemented in September 2022.

6 Progression

All posts, apart from that of the Chief Executive are employed on grades containing spinal column points. All employees (other than the Chief Executive) progress through their grade each year (subject to satisfactory performance), rising by one incremental point, until they reach the maximum point of the grade. Pay awards for NJC, JNC, Soulbury and Teaching staff are negotiated nationally

With the exception of Soulbury and Teaching staff employees may be accelerated up the pay grade by a maximum of two spinal column points to recognise exceptional performance. Link to [Additional Payments Policy](#). National terms and conditions for Soulbury and Teaching Staff incorporates specific requirements around progression related to performance.

7 Remuneration on Appointment

Staff are usually appointed on the minimum spinal column point of the grade. However line managers have discretion to appoint above the minimum of the grade including where there are difficulties recruiting to a post or where an individual can demonstrate significant valuable previous experience.

The Chief Executive is required to consult the council's Appointments & Remuneration Panel on the appropriate starting salary where there is any proposal to offer a salary outside of the current grading structure for Chief Officers.

In addition, an Appointment and Remuneration Panel is responsible for advising on any proposal to offer a salary package for any other Officer that is outside of the current grading structure and exceeds £100,000.

8 Chief Executive

The Chief Executive's salary is set to ensure that it is competitive when compared to roles of similar size and complexity elsewhere and with regard to the challenges, additional hours and working arrangements required to achieve the requirements of the role. The salary is on a single fixed salary point. Nationally negotiated cost of living awards are applied.

The Chief Executive may receive a fee for acting as the Returning Officer at elections. Fees for local elections are set using the East Sussex Scale of Election Fees & Charges. National election fees are set by the Ministry of Housing and Local Government.

Full Council is required to approve the appointment of the Chief Executive following the recommendation of such an appointment by the Appointment & Remuneration Panel.

9 Corporate Leadership Team

The pay and grading of the Corporate Leadership Team is determined by the requirements of the role and by reference to the labour market for roles of a similar size and complexity. Corporate Directors progress to the next point of their grade scale subject to meeting objectives set in their annual Performance and Development Plan as determined by the Chief Executive. Once at the top of the scale they continue to receive the JNC for Chief Officers nationally negotiated cost of living awards.

11 Additional Payments

In order to ensure sufficient flexibility to reward staff who are undertaking additional responsibilities, the council's policy on [Additional Payments](#) provides for Acting Up payments or a one-off Honorarium Payment to be made in specific circumstances.

12 Market Supplements

The Council may pay a market supplement, in accordance with the council's market supplement policy, where there are proven shortages of individuals with particular skills and experience.

13 Travel and Expenses

The Council is committed to becoming a carbon neutral city and promoting healthy and sustainable travel. This means that when employees are required to travel, they should be aware of choosing the most cost-effective, efficient and sustainable ways of travelling, both to and from work and within the working day.

Staff should first ensure that travel is necessary and that the intended outcome could not be achieved by other means, such as email or telephone or video-conferencing. Where travel is necessary, staff should make optimum use of diary planning to minimise the number of business travel journeys made and should explore walking, cycling, public transport options before using a car.

Where authorised to do so, employees are entitled to be reimbursed for mileage they incur whilst discharging their official duties. This does not include mileage to or from home to their normal place of work. The rate of [reimbursement](#) will depend on the engine size of their car, while other rates are applicable where motorbikes and bicycles are used for this purpose. Employees who have to use public transport to travel for their role are entitled to reclaim the costs of the transport under the council's expenses policies.

14 Working Pattern Allowances

The council introduced its current allowance scheme for those employed on NJC terms and conditions on the 01 October 2013; these allowances reward employees who work outside the council's standard working week, which is Monday to Friday between 6am to 8pm each day. Working outside of these standard times will attract an enhancement to the hourly rate. Details can be found in the Employee Rights & Responsibilities document.

15 Annual Leave

Annual leave entitlements vary according to the terms and conditions of employment. [Annual leave entitlements](#) are published on the Council's website.

16 Pension Scheme

Membership of the Local Government Pension Scheme is subject to the rules of the scheme and contribution rates are set by the East Sussex County Council Pension Fund ([Link to rates on ESCC Website](#)).

17 Redundancy, Retirement and other Compensation Payments

The council's approach to dismissals on the grounds of redundancy or efficiency of the service and in the case of early retirement can be found in the following policies

on our website: [Redundancy, Retirement and other Compensation Payments policy statement](#) and [Retirement at Brighton & Hove](#).

It is the council's policy that employees who accept a financial package on voluntary termination of their employment with the council are not re-employed or engaged as a self-employed contractor or through an agency for a minimum period of two years; details of this policy can be found in the [Re-Employment of Employees policy](#).

In exceptional circumstances, the council will agree to settle a claim or potential dispute upon the termination of employment by way of a compensation payment. In this situation, an officer panel comprised of the Director People and Innovation (or their delegate), the Monitoring Officer (or their deputy) and the S151 Officer (or their deputy) will review a business case prepared by the relevant Chief Officer. While the officer panel will scrutinise the business case and may endorse it, make recommendations regarding it or advise against it, responsibility for the final decision remains with the relevant Chief Officer.

In the case of Chief Officers, other than those who report to members of the Corporate Leadership Team, and in any case where the proposed total payment is £100,000 or more and does not meet the definition of a Special Severance Payment outlined in statutory guidance, then the Chief Executive may approve the severance package where the package has been recommended by the Council's Appointment & Remuneration Panel. The council's External Auditor is also consulted about any potential offers to Chief Officers.

Where a Special Severance Payment of between £20,000 and £100,000 is made to any officer then as well as being approved by the Chief Executive, a record shall be made of the approval of the Leader or any other member agreeing it. All Special Severance Payments of over £100,000 and any compensation packages in excess of £100,000 which relate to the Chief Executive must be approved by full Council.

18 Pay Protection

In cases where an employee is redeployed into a lower graded role due to their original role being made redundant, the annual protection payment will be the difference between the employee's normal contractual pay in the former post and the normal contractual pay of the new post in year 1; and in year 2 it will be 75% of this value. After which the employee will be paid at the top of the grade for the role they've been redeployed into.

An employee will have the amount of their protection re-calculated should their pay details change at any point during the protection period so that their amount of pay does not exceed the pay they received in the role they were made redundant from.

19 Job Evaluation

The council grades all NJC and JNC Chief Officer roles using a job evaluation scheme to ensure roles of equal value are paid equitably. The council's allowance

scheme sets out circumstances where individuals are entitled to payments beyond their basic grade.

20 Remuneration of Staff – Contract for Services

Individuals employed on a contract for services will be paid at a rate consistent with the pay of directly employed staff performing a comparable role and will consider where relevant, a premium to take into account any relevant market factors. It is the council's policy to minimise the use of consultants wherever possible and the approval of the Chief Executive is required prior to any commitment to expenditure on consultants in excess of £10,000.

21 Remuneration of Staff and Pay Multipliers – Publication of Information

The council publishes details of staff earnings in accordance with legal requirements on transparency. This includes the relationship between the remuneration of Chief Officers and the median salary of our workforce. The 'pay multiple' will be calculated each year and published on the [Council's website](#). Historical information will be retained in order to monitor the pay multiple over time.

Further information is contained in the [Statement of accounts](#) in accordance with the Audit of Accounts legislation.

22 Gender Pay Gap Report

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 requires all local authorities with more than 250 employees to publish gender pay gap data based on a 'snapshot' date of 31 March of the previous year to the year in which the data is published.

The gender pay gap is defined as the average pay gap between male and female staff in hourly pay. The council is required to publish the mean and median differences between male and female employees and the proportions of each gender in each pay quartile.

Further requirements stipulate the need to publish information related to bonuses received by each gender, however the council does not pay bonuses, and as such the council does not report under these headings.

The council publishes ethnicity pay and disability gap reports on a voluntary basis.

For further information please see the most recent. [Gender Pay Gap Report](#)
[Gender Pay and Ethnicity Pay Gap Reports](#).

Brighton & Hove City Council

Council

Agenda Item 69

Subject: Budget Protocol

Date of meeting: 30 January 2025

Report of: Director of Governance & Law

Contact Officer: Name: Anthony Soyinka
Tel: 01273 291006
Email: Anthony.Soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1 Purpose of the report and policy context

- 1.1 To agree the protocol for setting the council's budget and council tax including proceedings at the February Budget Council meeting of the full Council in order to facilitate the decision-making process.

2 Recommendations

- 2.1 That the budget protocol outlined in Appendix 1 be approved for use at the Budget Council meeting on the 27 February 2025.
- 2.2 That the Legal Advice Note as set out at Appendix 2 be noted.

3 Context and background information

- 3.1 Budget Council is a special meeting of the Authority to set the Council Tax for each year and approve the General Fund and Housing Revenue Account budgets for the year ahead. In order to help councillors with the process and running of the meeting, and provide clarity for members of the public, a protocol has previously been adopted requiring the suspension of Standing Orders in so far as it is required to adhere to the protocol.
- 3.2 The protocol is being put to the Council ahead of the budget meeting so that all Members can be fully aware of the procedure that will be followed should the protocol be approved. The protocol also proposes that there will be a limitation as to the number of amendments that directly impact the budget proposals ('budget amendments') and a defined timeline for their clearance prior to Budget Council to ensure safe and manageable decision-making.
- 3.3 The budget proposals are first considered by the Cabinet for recommendation on to Budget Council. Under normal procedure rules amendments can be submitted up to 10:00am on the morning of the day before the meeting. However, in the case of amendments that impact the budget proposals, this is not appropriate as such amendments would be highly likely to be disallowed due to the lack of time to undertake the necessary checks, including by the S151 Chief Financial Officer and Monitoring Officer.
- 3.4 To further aid the smooth running of the budget and Council Tax setting process, a Legal Advice Note is normally provided to the Budget Council

meeting setting out the legal, financial and practical consequences of a failure or delay in setting the Council Tax. A copy of the advice note is provided at Appendix 2.

4 Analysis and consideration of alternative options

- 4.1 Without the proposed protocol, the Budget Council meeting will need to follow the usual process for its meetings, and this would prove difficult and lead to potentially lengthy adjournments and points of clarification. As such, the use of the protocol is recommended as has been custom and practice in this authority.

5 Community engagement and consultation

- 5.1 The Council has provided budget information on its website to inform members of the public how the budget is formulated and set. A 'Budget Simulator' has also been developed to enable members of the public to share their own views of how they would balance the council's budget. This has been provided through the council's 'Your Voice' consultation portal. Further details of consultation and engagement undertaken will be provided in the General Fund and Housing Revenue Account budget reports to Cabinet and Budget Council. The budget proposals will also be shared and discussed at Overview & Scrutiny meetings in February.

6 Conclusion

- 6.1 The budget protocol has been used successfully at previous budget meetings and it is recommended that this approach is continued in order to ensure clarity of the process for all councillors in advance of the meeting.

7 Financial implications

- 7.1 There are no direct financial implications as the proposals are aimed at facilitating a smooth but robust procedure for facilitating the budget and Council Tax setting process at the Budget Council.

Finance officer consulted: Nigel Manvell

Date consulted: 6.01.25

8 Legal implications

- 8.1 The legal implications of not setting a budget are outlined in Appendix 2 to the report. The adoption of a clear protocol to support the meeting will assist councillors with the smooth running of the meeting and support the Council to meet its legal obligation to set a budget within the statutory timescales.

Lawyer consulted: Elizabeth Culbert

Date consulted: 6.01.25

9 Equalities implications

- 9.1 The protocol has been drawn up to enable a full discussion of the budget and for all Members who wish to participate in the debate and budget setting process.
- 9.2 The budget reports that will be considered at the meetings will include equalities impact assessments as appropriate.

10 Sustainability implications

- 10.1 The protocol is proposed primarily to ensure the smooth running of the Budget Council meeting and to enable the budget to be set rather than

having to reconvene the meeting on another day which would then have an impact in terms of the resources required for a further meeting.

11 Crime & disorder implications

11.1 There are no crime & disorder implications associate with the report.

12 Public health implications

12.1 There are no public health implications associated with the report.

Supporting Documentation

Appendices:

1. Budget protocol for 27 February 2025 Budget Council meeting
2. Setting a lawful budget for 27 February 2025 Budget Council meeting

Proposed Budget Protocol 2025/26

- 1.1 The proposed budget protocol for setting the 2025/26 Council Tax, General Fund and Housing Revenue Account Revenue and Capital Budget is as set out below.
- 1.2 For Budget Council:
 - (i) Each recognised political Group shall be allowed a maximum of 4 Budget Amendments.
 - (ii) All proposed amendments must have been received by finance officers no later than 7 working days before Budget Council (i.e. by 12 noon on Tuesday 18 February 2025).
 - (iii) All amendments will have had to have been assessed and evaluated by finance officers and the relevant Corporate Director or Director no later than 12 noon 4 working days before Budget Council. (i.e. by close of play Friday 21 February 2025).
 - (iv) The Chief Executive, S151 Chief Financial Officer and Monitoring Officer will have final sign-off and will not normally allow an amendment where a proposal is not considered to be robust or viable for one of the following reasons:
 - a. The proposal is legally unsafe and/or carries an exceptionally high risk of non-delivery;
 - b. There is insufficient evidence or information to assess the potential net saving;
 - c. The proposal is adding to, or bringing forward, an existing saving without further information as to how this can be achieved;
 - d. The alternative proposal requires one-off investment, additional organisational capacity, and/or loan financing that cannot be supported;
 - e. The alternative proposal is beyond the powers and duties of the local authority.
 - (v) The Mayor will refuse to accept any amendment that has not been “signed off” by the Chief Executive, S151 Chief Financial Officer and Monitoring Officer.
 - (vi) All amendments will be treated in strictest confidence by finance officers and other such officers that the Chief Executive, S151 Chief Financial Officer or Monitoring Officer need to consult in order to assess and evaluate an amendment. They will not be shared until the designated time detailed in (vii) below.
 - (vii) All amendments will be shared **at 12noon on Monday 24 February 2025** between the Group Leaders by the Monitoring Officer or their nominated officer (usually the Head of Democratic Services).
 - (viii) A Whips meeting will be arranged following the sharing of amendments for the afternoon of **Monday 24 February 2025** with the Monitoring Officer and Head of Democratic Services so that any matters relating to

the Budget Council meeting on the 27 February and the recently circulated amendments can be discussed.

- (ix) The Chief Executive shall have a “brokering” role if this would appear to facilitate agreement on particular amendments or proposals.
- (x) There will be a meeting of Group Leaders (attended by the Chief Executive, the S151 Chief Financial Officer and other relevant officers) **at 3:00pm on Wednesday 26 February 2025** with a view to exploring the potential for any agreement on proposed amendments (i.e. the potential for amendments to be re-packaged as ‘composite’ amendments).
- (xi) Any variations to the amendments or any new amendments arising from the Group meetings shall be limited to grouping and repackaging of amendments or other changes providing that they do not, in the opinion of the S151 Chief Financial Officer, involve significant costing or evaluation that cannot reasonably be done within the available timescale.
- (xii) In the event that Council fails to set the Council Tax on the 27 February 2025, a further meeting would need to be held prior to 10 March 2025.

Legal Note for All Councillors on the Setting of the Council Tax

Legal, Financial and Practical Consequences of a failure or delay in setting the Council Tax

1 Summary

- 1.1 The local authority has a legal duty to set a lawful budget in time (in this year, before 11th March 2025).
- 1.2 Members jointly and severally (collectively and individually) have a fiduciary duty to Council Taxpayers.
- 1.3 This means they have a duty to facilitate, rather than obstruct, the setting of a lawful budget, a process that requires flexibility and compromise.
- 1.4 Failure to set a lawful budget in time can lead to a loss of revenue, significant additional administrative costs and reputational damage.
- 1.5 Failure to set a lawful budget may lead to intervention from the Secretary of State under section 15 of the Local Government Act 1999 (as previously seen in authorities in relation to a failure of governance.)
- 1.6 It may give rise to personal liability for individual Members for misfeasance in public office, negligence or breach of statutory duty.
- 1.7 This legal note explains the position in more detail and makes practical suggestions for all Members' consideration and guidance.

2 The Legal Duty

- 2.1 Section 30(6) of the Local Government Finance Act 1992 provides that the Council has to set its budget before 11 March in the financial year preceding the one in respect of which the budget is set. This means the Council has a duty to set the 2025/26 budget before 11 March 2025.
- 2.2 If the budget is set after that date, the Act says the failure to set a budget within the deadline does not, in itself, invalidate the budget. However, such delay may have significant financial, administrative and legal implications, including potential individual liability of any Member who contributed to the failure to set a budget.
- 2.3 Section 66 of the 1992 Act provides that failure to set a Council tax (or delay in setting a Council tax) shall not be challenged except by an application for judicial review. The Secretary of State and any other person with an interest or "standing" may apply for a judicial review.

3 Financial Implications of Delay

- 3.1 A delay in setting the Council Tax means a delay in collecting the tax due not only to the council, but also the precepting authorities such as the Police, Fire Service and others such as the parish council on whose behalf the council acts as a collection authority.
- 3.2 The council has a legal duty to provide a range of statutory services (such as children's social care services, adult social care, etc.) and is not absolved from its duty because of the late setting of the tax. It also has to pay the monies due to the precepting authorities (such as Fire Service and the Police) whether or not it collects any Council Tax.
- 3.3 One significant point that Members need to be aware of is that a delay in setting the budget may affect the council's ability to enter into new agreements with significant financial commitments until and unless the budget is agreed. Otherwise, these would be unfunded commitments and therefore potentially unlawful.
- 3.4 Even if the Council sets the budget by 10 March but later than the planned February Budget Council meeting, there is still likely to be some disruption to the administrative arrangements (such as printing, posting, delivery of bills) that will have cost implications.

4 Duty to take the advice of the Section 151 Chief Financial Officer

- 4.1 Sections 25 to 29 of the Local Government Act 2003 impose duties on the council in relation to how it sets and monitors its budget. These provisions require the council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the council about the allowances to be made and action to be taken.
- 4.2 Section 25 also requires the Council's Section 151 Chief Financial Officer to make a report to full Council when it is considering its budget and council tax. The report must deal with the robustness of the estimates and the adequacy of the reserves allowed for in the budget proposals, so that members will have authoritative advice available to them when they make their decisions.
- 4.3 The section requires Members to have regard to the report in making their decisions. Any decision that ignores this advice, including the implications of delay, is potentially challengeable.

5 Section 114 Report and the Prohibition Period

- 5.1 Section 114 of the Local Government Finance Act 1988 puts an obligation on the Section 151 Officer (the Chief Financial Officer) to issue a report "if it appears to him or her that the expenditure (including proposed expenditure) is likely to exceed the resources (including borrowing) available to the council." He would also be under a similar obligation if he became aware of a course of action which, if pursued, would be unlawful and likely to cause loss or deficiency on the part of the authority. The S151 Officer has to consult the Chief Executive and the Monitoring Officer before considering issuing a S114

report. If it is determined that a report should be issued, the Ministry of Housing, Communities & Local Government must also be consulted before issuing the report.

- 5.2 If such a report were issued, a copy of it must be sent to the council's external auditor and every Member of the Council. Full Council must consider the report within 21 days at a meeting where it must decide whether it agrees or disagrees with the views contained in the report and what action (if any) it proposes to take. Between the issuing of the report and the day after the meeting ("the probation period") the council is precluded from entering into new agreements involving the incurring of expenditure except in certain limited circumstances where expenditure can be authorised by the S151 Chief Financial Officer. The legislation also provides that during the prohibition period "the course of conduct which led to the report being made shall not be pursued." Failure to take appropriate action in response to such a report may lead to the intervention of the council's auditor.

6 Monitoring Officer Report

- 6.1 Section 5 of the Local Government & Housing Act 1989 imposes on the Monitoring Officer an obligation similar to that of the S151 Officer with the same consequences if it appears to him/her that what the Council has done or is proposing to do is likely to contravene a rule of law or any code of practice made or approved by or under any enactment or maladministration. The Monitoring Officer is also under a duty to warn Members of the consequences under the Code of Conduct for Members.
- 6.2 The Section 114 and Section 5 reports may be joint or separate and, if separate, they may be issued concurrently or at different times.

7 Code of Conduct Consequences

- 7.1 The Localism Act 2011 imposes a duty on Members to abide by the Code of Conduct for Members. In interpreting the Code, regard must be had to the General Principles of Public Life, including the requirement that they should make decisions in accordance with the law.
- 7.2 Members have an active duty to ensure that the Council sets a lawful budget. Voting against proposals repeatedly, knowing that the result means no lawful budget will be set, is incompatible with Members' obligations under the Code as it is bound to bring the council into disrepute.

8 Personal Liability of Members

- 8.1 Notwithstanding the abolition of surcharges, if a Member's wilful misconduct is found to have caused loss to the council, the Member may be liable to make good such loss under the principle approved by the House of Lords in *Porter v Magill*. 1 (2002).
- 8.2 Depending on the exact role played by a Member, and the seriousness of the loss incurred, a Member could, in principle, be guilty of the tort and crime of

misfeasance in public office. The indemnity cover that Members are provided with by the Council does not include actions that constitute an offence or are reckless.

- 8.3 It is also possible (in theory) for a Member to be liable in negligence and or breach of statutory duty.
- 8.4 It must be pointed out that one would probably need to prove that what the Member/s were doing was deliberate or reckless and involved persistent failure to facilitate the setting of a lawful budget before it attracts liability of the sort referred to in the preceding paragraphs. The longer the setting of a budget is delayed, and the more repeatedly the Member/s “blocks” the setting of a lawful budget, the more likely for the liability to arise.

9 Intervention by the Secretary of State

- 9.1 The Local Government Act 1999 imposes a duty on the council “...to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”
- 9.2 Section 15 of the Act gives the Secretary of State the power to intervene and take a range of measures. The powers of the Secretary of State are very extensive and include: (a) Directing the council to take any action which he/she considers necessary or expedient to secure its compliance with the requirements of this Part (for example, setting a budget by a specified date); (b) The Secretary of State, or a person nominated by him/her, exercising the council’s functions (such as setting the Council tax) for a period specified in the direction or for so long as the Secretary of State considers appropriate, and (c) Requiring the council to comply with any instructions of the Secretary of State or their nominee in relation to the exercise of that function and to provide such assistance as the Secretary of State or their nominee may require for the purpose of exercising the function.
- 9.3 If the Secretary of State decides to intervene on the issue of setting the Council Tax, he/she need not set the full budget and could, for example, direct the Council to set a budget at a specified Council Tax level by a set date, leaving the council to work out the detailed savings for each service.
- 9.4 The Secretary of State is expected to exercise the powers after consulting the local authority and it usually follows a report from external auditors, by an inspector appointed by the Secretary of State, by Ofsted or similar body, although this is not a requirement in cases of urgency. The measure is stated to be one of last resort and is, itself, challengeable by way of judicial review. The National Audit Office and External Auditors use certain guidance in deciding whether to refer a local authority to the Secretary of State to use his powers under section 15. These include cases where there are:
 - Serious service failures in an authority that could result in danger or harm to the public;

- Persistent failures by an authority to address recommendations made by inspectors or auditors;
- Serious failures in a number of services in an authority, which reveal fundamental weaknesses in an authority's corporate capacity to manage services and make improvements;
- Serious failures in corporate governance arrangements or capacity whether or not there is serious service failure; and
- Other circumstances that demonstrate a serious or persistent failure to comply with the requirements of Part 1 of the Local Government Act 1999, which includes the requirement that authorities make arrangements to secure continuous improvement in the exercise of their functions.

9.5 The Secretary of State has exercised the powers under section 15 by intervening in a number of authorities including Hackney LBC, Doncaster Council, Tower Hamlets LBC, Northamptonshire CC, Thurrock LBC and Liverpool City Council for failure to comply with the best value duty. These same powers would be available to the Secretary of State if he/she is of the view that there is failure on the part of the Council to set a budget expeditiously resulting in or risking financial loss or failure in services.

9.6 It is unlikely that the Secretary of State would intervene and set a budget for the council immediately after the 11 March deadline passes. There is also no certainty that he/she would necessarily do so until matters reach a much more serious point. This is because:

- (a) Section 30 (6) of the Local Government Finance Act 1992 provides that failure to set a Council tax by the deadline shall not invalidate the Council Tax;
- (b) Section 66 of the Act provides that any failure to set the Council Tax shall not be questioned otherwise than by way of an application for judicial review;
- (c) The exercise of the Section 15 powers require a much more serious, systematic and persistent failure of governance. The current financial and other governance and service delivery position of the council is far from approaching the failings identified in those authorities where Section 15 powers have been exercised. The council has not been issued with any Public Interest reports and the latest Annual Report by the External Auditor (2023/24) has not identified any ongoing weaknesses in governance.

9.7 Given the complexity of setting a budget (the Secretary of State will have to do the same calculations and assessments the council has) it is not a straightforward process and it is questionable whether the Secretary of State or a person nominated by them could do it quicker. He/she is more likely to give directions for the council to set its budget by a particular date and take

particular steps and within specified parameters rather than setting it themselves.

10 Reputational damage

- 10.1 Whatever its political make up or whatever the local challenges, the council has had a strong financial and corporate governance reputation. Failure to set a Council Tax and any intervention by the Secretary of State whether formal, informal or even references to failure to set the tax will have significant adverse impact on the council's reputation locally and nationally. This is not simply a theoretical concept, it has real practical impact in terms of investor confidence, peoples' preparedness to work with the council and even on Council Tax collection rates as residents may see the council as wasteful, procrastinating and/or inefficient. Reputation and credibility is hard to earn but, once lost, can be difficult to regain.

11 Practical Advice to Members

- 11.1 The council as a corporate body, and Members (both individually and collectively), have a fiduciary duty to Council Taxpayers to avoid doing anything that would result in loss of revenue or failure to deliver services. In addition to Members' legal obligations, they also have the moral and democratic obligation to set the budget on behalf of the people who elected them.
- 11.2 There is always a tension between Members' desire to vote for what they believe to be the right decision on the one hand and the legal obligation to set a lawful budget on time and avoid any loss to the council on the other. A suggested practical approach would be:
- (a) Members should always strive to facilitate, rather than frustrate, the setting of a lawful budget;
 - (b) If it becomes clear (for example as a result of an initial vote) that there is no majority support for any budget but there is a realistic prospect of such an agreement if Members are given additional time for negotiation, then Members should consider a short adjournment, or adjournment to another day, whichever is more appropriate. This would be informed by the advice from the Chief Executive after checking with Group Leaders, and the advice from the S151 Chief Financial Officer and the Monitoring Officer.
 - (c) If Members do not consider that an adjournment would resolve the impasse or there has been an adjournment and no agreement reached that could deliver a majority, then officers' advice would be:
 - i. To identify composite amendments (amendments that have cross party-support) and for all Members to vote for these amendments;
 - ii. When it comes to the substantive vote, for Members who support the Cabinet proposals (with any composite amendment/s) to vote for the proposal;

- iii. For Members who do not support the proposal, but are unable to secure a majority for an alternative/amendment budget, to support the substantive budget as amended, or, at least, abstain.

This would ensure that the Council sets a lawful budget and avoids the damaging legal and practical consequences discussed above as well as keeping the setting of taxes locally and preserve the council's governing reputation.

- 11.3 The above advice is based on the fact that, unlike other times when a proposal that fails to gain the support of a majority of Members simply falls and the status quo prevails, maintaining the current situation is not an option for setting the budget and Council Tax. In this context, the Cabinet proposals represent the closest lawful option to the status quo.

12 Conclusion

- 12.1 The Council has a duty to set a lawful budget by 10 March.
- 12.2 Each Member has an obligation to facilitate, rather than frustrate, the setting of a lawful budget in time.
- 12.3 Failure to discharge that duty may leave Members at risk of breaking the Code of Conduct for Members and possibly expose them to legal liability.
- 12.4 It is also possible that, if there is a prolonged delay, the Secretary of State may exercise his/her powers under Section 15 of the Local Government Act 1999 to step in and make the decision or ask another person to do so, which would damage the council's governing reputation.
- 12.5 If, after all reasonable attempts are made, it is not possible to find a majority support for any budget (i.e. the Council is unable to 'get the budget through') then it is the view of officers that Members' obligations to facilitate the setting of a budget would be best discharged by Members who support the Cabinet recommendations to vote for the recommendations and those who do not support the Cabinet proposals (with composite amendments) to vote for the budget, or at the very least abstain, unless they are in a position to put forward alternative proposals that have majority support.

Brighton & Hove City Council

Council

Agenda Item 70

Subject: Review of Scheme for Member Allowances 2024-2028

Date of meeting: 30 January 2025

Report of: Director – Governance & Law

Contact Officer: Name: Anthony Soyinka
Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 At its meeting on 16th May 2024 the Council formally resolved to adopt a new scheme for the payment of member allowances in accordance with the recommendations of the Independent Remuneration Panel (IRP).
- 1.2 The IRP proposed an early review of the Scheme to enable the Panel to survey members on the impact of the new governance arrangements once they have been in operation for a period of time. This report sets out the process for the review and recommends the proposed appointment and re-appointment of IRP Panel members.

2. Recommendations

That full Council

- 2.1 Notes the proposed review of the members allowances scheme to take place in March 2025;
- 2.2 Approves the appointment and re-appointment of IRP Panel members for a period of 3 years as set out at paragraph 3.7 – 3.8 of the report.

3. Context and background information

- 3.1 Under the Local Authorities (Members' Allowances) (England) Regulations 2003, all local authorities are required to set up an independent panel to consider all issues relating to the level of payments to councillors.
- 3.2 The Independent Remuneration Panel (IRP) meets to review and to make independent recommendations to the Council regarding the level of payments made in connection with the following:-

- Members' Basic Allowances
- Special Responsibility Allowance
- Dependant Carers' Allowance
- Travel & Subsistence payments
- Co-opted members' allowances

- Allowances for parish councillors

- 3.3 On 16 May 2024 the IRP reported to full Council with its [Review of Members Allowances 2024-2028](#). The new Scheme proposed allowances which were agreed by full Council. Included in the final report from the Panel was the following recommendation:-

‘The Panel recommends that a further review of members allowances should be undertaken after a period of at least six months implementation of the new governance arrangements and roles. This recognises that there are new arrangements in place and that the Panel is not able to survey all Members on the impact of the new arrangements until they have been in operation for a period of time. The review should therefore be undertaken, survey all Members and offering the opportunity for all Members from all Groups to speak to the Panel.’

- 3.4 The proposed review is due to take place in March 2025. A survey will be shared with all members and members from all Groups will also be offered the opportunity to speak to the Panel. The recommendations from the review will be reported back to full Council.

IRP Panel Membership

- 3.5 Following the last review, John Bateman (Chair) and Martin Andrews (Panel Member) resigned their positions after many years serving the Council and its residents as members of the Panel. Both Mr Bateman and Mr Andrews were extremely diligent and experienced members of the Panel and the Council is extremely grateful to them for their dedicated and thoughtful service. The Council is required to have at least 3 Panel members on its Independent Remuneration Panel. This means there is a need to appoint at least one new Panel member to sit alongside Jaine Jolly and Rachel Potter, our existing Panel members.
- 3.6 At the last review, Mark Palmer from South East Employers supported the review, providing training for our Panel members and sharing benchmarking and best practice from other South East and London Authorities. Mark supports over 20 authorities in this way and, in most cases, is appointed formally as a member of the Panel and Chair. This ensures professional, independent support is in place for the Panel and its reviews and provides a degree of resilience which the BHCC Panel does not currently have.
- 3.7 This report proposes the appointment of Mark Palmer as a member of the IRP for an initial period of 3 years. Mark’s biography is set out below:

Biography Mark Palmer

‘With a strong focus on leadership and organisational development, Mark leads the Development Team at South East Employers. He plays a key role in facilitating and delivering programs that enhance governance, scrutiny, and accountability. Specialising in effective governance, political leadership, and change management, Mark is a passionate advocate for local

democracy with extensive experience working with councillors. Mark has extensive experience chairing, training and supporting IRP's and currently Chairs/supports over 20 IRP's across the South East and London. He also spearheads the implementation of the LGA Councillor Development Charter across the South East, East of England, and London, while providing quality assurance in Northern Ireland.'

- 3.8 In addition, it is proposed to confirm the re-appointments of our two existing Panel members, Jaine Jolly and Rachel Potter, to align all the Panel Member appointments so that a fixed Panel membership is in place for the next 3 years.

4. Analysis and consideration of alternative options

- 4.1 The Council resolved to change its governance arrangements and adopted a new Constitution in May 2024. It was agreed that there was a need to review its new Members Allowances Scheme after the new governance arrangements has been in operation for a period of time. Following the departure of Mr Bateman and Mr Andrews from the Panel, at least one new Panel member is required. The proposals in this report address this and secure resilience as well as regulatory compliance for the Panel.
- 4.2 The alternative would be to seek to recruit a new Panel member externally. However, this approach is not recommended because the Panel requires the support and expertise of South East Employers to undertake an effective and compliant review and, by appointing Mr Palmer as a member of the Panel, this both avoids duplication and secures a degree of resilience in terms of Panel membership.

5. Community engagement and consultation

- 5.1 No additional consultation has been undertaken in view of the nature of the appointments.

6. Conclusion

- 6.1 Council recommended to approve the recommendations as set out in the report with immediate effect. Following the review and report will be presented to full Council with recommendations.

7. Financial implications

- 7.1 Any changes proposed by the Independent Remuneration Panel (IRP) will be reported to full Council and the financial implications of any proposals will be addressed in that report. In the meantime, recommendations relating to any proposed uplift to member allowances for 2025/26 will be included in the budget report. There is no additional cost to the Council appointing Mr Palmer as a member of the IRP as against the appointment of external Panel members, which will be accommodated within existing Governance & Law budgets.

Name of finance officer consulted: Ishemupenyu Chagonda

Date consulted 21.01.2025

8. Legal implications

- 8.1 The proposals in this report comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2005 and associated guidance

Name of lawyer consulted: Elizabeth Culbert Date consulted 12/01/25

9. Equalities implications

- 9.1 There are no equalities implications arising directly from this report. The previous report of the Panel explicitly sought to make recommendations which would seek to encourage a wider cross-section of the community to become councillors and reduce the financial disincentives from serving as councillors.

10. Sustainability implications

- 10.1 There are no adverse sustainability implications arising from the proposals in the report.

Supporting Documentation

Appendices

1. Appendix 1: Report on Scheme of Member Allowances 2024-2028.



~~~~~

**The report of the Independent Remuneration Panel  
appointed to review the allowances paid to Councillors  
of Brighton and Hove City Council**

~~~~~

March 2024

CONTENTS

1.	INTRODUCTION AND BACKGROUND	1
2.	CURRENT SCHEME	1
3.	PRINCIPLES UNDERPINNING OUR REVIEW	2
3.1	THE PUBLIC SERVICE PRINCIPLE.....	2
3.2	THE FAIR REMUNERATION PRINCIPLE.....	2
4.	CONSIDERATIONS AND RECOMMENDATIONS	3
4.1	BASIC ALLOWANCE.....	3
4.2	SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)	6
4.3	CO-OPTEEs’/ INDEPENDENT PERSONS ALLOWANCE	110
	TRAVELLING AND SUBSISTENCE ALLOWANCE	120
4.5	DEPENDANTS’ CARERS’ ALLOWANCE	121
4.6	PARENTAL LEAVE	132
4.7	INDEXING OF ALLOWANCES	143
4.8	REVOCATION OF CURRENT SCHEME OF ALLOWANCES / IMPLEMENTATION OF NEW SCHEME	154
5.	OUR INVESTIGATION	154
5.1	BACKGROUND	154
5.2	FUTURE REVIEW	ERROR! BOOKMARK NOT DEFINED.
6.	APPROVED COUNCILLOR DUTIES	154

Appendix 1	Basic Allowance/Special Responsibility Allowances/Independent Persons’ Allowance/ Dependants’ Carers’ Allowance / Mayoral Allowances – Summary of Recommendations	15
Appendix 2	Comparative data of allowances paid to councillors of the other unitary councils (South East Employers, Members Allowances Survey 2023)	

1. INTRODUCTION AND BACKGROUND

- 1.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of councillors' allowances.
- 1.1.2 Brighton and Hove City Council formally appointed the following persons to undertake this process and make recommendations on its future scheme.

John Bateman- Retired teacher of Corporate Governance in the Department of Business and Management at the University of Sussex, Chair of Panel.
Jaine Jolly - Local Resident and Planning Inspector.
Rachel Potter- Local Resident, Journalist and Editor specialising in local government and the public sector.

Elizabeth Culbert- Assistant Director, Legal and Democratic Services, Brighton and Hove City Council provided Panel support.
Mark Palmer – Director: Development and Governance, South East Employers provided advice and Panel support.

- 1.1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). Those requirements are to make recommendations to the Council as to:

- (a) the amount of basic allowance to be payable to all councillors.
- (b) the level of allowances and whether allowances should be payable for:
 - (i) special responsibility allowances.
 - (ii) travelling and subsistence allowance.
 - (iii) dependants' carers' allowance.
 - (iv) parental leave and.
 - (v) Independent Persons' allowance.and the amount of such allowances.
- (c) whether payment of allowances may be backdated if the scheme is amended at any time to affect an allowance payable for the year in which the amendment is made.
- (d) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.

2. CURRENT SCHEME

- 2.1.1 The last review of councillors' allowances was undertaken by the IRP for the Council in 2019.

- 2.1.2 The Scheme currently provides that all councillors are each entitled to a total basic allowance of £13,593 per annum, with effect from April 2023. In addition, some councillors receive special responsibility allowances for undertaking additional duties.
- 2.1.3 Councillors may also claim the cost of travel and subsistence expenses and for expenditure on the care of children or dependants whilst on approved councillor duties.

3. PRINCIPLES UNDERPINNING OUR REVIEW

3.1 The Public Service Principle

- 3.1.1 This is the principle that an important part of being a councillor is the desire to serve the public and, therefore, not all of what a councillor does should be remunerated. Part of a councillor's time should be given voluntarily. The consolidated guidance notes the importance of this principle when arriving at the recommended basic allowance.¹ Moreover, we found that a public service concept or ethos was articulated and supported by virtually all of the councillors we interviewed as part of our review.
- 3.1.2 To provide transparency and increase an understanding of the Panel's work, we will recommend the application of an explicit Public Service Discount (or PSD). Such a PSD is applied to the time input necessary to fulfil the role of a councillor. Further explanation of the PSD to be applied is given below in section 4.

3.2 The Fair Remuneration Principle

- 3.2.1 Alongside the belief that the role of the elected Councillor should, in part, be viewed as unpaid voluntary service, we advocate a principle of fair remuneration. The Panel in 2024 subscribes to the view promoted by the independent Councillors' Commission:

Remuneration should not be an incentive for service as a councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so.²

- 3.2.2 We are keen to ensure that our recommended scheme of allowances provides reasonable financial compensation for councillors. Equally, the scheme should be fair, transparent, logical, simple, and seen as such.
- 3.2.3 Hence, we continue to acknowledge that:
 - (i) allowances should apply to roles within the Council, not individual councillors.
 - (ii) allowances should represent reasonable *compensation* to councillors for expenses they incur and time they commit in relation to their role, not *payment* for their work; and

¹ The former Office of Deputy Prime Minister – now the Department of Levelling Up Housing and Communities. The Inland Revenue (now HM Revenue and Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 68.

² Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007, p.3.

- (iii) special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not merely the extra time required.
- 3.2.4 In making our recommendations, we have therefore sought to maintain a balance between:
- (i) the voluntary quality of a councillor's role.
 - (ii) the need for appropriate financial recognition for the expenses incurred and time spent by councillors in fulfilling their roles; and
 - (iii) the overall need to ensure that the scheme of allowances is neither an incentive nor a barrier to service as a councillor.
- 3.2.5 The Panel also sought to ensure that the scheme of allowances is understandable in the way it is calculated. This includes ensuring the bandings, tiers and differentials of the allowances are as transparent as possible.
- 3.2.6 In making our recommendations, we wish to emphasise that any possible negative impact they may have is not intended and should not be interpreted as a reflection on any individual councillor's performance in the role.

4. CONSIDERATIONS AND RECOMMENDATIONS

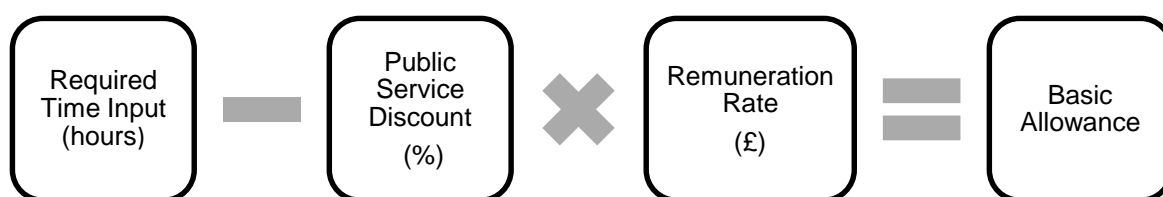
4.1 Basic Allowance

- 4.1.1 A Council's scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all councillors. The guidance on arriving at the basic allowance states, "*Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.*"³
- 4.1.2 In addition to the regular cycles of Council and committee meetings, a number of working groups involving councillors may operate. Many councillors are also appointed by the Council to a number of external organisations.
- 4.1.3 We recognise that councillors are responsible to their electorate as:
- Representatives of a particular ward.
 - Community leaders.
 - Decision makers for the whole Council area.
 - Policy makers for future activities of the Council.
 - Scrutineers and auditors of the work of the Council; and
 - Regulators of planning, licensing and other matters required by Government.
- 4.1.4 The guidance identifies the issues and factors an IRP should have regard to when making a scheme of allowances.⁴ For the basic allowance we considered three

³ The former Office of Deputy Prime Minister – now the Department of Levelling Up, Housing and Communities. The Inland Revenue (now HM Revenue and Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 67.

⁴ The former Office of Deputy Prime Minister – now the Department of Levelling Up, Housing and Communities and *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraphs 66-81.

variables in our calculation: the time required to execute the role effectively; the public service discount; and the rate for remuneration.



4.1.5 Each of the variables is explained below.

Required Time Input

4.1.6 We ascertained the average number of hours necessary per week to undertake the role of a councillor (with no special responsibilities) from interviews with councillors and through reference to the relevant information. In addition, we considered further information about the number, range, and frequency of committee meetings.

4.1.7 Discounting attendance at political meetings (which we judged to be centred upon internal political management), we find that the average time commitment required to execute the role of a councillor with no special responsibilities is **22 hours per week**.

Public Service Discount (PSD)

4.1.8 From the information analysed, we found councillors espoused a high sense of public duty. Given the weight of evidence presented to us concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of **33 per cent** to the calculation of the basic allowance. This percentage sits within the mid-range of PSDs applied to basic allowances by councils in the South East region.

Remuneration Rate

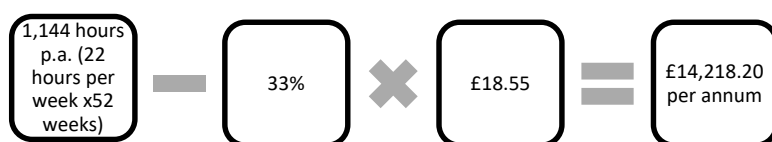
4.1.9 After establishing the expected time input to be remunerated, we considered a remuneration rate. We came to a judgement about the rate at which the councillors ought to be remunerated for the work they do.

4.1.10 To help identify an hourly rate for calculating allowances, we utilised relevant statistics about the local labour market published by the Office for National Statistics. We selected the average (median), full-time gross⁵ wage per hour for the Brighton and Hove Council area **£18.55⁶ per hour**.

Calculating the basic allowance

4.1.11 After determining the amount of time required each week to fulfil the role (22 hours), the level of PSD to be applied (33%) and the hourly rate to be used (£18.55), we calculated the basic allowance as follows:

⁵ The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2023.



4.1.12 The gross Basic Allowance before the PSD is applied is £21,221.20. Following the application of the PSD this leads to a basic allowance of **£14,218.20** per annum.

4.1.13 This amount is intended to recognise the overall contribution made by councillors, including their work on council bodies, and ward work and attendance on external bodies.

4.1.14 We did also note the levels of basic allowance currently allocated by other unitary councils in the South East.

Council	Unitary Councils: Basic Allowances (£) 2023⁷
Bracknell Forest Council	9,038
Brighton & Hove City Council	13,593
Buckinghamshire Council	13,458
Isle of Wight Council	8,832
Medway Council	11,474
Milton Keynes Council	11,689
Portsmouth City Council	11,684
Reading Borough Council	8,942
Royal Borough of Windsor and Maidenhead	8,472
Slough Borough Council	8,438
Southampton City Council	13,900
West Berkshire Council	8,154
Wokingham Borough Council	7,784

4.1.15 The Panel wished to ensure the level of basic allowance does not constitute a barrier to candidates from all sections of the community standing, or re-standing, for election as councillors. The Panel was of the view that the 2019 review had begun to make recommendations to ensure that the current basic was in accordance with the principle of fair remuneration and the 2024 review has further enhanced this approach through the continued application of a transparent and clear formula for calculating the Basic Allowance. Such a formula will also assist a future Panel in recommending a Basic Allowance

WE THEREFORE RECOMMEND that the Basic Allowance payable to all Members of Brighton and Hove City Council be £14,218 per annum

⁷ Figures drawn from the South East Employers, Members' Allowances Survey 2023 (October 2023).

4.2 Special Responsibility Allowances (SRAs)

- 4.2.1 Special Responsibility Allowances are awarded to councillors who perform significant additional responsibilities over and above the roles and expenses covered by the basic allowance. These special responsibilities must be related to the discharge of the council's functions. The SRA payable is in addition to the Basic Allowance payable to all Brighton and Hove City Councillors.
- 4.2.2 The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA to any one councillor. They do require that an SRA be paid to at least one councillor who is not a member of the controlling group of the Council. As the guidance suggests, if the majority of councillors receive an SRA, the local electorate may rightly question the justification for this.⁸
- 4.2.3 We conclude from the evidence we have considered that the following offices bear *significant* additional responsibilities:
- Leader of the Council
 - Deputy Leader of the Council
 - Cabinet Members
 - Leader of the Opposition
 - Leader of the Minority Groups
 - Chair of Overview and Scrutiny
 - Chairs of Planning
 - Chair of Licensing
 - Chair of Audit and Standards
 - Chair of Health and Wellbeing Board
 - Mayor
 - Deputy Mayor
 - Independent Persons
 - Cabinet Advisors

One SRA Only Rule

- 4.2.4 To improve the transparency of the scheme of allowances, we feel that no councillor should be entitled to receive at any time more than **one SRA**. If a councillor can receive more than one SRA, then the public are unable to ascertain the actual level of remuneration for an individual councillor from a reading of the Scheme of Allowances.
- 4.2.5 Moreover, the One SRA Only Rule avoids the possible anomaly of the Leader receiving a lower allowance than another councillor. If two or more allowances are applicable to a councillor, then the higher-valued allowance would be received. The One SRA Only Rule is common practice for many councils. Our calculations for the SRAs are based on this principle, which should be highlighted:

WE THEREFORE RECOMMEND that that no councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the Scheme of Allowances.

⁸ The former Office of Deputy Prime Minister – now the Department of Levelling Up, Housing and Communities. *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 72.

The Maximum Number of SRA's Payable

- 4.2.6 In accordance with the 2006 Statutory Guidance (paragraph 72) the Panel is of the view that the Council should adhere to the principal that no more than **50%** of Council Members (27) should receive an SRA at any one time.

WE THEREFORE RECOMMEND that the Council should adhere to a maximum number of SRA's payable at any one time that does not exceed 50% of Council Members (27 Members).

Calculating SRAs

- 4.2.7 The Panel supported the criteria and formula for calculating the Leader of the Council allowance based on a multiplier of the Basic Allowance; this role carries the most significant additional responsibilities and is the most time consuming.
- 4.2.8 We applied a multiplier of the basic allowance to establish the Leader's SRA. Other SRAs are then valued downwards as a percentage of the Leader's allowance. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable effect on the other SRAs within the scheme.

We grouped together in Tiers those roles that we judged to have a similar level of responsibility. The outline result of this approach is illustrated in a pyramid of responsibility:



The rationale for these tiers of responsibility are discussed below.

Leader (Tier One)

4.2.9 The Council has adopted a Leader and Cabinet model of governance and therefore elects for a four-year term of office a Leader who is ultimately responsible for the discharge of all executive functions of the Council. The Leader is the principal policy maker and has personal authority to determine delegated powers to the rest of the Cabinet. The Leader is also responsible for the appointment (and dismissal) of members of the Cabinet and their respective areas of responsibility.

4.2.10 The multiplier we applied to calculate the Leader's SRA is 260% (2.6 times) of the basic allowance. If the recommended option of a Basic Allowance with a PSD of 33% is adopted, this results in a Leader's Allowance of £36,967.

WE RECOMMEND that the Leader of the Council should receive a Special Responsibility Allowance of 260% of the Basic Allowance, £36,967.

Deputy Leader (Tier Two)

4.2.11 The Deputy Leader usually acts on the Leader's behalf in their absence and provides additional support to the Leader of the Council. From the information we gathered, we continue to consider this additional responsibility should be reflected in the level of

allowance. Therefore, we recommend the Deputy Leader's SRA be set at 60% of the Leader's SRA. If our recommendations concerning the Basic Allowance and the Leader's SRA are adopted, this results in an allowance of £22,180. If the Deputy Leader position were to be filled on a job share basis between two Cabinet Members, this would result in an allowance of £17,559.23. A job share of the Deputy Leader role between two Cabinet Members on this basis results in no change to the overall cost to the Scheme.

WE RECOMMEND that the Deputy Leader receive a Special Responsibility Allowance of 60% of the Leader's Allowance, £22,180 or, if undertaken on a job share basis between two Cabinet Members, an allowance of £17,559.23

Cabinet Members and Chair of Planning (Tier Three)

- 4.2.12 Cabinet Members appointed by the Leader of the Council have significant delegated decision-making responsibilities across their portfolio. The Cabinet Member role has more responsibility than a Chair of a Committee.
- 4.2.13 The panel is therefore of the view that the Special Responsibility Allowance for a Cabinet Member should be 35% of the Leader's Allowance, £12,938.
- 4.2.14 The Chair of Planning continues to have a high impact across the Council area and has a high workload that includes regular site visits and a high number of meetings. The Panel therefore recommends that the Chair Planning should receive a Tier Three allowance, 35% of the Leader's Allowance, £12,938

WE RECOMMEND that a Cabinet Member and the Chair of Planning Committee should receive an allowance of 35% of the Leaders' Allowance, £12,938.

Leader of the Opposition and Chair of Licensing (Tier Four)

- 4.2.15 From the evidence gathered as part of the structured interviews we consider the Leader of the Opposition to be a significant role and the 2003 Regulations require that the Leader of the Opposition receive a Special Responsibility Allowance. The Leader of the Opposition has to both ensure democratic accountability and the holding to account of the administration but also manage and develop a Group.
- 4.2.16 The Leader of the Opposition should receive a Special Responsibility Allowance calculated on the same basis as the other SRA's, a percentage of the Leader's Allowance. Based on the size and complexity of the role the Panel is of the view that the Main Opposition Group Leader should receive an allowance of 33% of the Leader's Allowance, £12,199.
- 4.2.17 The Panel was made aware that Licensing is a busy area of work because of the nature of the City, requiring a high number of Licensing Panels to take place in addition to Committee meetings. The Panel therefore recommends that the Special Responsibility Allowance for the Chair of the Licensing should also be a Tier Four allowance, 33% of the Leader's Allowance, £12,199.

WE RECOMMEND that the Leader of the Opposition and the Chair of the Licensing Committee should all receive a Tier Four Allowance, 33% of the Leader's Allowance, £12,199.

Chair of Overview and Scrutiny, Mayor and Chair of Health and Wellbeing Board (Tier Five)

- 4.2.18 The Panel was of the view that Overview and Scrutiny will be a pivotal part of the Council's new governance arrangements in ensuring internal and external accountability and holding the Cabinet to account. Statutory Guidance published by the former Department for Housing Communities and Local Government further strengthened the role and profile of overview and scrutiny and discussed the role as having a '*parity of esteem*' with a Cabinet role. Although as part of this review the Panel has not gone this far we do reflect the importance of overview and scrutiny in Brighton and Hove City Council. The Panel therefore recommends that the Chairs of Overview and Scrutiny should receive a Tier Five allowance, 30% of the Leader's Allowance, £11,090.
- 4.2.19 The role of Mayor is highly visible across the Council area and undertakes a high number of civic engagements that raise the profile of the Council and this is reflected in the current allowance. The Panel was of the view that the Mayoral Allowance should continue to be at the same percentage of the Leader's Allowance, 30%. We therefore recommend that the role of Mayor be recognised at Tier Five and receive an allowance of £11,090, 30% of the Leader's Allowance.
- 4.2.20 Within the new governance structure the Chair of the Health and Wellbeing Board will continue to be a pivotal role. The Panel recommends that the Chair of the Health and Well Being Board should receive a Tier Five allowance, 30% of Leader's Allowance, £11,090

WE RECOMMEND that the Chairs of Overview and Scrutiny, Mayor and Chair of the Health and Wellbeing Board should each receive an allowance of 30% of the Leaders' Allowance, £11,090.

Leader of the Minority Groups (Tier Six)

- 4.2.21 The Leader of a Minority Group should continue to be recognised as a role of significant importance, however the Panel was of the view that to qualify for the allowance the group should comprise of at least 10% of total councillors on Brighton and Hove City Council, six councillors.
- 4.2.22 The Panel recommends that the Leader of a Minority Group should receive an allowance of 20% of the Leader's Allowance, £7,393. The Panel further recommends that to qualify for this allowance the group should consist of at least 10% of total councillors, six councillors.

WE RECOMMEND that the Leader of a Minority Group should receive an allowance of 20% of the Leader's Allowance, £7,393. The Panel further recommends that to qualify for this allowance the group should consist of at least 10% of total councillors, six councillors.

Chair of Audit and Standards Committee (Tier Seven).

- 4.2.23 The Audit and Standards Committee was recognised as a high-profile committee that had a key role in terms of financial management and effective governance. The committee also had the lead responsibility for ensuring effective standards and overseeing the Code of Conduct. The Panel was of the view that the Chair should continue to receive a Special Responsibility Allowance of 15% of the Leader's Allowance, £5,758.

WE RECOMMEND that the Chair of Audit and Standards should receive a Tier Seven allowance, 15% of the Leader's Allowance, £5,758.

Deputy Mayor (Tier Eight)

- 4.2.24 The role of Deputy Mayor like that of the Mayor continues to be a high-profile role that has a significant impact across the Council area and a high workload based on the number and frequency of civic engagements. The Panel is of the view that the role of Deputy Mayor should continue to receive an allowance based on 6% of the Leader's Allowance, £2,218.

WE RECOMMEND that the Deputy Mayor receive a Tier Eight Allowance, 6% of the recommended Leader's Allowance, £2,218.

Deputy Leader of the Opposition, Deputy Chair of Planning and Deputy Chair of Licensing

- 4.2.25 The Panel is of the view that the roles of Deputy Leader of the Opposition, Deputy Chair of Planning and Deputy Chair of Licensing are not roles that meet the criteria of a Special Responsibility Allowance and the allowances for these three roles should be withdrawn.

WE RECOMMEND that the Special Responsibility Allowances for the roles of Deputy Leader of the Opposition, Deputy Chair of Planning and Deputy Chair of Licensing should be withdrawn.

Cabinet Advisor roles (up to four Cabinet Advisors appointed for a 12 month period)

- 4.2.26 The Panel has been made aware of proposals to support the new Cabinet with up to four Cabinet Advisor roles. Cabinet Advisors would be appointed by the Leader, following consultation with Cabinet, to lead on a specific policy area for a duration of 12 months. Cabinet Advisors will not be members of Cabinet and will not have decision making powers. The Panel are aware that this is a model operated by other Councils with a Leader and Cabinet system, to support the Cabinet with recommendations in specified areas.

- 4.2.27 The Panel has been made aware of a Cabinet Advisor role which would be to provide a regional role on Devolution and Functional Economic Areas. This is anticipated to be a more extensive role than the other 3 Cabinet Advisor roles, as it will operate across the Greater Brighton Economic Region and be a member of the Greater Brighton Economic Board. Taking into account the regional nature of the role, the Panel proposes an allowance of 12% of the Leaders' Allowance for this 12 month role, **£4,436.04**. For the other three City-focused Cabinet Advisor roles the Panel have considered comparative data and consider that these other three Cabinet Advisor roles should receive an allowance of 4% of the Leaders' Allowance, ie **£1,478.68**.

WE RECOMMEND that the Special Responsibility Allowances for the role of Cabinet Advisor (Devolution and Functional Economic Areas) and the three roles of Cabinet Advisor (City-focused) should receive an allowance of £4,466.04 and £1,478.68 respectively.

4.3 Independent Persons Allowance

- 4.3.1 An IRP may recommend the payment and level of an allowance for those who serve on the committees or sub-committees of a Council but are not members of the Council. We recognise that in so doing, an element of the contribution made by the Independent Persons should be voluntary. We therefore continue to recommend that the Independent Persons of the Council are entitled to an allowance plus travel,

subsistence and other expenses in accordance with the scheme applicable to councillors.

WE RECOMMEND that the Independent Persons should continue to receive an allowance of £1,030 per annum. The role will also receive travel, subsistence and other expenses in accordance with the scheme applicable to councillors.

WE ALSO RECOMMEND that the allowance for an Independent Person or Co-Optee chairing a Standards Panel hearing continue to be at a rate of £200 per meeting.

4.4 Travelling and Subsistence Allowance

- 4.4.1 A scheme of allowances may provide for any councillor to be paid for travelling and subsistence undertaken in connection with any of the duties specified in Regulation 8 of the 2003 Regulations (see paragraph 5.10). Similarly, such an allowance may also be paid to co-opted/Independent Persons of a committee or sub-committee of the Council in connection with any of those duties, provided that their expenses are not also being met by a third party.

WE RECOMMEND that travelling and subsistence allowance should continue to be payable to councillors and independent persons in connection with any approved duties. The amount of travel and subsistence payable shall continue to be at the maximum levels payable to council staff in line with HM Revenue and Customs' rates. We propose no changes to the current travel and subsistence allowances.

4.5 Child and Dependent Carers' Allowance

- 4.5.1 The child and dependant carers' allowance should ensure that potential candidates are not deterred from standing for election and should enable current councillors to continue despite any change in their personal circumstances. The current scheme awards reimbursement for Child Care at the rate of **£9.00** per hour and more specialist care is also at a rate of **£9.00** per hour. The current scheme also limits any claim up to a maximum of £1,800 per annum when undertaking Approved Councillor duties.
- 4.5.2 The Panel is of the view that the Child and Dependent Carers' Allowance should continue to be reimbursed at two rates for basic Childcare and more specialist care. With regards to childcare the Panel recommends that this should be linked to the Real Living Wage as recommended by the Living Wage Foundation, currently **£12.00 per hour**.
- 4.5.3 With regard to more specialist care the Panel is of the view that because the cost of this type of care has escalated and that the nature of this type of care varies in terms of commitment and complexity the Panel is of the view that this should therefore be reimbursed at the actual cost incurred by the councillor upon production of receipts.
- 4.5.4 In respect of specialist care provision medical evidence that this type of care provision is required should also be provided and approved by an appropriate officer of the Council. The panel further recommends that the £1,800 maximum annual claim is removed.
- 4.5.5 The Panel recommends that the maximum claim for travel time and handover as part of the child and dependent Carers' allowance be increased from thirty minutes to sixty minutes for each journey.

- 4.5.6 Currently the Scheme of Allowances requires councillors to submit claims for allowances such as Childcare to be made within two months. To support a more manageable approach to claiming allowances the Panel is of the view that councillors be provided with up to **three months** to submit any claims relating to approved councillor duties.
- 4.5.7 The Panel is also of the view that the Monitoring Officer be given the discretion to accept claims outside of the three month limit in exceptional circumstances, such as illness or other circumstances beyond the councillor's control or where the Monitoring Officer otherwise considers it appropriate in all the circumstances. No extension should be given beyond six months.

WE THEREFORE RECOMMEND that the Child and Dependant Carers' Allowance should be based on two rates: childcare and specialist care.

The childcare rate should be linked to the Real Living Wage as recommended by the Living Wage Foundation, currently £12.00 per hour (reviewed on an annual basis).

Specialist care should be based at cost upon production of receipts and in the case of specialist care a requirement of medical evidence that this type of care is required.

The allowance should have no maximum claim when undertaking Approved Councillor Duties.

The Panel further recommends that the maximum claim for travel time and handover as part of the Child and Dependant Carers' Allowance be increased from thirty to sixty minutes for each journey.

WE ALSO RECOMMEND that the Council should actively promote the allowance to prospective and new councillors both before and following an election. This may assist in supporting greater diversity of councillor representation.

FINALLY WE RECOMMEND that the timescale to make claims for allowances related to approved councillor duties be extended to three months and that the Monitoring Officer be given discretion to extend this timescale further in exceptional circumstances. No extension should be given beyond six months.

4.6 Parental Leave

- 4.6.1 There is no uniform national policy to support councillors who require parental leave for maternity, paternity, or adoption leave. According to the Fawcett Society (Does Local Government Work for Women, 2018) a *'lack of maternity, paternity provision or support'* is a real barrier for women aged 18-44 to fulfil their role as a councillor.
- 4.6.2 We are of the view that support should be provided for parental leave although we do not wish to stipulate an exact policy/procedure. The Panel is aware that the Local Government Association (Labour Group) has developed a model policy that has been adopted by a growing number of councils across the southeast region.
- 4.6.3 There is no legal right to parental leave of any kind for people in elected public office. However, as a way of improving the diversity of Councillors, the Panel would recommend that the Members' Allowance Scheme should be further updated to include provisions that clarify that:

- All Councillors shall continue to receive their Basic Allowance in full for a period at least six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence
- Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of at least six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
- Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972
- If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
- If a Councillor stands down, or an election is held during the period when a Councillor is absent due to any of the above and the Councillor is not re-elected or decides not to stand down for re-election, their Basic Allowance any Special Responsibility Allowance will cease from the date they leave office.

4.6.4 The Panel is aware that these provisions do not replicate the LGA Labour Group policy, as that policy introduces elements that are more akin to employees which in terms of employment legislation does not include Councillors. We feel that our recommendations more simply and adequately reflect the situation relating to Councillors and clarify for them what they can expect. Councillors however may wish to further develop the above recommendations.

4.6.5 The Panel was aware of the current BHCC policy that has been approved in respect of Parental and Special Leave and therefore the above recommendations are intended to build on that Policy.

WE RECOMMEND that the approach outlined is adopted as an update to the Council's Policy to support Parental and Special Leave for councillors. This may include the adoption of the LGA Labour Group model policy for parental leave.

Any policy on Parental Leave for Councillors should be actively promoted to prospective and current Councillors alongside the Dependents' Carers Allowance.

4.7 Indexing of Allowances

4.7.1 A scheme of allowances may make provision for an annual adjustment of allowances in line with a specified index. The present scheme makes provision for the basic allowance, the special responsibility allowances, Independent Persons and Co-optees allowance to be adjusted annually in line with the percentage increase for staff salaries.

- 4.7.2 The 2022 and 2023 National Joint Council for Local Government Services pay settlement recommended a flat rate increase rather than a percentage increase, should this happen again during the period of this scheme then a mid-point Spinal Column Point should be used for calculating the indexation of the members allowances.

WE RECOMMEND that the basic allowance, each of the SRAs, the Independent Persons and the Co-optees' Allowance be increased annually in line with the percentage increase in staff salaries from April 2025 for a period of up to four years. After this period, the Scheme shall be reviewed again by an independent remuneration panel.

4.8 Revocation of current Scheme of Allowances / Implementation of new Scheme

- 4.8.1 The 2003 Regulations provide that a scheme of allowances may only be revoked with effect from the beginning of a financial year, and that this may only take effect on the basis that the authority makes a further scheme of allowances for the period beginning with the date of revocation.

WE THEREFORE RECOMMEND that the new scheme of allowances to be agreed by the Council be implemented with effect from 16th May 2024, at which time the current scheme of allowances will be revoked.

5. OUR INVESTIGATION AND A FUTURE REVIEW

5.1 Background

- 5.1.1 We interviewed eleven current councillors including each group leader using a structured questioning process. We are grateful to all our interviewees for their assistance.

5.2 Future Review

- 5.2.1 The Panel recommends that a further review of members allowances should be undertaken after a period of at least six months implementation of the new governance arrangements and roles. This recognises that there are new arrangements in place and that the Panel is not able to survey all Members on the impact of the new arrangements until they have been in operation for a period of time. The review should therefore be undertaken, survey all Members and offering the opportunity for all Members from all Groups to speak to the Panel.

6. APPROVED COUNCILLOR DUTIES

- 6.1.1 The Panel during the review was mindful of the recommended duties for which allowances should be payable. The Panel recommends that a comprehensive review of the Approved Councillor Duties is undertaken during the review recommended in quarter one of 2025.

WE THEREFORE RECOMMEND: That no changes are made to the Approved Duties as outlined in the Members' Allowance Scheme.

However, the Panel recommends that a comprehensive evaluation of the Approved Duties is undertaken during the review recommended in quarter one of 2025.

**John Bateman (Chair of the Independent Remuneration Panel)
Jaine Jolly (Member of the Independent Remuneration Panel)
Rachel Potter (Member of the Independent Remuneration Panel)**

March 2024

Appendix 1: Summary of Panel's Recommendations

Allowance	Current Amount for 2023-24	Number	Recommended Allowance (33% PSD)	Recommended Allowance Calculation
Basic (BA)				
Total Basic:	£13,593	54	£14,218	

Special Responsibility:				
Leader of the Council	£33,593	1	£36,967	260% of BA
Deputy Leader	£20,390	1	£22,180	60% of Leader's Allowance
Deputy Leader if Job Share			£17,559.23	"
Cabinet Members	No SRA	8	£12,938	35% of Leader's Allowance
Chair of Planning	£11,894	1	£12,938	35% of Leader's Allowance
Chair of Licensing	£11,894	1	£12,199	33% of Leader's Allowance
Leader of Largest Opposition	£11,894	1	£12,199	33% of Leader's Allowance
Chair of Overview & Scrutiny	No SRA	3	£11,090	30% of Leader's Allowance
Mayor	£10,078	1	£11,090	30% of Leader's Allowance
Chair of Health and Wellbeing Board	£10,195	1	£11,090	30% of Leader's Allowance
Leader of Minority Group *1	£6,796	1	£7,393	20% of Leader's Allowance
Chair of Audit and Standards	£5,098	1	£5,758	15% of Leader's Allowance
Deputy Mayor	£2,016	1	£2,218	6% of Leader's Allowance
Independent Persons/ Co-opted Members	£1,030		£1,030	
Chair of Standards Panel Hearing	£200		£200	
Cabinet Advisor – Devolution and Functional Economic Areas	-	1	£4,436.04	12% of Leaders Allowance
Cabinet Advisor – City Focus	-	3	£1,478.68	4% of Leaders Allowance

1. Leader of Minority Group to lead a group of at least 10% of total Members (6 Councillors).

Brighton & Hove City Council

Council

Agenda Item 71a

Subject: Devolution Update

Date of meeting: 30 January 2025

Report of: Director of Governance and Law

Contact Officer: Name: Anthony Soyinka
Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 At its Special Meeting on 9th January 2025 Cabinet considered a report regarding the English Devolution White Paper. Cabinet resolved to submit a joint expression of interest to Government with East Sussex and West Sussex County Councils to join the Government's Devolution Priority Programme.
- 1.2 This cover report attaches the 9th January Special Cabinet report, the Minutes of that meeting and the joint letter from East Sussex, West Sussex and Brighton & Hove City Council dated 10th January 2025 for information for full Council.

2. Recommendations

That full Council

- 2.1 Notes the report, recommendations and Minutes Extract of the Special Cabinet meeting held on 9 January 2025.

3. Policy context and Implications

- 3.1 As set out in the attached report at Appendix 1.

Appendices

- 1. Appendix 1: Extract from the Minutes of Cabinet 9th January 2025
- 2. Appendix 2: Cabinet report 9th January 2025 English Devolution White Paper
- 3. Appendix 3: Joint letter to Government dated 10th January 2025 from Leaders of East and West Sussex County Councils and Brighton & Hove City Council.

BRIGHTON & HOVE CITY COUNCIL

CABINET

11.30am 9 JANUARY 2025

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Sankey (Chair) Taylor (Deputy Chair), Burden, Daniel, Miller, Muten, Pumm, Robins, Rowkins and Williams

Other Members present: Councillor Alexander

PART ONE

123 DEVOLUTION WHITE PAPER UPDATE

123.1 Cabinet considered a report that requested approval to confirm to Government an expression of interest to take part in the Devolution Priority Programme, alongside East Sussex County Council and West Sussex County Council, seeking a Mayoral Combined Authority on a Sussex footprint and local government reorganisation for Sussex in line with the criteria set out in the Government White Paper.

123.2 Councillors Taylor, Williams, Burden, Pumm, Muten, Robins, Rowkins, Sankey, Miller, Daniel and Alexander asked questions and contributed to the debate of the report.

123.3 Resolved-

- 1) Cabinet agrees to submit to Government their request to take part in the Devolution Priority Programme, by the 10 January 2025, alongside East Sussex County Council and West Sussex County Council, seeking a Mayoral Combined Authority on a Sussex footprint and local government reorganisation for Sussex in line with the criteria set out in the Government White Paper.
- 2) Cabinet notes that further reports will come to Cabinet and Scrutiny through the period of the Priority Programme to ensure full engagement and consideration of options and impacts on the form of the Mayoral Combined Authority and Local Government Reform.

The meeting concluded at 1.40pm

Brighton & Hove City Council

Cabinet

Agenda Item 123

Subject: Devolution Update

Date of meeting: 9 January 2025

Report of: Leader of the Council

Contact Officer: Name: Alex Voce
Tel: 01273 295795
Email: alex.voce@brighton-hove.gov.uk

Ward(s) affected: All

Key Decision: Yes

Reason(s) key: It is significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions (wards).

For general release

Exempt from call in

Note: Reasons for urgency

Due to the special circumstances outlined below, and in accordance with Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, compliance with the requirement to provide 28 days' notice has not been possible. The urgency of the matter has been agreed upon by the Chair of the relevant Overview and Scrutiny and it is deemed necessary to consider this item without delay, to enable the Council to respond to the Government by its set deadline of 10 January 2025.

1. Purpose of the report and policy context

- 1.1 Devolution is a key plank in the Government's Plan for Change. The aim is to redistribute political, social and economic power across England and enable everyone, everywhere to realise their full potential through local economic growth.
- 1.2 Devolution and Local Government Reform are an opportunity to reset local government and recover from years of financial instability. Devolved powers and an integrated financial settlement to fund local priorities unlocking transport, housing, local jobs, economic growth and net zero supports our mission to create a better Brighton and Hove for all.

2. Recommendations

- 2.1 Cabinet agrees to submit to Government their request to take part in the Devolution Priority Programme, by the 10 January 2025, alongside East

Sussex County Council and West Sussex County Council, seeking a Mayoral Combined Authority on a Sussex footprint and local government reorganisation for Sussex in line with the criteria set out in the Government White Paper.

- 2.2 Cabinet notes that further reports will come to Cabinet and Scrutiny through the period of the Priority Programme to ensure full engagement and consideration of options and impacts on the form of the Mayoral Combined Authority and Local Government Reform.

3. Context and background information

- 3.1 The Deputy Prime Minister, Rt Hon Angela Rayner MP, wrote in the summer to the Leaders of all Upper Tier Authorities across England and invited any interested areas to submit an Expression of Interest (EOI) in devolution by 30 September 2024 (Appendix 1)
- 3.2 Following initial discussions with neighbouring authorities and other stakeholders, Brighton & Hove City Council submitted an EOI for devolution on an initial preferred geography of pan-Sussex, to include Brighton and Hove, East Sussex and West Sussex (Appendix 2).
- 3.3 On 16 December 2024, the Government published its English Devolution White Paper, setting out its new approach to English devolution. The White Paper outlines a significant shift in governance, aiming to decentralise power from Westminster to new Strategic Authorities. A revised devolution framework will ensure authorities share consistent powers across England, driving economic growth, better public services and more localised decision-making.
- 3.4 New Strategic Authorities will be either a Foundation Strategic Authority, which is a non-mayoral combined authority/county combined authority, or a Mayoral Strategic Authority which will include all Mayoral Combined and Mayoral Combined County Authorities. The Government's clear preference and ambition is for all parts of the country to eventually have a Mayoral Strategic Authority. Having established the Council of Nations and Regions and the Mayoral Council, the Government's policy places Mayors "front and centre" as fundamental partners to the Government.
- 3.5 The Government has committed to a simplified funding landscape for Strategic Authorities, with Mayoral strategic Authorities receiving a consolidated funding pot covering: local growth, place, housing and regeneration; non apprenticeship adult skills; and transport. Foundation Strategic Authorities will have less flexibility receiving dedicated local growth allocations decided by formulae.
- 3.6 The White Paper sets out that the default assumption is to have Mayoral Combined Authorities with a population of 1.5 million or above. Areas must cover a sensible economic geography with a focus on functional economic areas, travel to work patterns and local labour markets. The area must make sense to communities in terms of identity and be contiguous across its

constituent councils. The Government's "strong preference" is for more than one Local Authority to form a partnership over a large geography.

- 3.7 For the most ambitious places, keen to move forward with devolution, the Government has invited areas to express interest in joining the Devolution Priority Programme. These areas will receive the full support of Government to establish Mayoral Strategic Authorities by May 2026 and new Unitary Authorities by April 2027, for elections to take place in May 2027.
- 3.8 The Government has invited areas to submit applications for the Priority Programme by 10 January 2025 (Appendix 3).
- 3.9 Within the Devolution White Paper the Government has set out areas of competence, this will be where Strategic Authorities will have a mandate to act strategically to drive growth as well as supporting the shaping of public services, where strategic level coordination adds value. The list is not exhaustive and may be expanded:
- Transport and local infrastructure
 - Skills and Employment support
 - Housing and strategic planning
 - Economic development and regeneration
 - Environment and climate change
 - Health, wellbeing and public service reform
 - Public safety
- 3.10 New statutory functions and governance arrangements for each level of Strategic Authority will be put into legislation. The aim is to introduce a more consistent, transparent and effective set of voting arrangements. Mayors will be expected to work in partnership with local authorities and key stakeholders. In Mayoral Strategic Authorities, a majority vote which includes the mayor's vote will be required to approve decisions on the use of most functions.
- 3.11 The Government is also committed to carrying out local government reorganisation for two-tier areas. Brighton & Hove City Council is a unitary council. Unitary councils have been highlighted in the Devolution White Paper as leading to better outcomes for residents, saving significant finances and improving accountability by delivering a comprehensive range of services.
- 3.12 However, the Government is clear that unitary councils must be the correct geographical size to achieve efficiencies, improve capacity and withstand financial shocks. For most areas, this will mean creating new unitary councils with a population size of approximately 500,000, although the White Paper is clear that the Government believes there is some flexibility around this and will judge proposals for new unitary authorities on a case-by-case basis. Brighton & Hove has a population of circa 280,000 and so it is likely that local government reorganisation will lead to the formation of a new unitary authority, to include Brighton and Hove.

4. Analysis and consideration of alternative options

- 4.1 The White Paper is clear that the Government intends that all of England be devolved by default and is committed to ending the deals-based approach. The Government will also legislate for a ministerial directive, which will enable it to directly create Strategic Authorities in any places where local leaders in that region have not been able to agree how to access devolved powers. Therefore, there is no option to “do nothing” in terms of progressing devolution.
- 4.2 All three Upper Tier Authorities in Sussex submitted an Expression of Interest to government for devolution in September 2024. There is support from the leaders of East and West Sussex that being part of the priority programme is in the best interests of Sussex. Both Authorities are taking similar papers to their Cabinets on 9 January to make a recommendation to join the priority programme.
- 4.3 The options for consideration are:

Option 1 - Join the Devolution Priority Programme.

- 4.4 The devolution priority programme includes: Capacity funding from Government. A Government led consultation strategy that works for our communities. A Mayoral Strategic Authority created by May 2026 (Mayoral Elections May 2026). A Seat at Council of Nations and the Regions and Mayoral Council – influencing government policy and ensuring local community voice across Sussex is heard. Sussex represented on the Mayoral Council. After 18 months of a Sussex Mayor established status and single settlement funding. New Unitary authorities of approximately 500,000 or more across Sussex (with some flexibility as to size of unitary authorities on a case by case basis). Initial LGR proposals for those on priority programme for devolution to be submitted in March 2025 with full proposals by Autumn 2025. LGR means shadow elections for new Unitaries in May 2027 and vesting day in 2028. Longer term ambition to align public authority boundaries across Sussex (Sussex Police, Probation and NHS already aligned future change to Fire). Devolved powers enable the delivery of transport and local infrastructure to unlock housing and economic growth, drive environmental change and build skills and employment opportunities.

Option 2 - Don't join the Devolution Priority Programme but go ahead with Local Government reform.

- 4.5 This option would mean Local Government Reform would happen first and devolution would happen later. It risks delaying the benefits of devolution for our residents and would mean that Sussex would miss out on the capacity/support provided by Government for areas in the Devolution Priority Programme.
- 4.6 Councillors could lose the opportunity to design and deliver devolution of strategic powers using the local democratic authority they currently hold, while a new ministerial directive could mean that we are forced into devolution at a later stage.

- 4.7 Local Government Reform will happen anyway, irrespective of devolution, but we will have less influence on geographies if we don't engage early and delay could negatively impact relationships with our neighbouring authorities.

Option 3 - Do nothing.

- 4.8 The White Paper is clear that the Government intends that all of England be devolved by default and that Local Government Reorganisation should take place regardless of devolution. The Government will also legislate for a ministerial directive, which will enable it to directly create Strategic Authorities in any places where local leaders in that region have not been able to agree how to access devolved powers. It would also mean that the scheduled county elections in East and West Sussex in May 2025 would go ahead, only for local government reorganisation and devolution to follow and change the governance structures to which new local Councillors would have just been elected to.
- 4.9 **It is recommended that Brighton and Hove join the devolution priority programme and a Mayoral Strategic Authority** be established which comprises the area of Sussex, covering the administrative areas of Brighton and Hove City Council, West Sussex County Council and East Sussex County Council, with a combined population of about 1.7 million. It is considered that this meets the criteria set out by the Government in the White Paper.

5. Community engagement and consultation

- 5.1 Devolution is a collaborative process which will require continuous engagement and collaboration with neighbouring Sussex local authorities, public sector institutions including the NHS, Police and Fire Authorities, businesses, and further and high education providers and other key local organisations and businesses.
- 5.2 Devolution is primarily about giving power back to local communities. It is therefore vital that residents are involved at the earliest opportunity to inform and shape the process. It will not be possible to carry out resident engagement prior to submitting an application of interest in the priority programme by 10 January but it is expected that resident engagement would begin soon after this date. The White Paper states that, for those places that take part in the Priority Programme, there will be a government-led consultation strategy, developed in partnership with local authorities, to ensure that it works for our communities across Sussex.

6. Financial implications

- 6.1 Devolution and Local Government Reform offer an opportunity to reset local government finances and create a stronger financial footing for the authorities across Sussex. A Mayoral Strategic Authority for Sussex will lead to devolved powers and an integrated financial settlement.
- 6.2 The whole of local government has struggled with the impact of austerity, the pandemic, the cost of living crisis, with year on year savings

programmes reducing the local services that authorities are able to provide, impacting on the look and feel of our places and the opportunities created for our residents. Devolution and Local Government Reform mark an opportunity to reset this position through efficiencies, transformation and devolved powers.

- 6.3 The implementation of local devolution options will be a major undertaking requiring significant resources and expertise to create the proposed combined authority and new or expanded unitary authorities. This could involve everything from creation of new accounting entities to management of staffing changes to major IT system implications as well as democratic implications including potential boundary changes and elections. However, capacity funding is expected to be made available by government from the priority programme to assist the implementation.
- 6.4 As noted in the report, not opting for the priority programme not only has implications for the democratic process in existing county authorities but may also lead to longer term uncertainty in the region with concomitant impacts across Sussex authorities such as recruitment and retention issues and further financial uncertainties. Conversely, early adoption could bring financial advantages including integrated financial settlements to fund local priorities through a combined authority together with the anticipated financial benefit of devolved single tier authorities providing local service delivery.

Finance officer consulted: Nigel Manvell Date consulted: 28/12/24

7. Legal implications

- 7.1 The report seeks Cabinet approval to submit a request to join the Devolution Priority Programme. The Cabinet is entitled to discharge the function of the formulation of the council's overall policy objectives and priorities. Full Council approval will be required at future stages of the process. The legal framework for formal approval of the arrangements will be set out in the English Devolution Bill which is intended to establish a simpler and consistent process for establishing new Combined Authorities and aligning this, where appropriate, with Local Government re-organisation.

Name of lawyer consulted: Elizabeth Culbert Date consulted 31/12/24

8. Equalities implications

- 8.1 There are no immediate equalities implications arising from this report. Expected benefits of devolution are that it will redress inequality, improve living standards and drive economic growth in all regions of England. An Equalities Impact Assessment will be developed against the different elements of devolution, as proposals progress.

9. Sustainability implications

- 9.1 Making Britain a clean energy superpower is one of the government's five defining missions. As part of this mission, Great British Energy will be tasked

to work with local government through the Local Power Plan to support the roll out of small-medium renewable energy projects at the local level. This is expected to provide support for Strategic and Local Authorities (as well as community energy groups) to deploy up to 8GW of additional power from small-medium sized generation projects by 2030, and to help Strategic and Local Authorities to build their own pipelines of successful projects.

- 9.2 As previously agreed, funding for warmer homes and greener buildings will form part of the Integrated Settlement for 2025/26. The schemes currently in scope are the Warm Homes: Local Grant, the Warm Homes: Social Housing Fund, and the Public Sector Decarbonisation Scheme. The Government will extend this approach to other Established Mayoral Combined Authorities over the course of this Parliament, beginning with a transition period that enables areas to build capacity and capability and demonstrate a strong track record of retrofit delivery.
- 9.3 The government will give Strategic Authorities a meaningful role in planning for our future energy system. The National Energy System Operator will engage with them as it develops Regional Energy Strategic Plans and provide a transparent route for local insights to inform energy system planning. The Government has also said it is committed to establishing heat network zoning in England. Zoning coordinators within Strategic Authorities will be able to designate areas as heat network zones, enabling the most appropriate level of local government to assume the role of heat network zoning coordinator and play a key role in the delivery of heat decarbonisation.

10. Other Implications

Crime & disorder implications:

- 10.1 The English Devolution White Paper sets out the Government's intention that where the geographies of new Mayoral Strategic Authorities align with Police and Crime Commissioner and Fire and Rescue Authorities, Mayors will, by default, be responsible for those services.

Public health implications:

- 10.2 Through the English Devolution Bill, the Government will introduce a new bespoke duty for Strategic Authorities in relation to health improvement and health inequalities. It will also introduce an expectation that Mayors are appointed to Integrated Care Partnerships and are considered for the role of Chair or Co-Chair. Mayors and Strategic Authorities will support partners in driving public service reform and the new devolution framework will set clearer expectations for Mayors' roles in local health systems and in improving population health.

11. Conclusion

- 11.1 Devolution presents an opportunity to drive significant economic and social benefits. The Sussex region stands to gain enhanced powers, financial

resources, greater strategic control and improved infrastructure, as well as the ability to deliver more responsive public services helping Brighton and Hove to address some of our critical challenges including delivering homes, economic growth and improved transport.

Supporting Documentation

1. Appendices

1. Letter from Rt Hon Angela Rayner MP, Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government (July 2024)
2. Brighton & Hove City Council's Expression of Interest to Government for devolution (30 September 2024)
3. Letter from Jim McMahon OBE MP, Minister of State for Local Government and Devolution (16 December 2024)

2. Background documents

1. English Devolution White Paper (16 December 2024)



Ministry of Housing, Communities & Local Government

Rt Hon Angela Rayner MP

*Deputy Prime Minister and Secretary of State for
Housing, Communities and Local Government*
2 Marsham Street
London
SW1P 4DF

16 July 2024

Dear Leader,

The next steps to devolution

I am delighted to be writing to you with the weight of a new Labour government behind me, laser focused on pushing power out of Whitehall and lighting the touch paper of growth across our regions.

In my first correspondence to you, I would like to invite you to partner with this Government to deliver the most ambitious programme of devolution this country has ever seen. I know you agree that for too long, Westminster has hoarded power and held back towns, cities, and villages across the country from achieving their true potential.

Last week, the Prime Minister and I had the pleasure of meeting England's metro Mayors, a signal of intent about our desire to bring local leaders into the heart of our government. We discussed how to deliver sustained economic growth through better housing, more tailored skills, and decent, well-paid jobs, through both national and local levers.

This government has been elected on a manifesto to widen and deepen devolution across the country. I have seen first-hand the benefits of devolution, from better integrated transport and publicly controlled buses to new skills programmes and good, affordable housing projects.

But our ambitions go further. We will devolve new powers over transport, skills, housing, planning and employment support. As we have set out to Mayors, we want more regions to benefit from integrated settlements, with access to this important financial flexibility for mayoralities with capacity, strong accountability structures and exemplary track records of financial management.

We will move away from a deal-based approach, setting out clear conditions and a clear offer in return for places seeking devolution agreement, and will enshrine a presumption towards devolution, so places can take on new powers automatically if they meet certain conditions.

Devolution underpins our national mission to deliver economic growth for everyone, everywhere, raising living standards across the UK. This Government will work in partnership with local leaders to implement Local Growth Plans, and I am excited to establish a Council of Nations and Regions to bring together the Prime Minister, the leaders of the devolved administrations and metro Mayors. I want to see more places represented at that Council, with more Mayors at the table.

Together, we can drive growth in every corner of the country. That is why we are inviting more places to use these enhanced powers and play a leading role in our national renewal. Now is the time to come forward and work with this new Government to deliver growth in your area.

Many of you will have struggled to get devolution settlements over the line, or were in the process of negotiating a settlement before the general election. You may have been held up by lengthy negotiations over powers, geographies, or governance. This Government will begin to work with you to resolve those issues.

My Cabinet Colleagues and I also understand that all too many councils are facing financial strain and have been left balancing new obligations with higher costs and interest rates after a decade of financial mismanagement from the centre. Rest assured, we will ensure that you have the resources to deliver new devolved powers and functions.

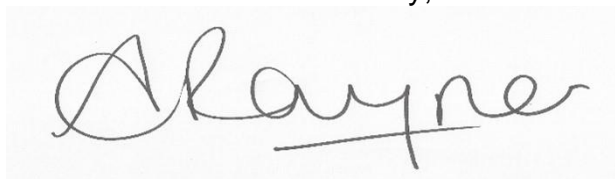
We know we will only be able to improve public services through economic growth, and it is critical you play a leading role in delivering it. But we also recognise this must be accompanied by reforms to local government and long-term funding settlements, providing you with the certainty to plan and provide the best possible value for money for residents.

In due course, the Government will publish a new devolution framework, setting out the new powers and flexibilities available to you. While we will not force places to take on a metro Mayor, we will not shy away from making the case for their huge advantages, with some powers continuing to be reserved for institutions with directly elected leaders, such as Mayoral Combined Authorities.

We continue to believe that new devolution settlements should be tailored to sensible economic geographies so that local leaders can act at the scale needed to effectively deploy their powers. In the majority of cases that will require local authorities to come together in new combined or combined county authorities. I encourage you to begin discussions with your neighbouring authorities on this basis.

The Minister for Local Government and my officials stand ready to meet to discuss proposals and to support you, so you are ready to board the train of devolution as we surge along this journey to give every community a voice in the future of Britain. I would welcome proposals by the end of September to participate in a first set of devolution settlements.

Yours Sincerely,

A handwritten signature in dark ink, appearing to read 'A Rayner', with a stylized flourish at the end.

RT HON ANGELA RAYNER MP

Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government

Devolution Deal EOI

<p>Preferred Geography (Upper-tier local authorities in the area)</p>	<p>We have and continue to engage widely with Local Authorities across Sussex and want to work with them going forward on a shared vision for devolution.</p> <p>Our preferred geography is Brighton and Hove, East Sussex and West Sussex. We believe this footprint would meet the ambitions of devolution: a sizeable and sensible economic geography with a cohesive identity.</p> <p>Devolution discussions must also include key partners in Sussex Police, East and West Sussex Fire Authorities, our three Universities (Brighton, Sussex and Chichester), Sussex ICS and the diverse range of strategic businesses forming the functional economic areas of Sussex. We know that convening these stakeholders and partners will be key to a successful devolution solution for Sussex.</p>
<p>Initial Preference on Mayoral/Non-mayoral devolution</p>	<p>We recognise that the current levels of devolution and governance models are subject to change pending the publication of the government's new framework.</p> <p>We are open to discussions on evolving these models to better fit local needs and priorities, ensuring that any new arrangements are effective, inclusive, and tailored to the unique context of Brighton & Hove and the wider Sussex region, while ensuring strong devolution of power and authority to drive economic growth across Sussex.</p> <p>We look forward to working collaboratively with government partners to explore these options further and develop a devolution deal that maximises local autonomy, accountability, and impact.</p>
<p>Contact Details (Political and officer level)</p>	<p>Bella Sankey Leader Brighton and Hove City Council Tel: 07720165691 Email: bella.sankey@brighton-hove.gov.uk</p> <p>Alex Voce Strategic Advisor to the Leader & Cabinet Brighton & Hove City Council Tel: 07591 988 226 Email: alex.voce@brighton-hove.gov.uk</p>



Ministry of Housing, Communities & Local Government

Jim McMahon OBE MP

*Minister of State for Local Government and
English Devolution*

2 Marsham Street
London
SW1P 4DF

To: Leaders of all two-tier councils and
neighbouring unitary authorities

16 December 2024

Dear Leaders

The English Devolution White Paper published today sets out how the Government plans to deliver on our manifesto pledge to transfer power out of Westminster through devolution and to fix the foundations of local government. You will receive under separate cover a letter outlining the ambition and key elements of the White Paper, but I also wanted to write to areas which might be in scope for a joint programme of devolution and local government reorganisation, to set out a clear process and key milestones.

The Government's long-term vision is for simpler structures which make it much clearer for residents who they should look to on local issues, with fewer politicians able to focus on delivering. Local government reorganisation, alongside devolution over a large strategic geography, can drive economic growth whilst delivering optimal public services. To help deliver these aims, we will facilitate local government reorganisation in England for two-tier areas and for unitary councils where there is evidence of failure, or where their size or boundaries may be hindering an ability to deliver sustainable, high-quality public services.

Given how much interest there has been, and will continue to be in this programme, I am writing now to all councils in two-tier areas, and to neighbouring smaller unitary authorities, to give you further detail and to set out our plans to work with you over the coming months.

Local government reorganisation

My intention is to formally invite unitary proposals in January 2025 from all councils in two-tier areas, and small neighbouring unitary councils. In this invitation, I will set out further detail on the criteria I will consider when taking decisions on the proposals that are submitted to Government. I intend to ask for interim plans by March 2025.

As set out in the White Paper, new unitary councils must be the right size to achieve efficiencies, improve capacity and withstand financial shocks. For most areas, this will mean creating councils with a population of 500,000 or more. However, there may be exceptions to ensure new structures make sense for an area, including on devolution. Final decisions will be made on a case-by-case basis. We will ask you to work with other councils in your area to develop unitary proposals that are in the best interests of the whole area, rather than developing competing proposals.

Devolution

We are clear that reorganisation should not delay devolution. Plans should be complementary, with devolution remaining the overarching priority. In January, we will therefore also set out which areas will be included in our Devolution Priority Programme, aimed at places ready to come together under the sensible geography criteria set out in the White Paper and wishing to progress to an accelerated timescale. This will be with a view to inaugural mayoral elections in May 2026. This is an exciting programme and there has already been significant interest even before the White Paper was published.

I am aware that different places will be in different stages of their devolution journey. While some will already have an existing strategic authority, others may be in the process of establishing one, and others still may need reorganisation to take place before they can fully benefit from devolution.

I also understand that delivering these ambitious plans for devolution and for local government reorganisation will be a significant change. It will be essential for councils to work with local partners, including MPs, to develop plans for sustainable unitary structures capable of delivering the high-quality public services that residents need and deserve.

Transition and implementation

We are under no illusion about the scale of issues facing local government. It is in all our interests to make sure we are avoiding unnecessary spend at a time when budgets are already tight, so we will be working with sector partners to avoid use of expensive consultants wherever possible.

My department will be working closely with the Local Government Association, District Councils Network, County Councils Network and others, to develop a shared understanding of how reorganisation can deliver the best outcomes for local residents and businesses. We have a collective responsibility to ensure councils are better supported throughout reorganisation. This will include preparing robust proposals with evidence, standing up new unitary councils ready for vesting day and work to deliver the significant opportunities that are possible by creating suitably sized unitary structures. We will take a phased approach and expect to deliver new unitary authorities in April 2027 and 2028.

Timelines and next steps

I have heard from some areas that the timing of elections affects their planning for devolution, particularly alongside reorganisation. To help manage these demands, alongside our objectives on devolution, and subject to meeting the timetable outlined in this letter, I am minded to lay secondary legislation to postpone local council elections from May 2025 to May 2026.

However, I will only do this where this will help the area to deliver both reorganisation and devolution to the most ambitious timeframe – either through the Devolution Priority Programme or where reorganisation is necessary to unlock devolution or open up new devolution options. There will be two scenarios in which I will be willing to postpone elections;

- Areas who are minded to join the Devolution Priority Programme, where they will be invited to submit reorganisation proposals to Government by Autumn 2025.
- Areas who need reorganisation to unlock devolution, where they will be invited to submit reorganisation proposals to Government by May 2025.

For any area in which elections are postponed, we will work with areas to move to elections to new 'shadow' unitary councils as soon as possible as is the usual arrangement in the process of local government reorganisation.

For all other areas elections will take place as scheduled in May 2025, and I will invite in January proposals for reorganisation to be submitted to Government by Autumn 2025.

To lay the relevant legislation to postpone elections, I will need a clear commitment to devolution and reorganisation aims from upper-tier councils in an area, including a request from the council/s whose election is to be postponed, on or before Friday 10 January. This request must set out how postponing the election would enable the council to make progress with reorganisation and devolution in parallel on the Devolution Priority Programme, or would speed up reorganisation and enable the area to benefit from devolution as quickly as possible once new unitary structures are in place.

I am working together with my colleague and fellow Minister, Baroness Taylor, who will host a webinar with leaders and chief executives of councils to discuss the next steps I have outlined in this letter. I hope you will be able to attend that discussion.

I welcome your views on any matters raised in this letter. As set out above, I will require a clear commitment to delivering both reorganisation and devolution to the most ambitious timeframe, with any request to delay council elections by Friday 10 January. Please respond or direct any queries to EnglishDevolutionLGENquiries@communities.gov.uk.

I look forward to working with you to build empowered, simplified, resilient and sustainable structures for local government. I am copying this letter to council Chief Executives, and where relevant to Best Value Commissioners. I am also copying this letter to local Members of Parliament, and where relevant to Mayors of combined (county) authorities, and Police (Fire) and Crime Commissioners.

Yours ever,

A handwritten signature in blue ink that reads "Jim McMahon." The signature is written in a cursive style with a large initial 'J'.

JIM MCMAHON OBE MP

Minister of State for Local Government and English Devolution

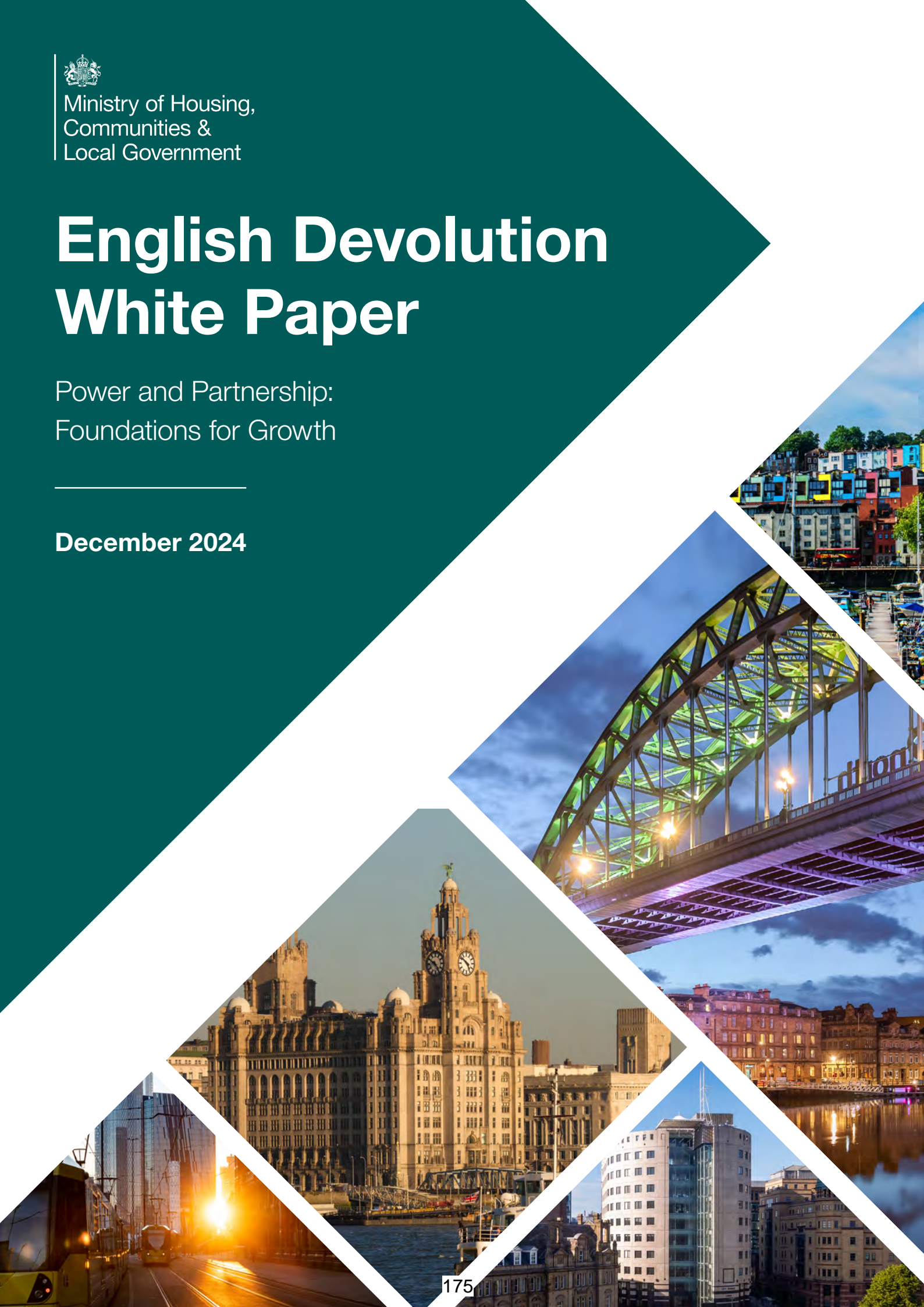


Ministry of Housing,
Communities &
Local Government

English Devolution White Paper

Power and Partnership:
Foundations for Growth

December 2024





English Devolution White Paper

Power and Partnership: Foundations for Growth

Presented to Parliament

by the Secretary of State for Housing, Communities and Local Government
by Command of His Majesty

December 2024



© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents.

Any enquiries regarding this publication should be sent to us at edwp@communities.gov.uk

ISBN 978-1-5286-5315-2

E03254614 12/24

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office

Contents

Foreword by the Deputy Prime Minister	7
Foreword by the Minister of State for Local Government and English Devolution	10
Executive summary	12
1. Facing the future	19
1.1 Barriers to national renewal	19
1.2 How devolution can help us deliver	22
1.3 Our priorities for devolution in England	24
1.3.1 All of England should benefit from devolution	24
1.3.2 More directly elected Mayors to create visible leadership and greater accountability	24
1.3.3 Powers in the right places	26
2. How we will deliver devolution in England	28
2.1 Our new devolution architecture for Strategic Authorities	28
2.1.1 Strategic Authorities	28
2.1.2 Areas of competence of Strategic Authorities	29
2.1.3 Statutory Devolution Framework	29
2.1.4 Adding to the Devolution Framework	30
2.2 Widening and deepening devolution in England	31
2.2.1 Geography	31
2.2.2 Governance structures	32
2.2.3 Approach to filling the map	35
2.2.4 Deepening devolution in Established Mayoral Strategic Authorities	35
2.2.5 London: Strengthening the capital's devolution settlement	36
2.3 Hardwiring English devolution into government	39
2.3.1 Local Growth Plans	41
2.3.2 Engagement forums	43
2.3.3 Policymaking with devolution by default	43
2.3.4 Better data and better use of data	44
2.3.5 Evaluation	46

3. Powers, functions and funding – the Devolution Framework	47
3.1 The devolution offer	47
3.2 Funding and investment	48
3.3 Transport and local infrastructure	49
3.4 Skills and employment support	54
3.5 Housing and strategic planning	61
3.6 Economic development and regeneration	66
3.7 Environment and climate change	74
3.8 Health, wellbeing and public service reform	79
3.9 Public safety	82
3.10 Devolution Framework summary table	86
4. Delivering devolution at every scale	91
4.1 Communities	93
4.2 Local government	95
4.2.1 The state of local government	95
4.2.2 How we will rebuild	96
4.2.3 Local government reorganisation	100
4.2.4 Audit, Insight and Standards	103
4.2.5 Local Authority members and workforce	104
5. Upgrading the systems	106
5.1 Improving accountability	106
5.1.1 Integrated Settlement single accountability framework and outcomes framework	106
5.1.2 Improving accountability and scrutiny of local public spending	107
5.2 Building capacity	108
5.2.1 Capacity and sector representation	108
5.2.2 Sector improvements	110
6. Delivering our plans	112
6.1 Implementing the agreed devolution deals and Devolution Priority Programme	112
6.2 Upgrading the powers of Mayors	113
6.3 Delivering the English Devolution Bill	113
6.4 Engaging with the sector on detail of our reforms	114

Foreword by the Deputy Prime Minister

The British people deserve an economy that works for the whole country, with control over the things that matter to them. But today the country remains divided¹, living standards are stagnating and the foundations of a good life are crumbling². England, like the whole of our United Kingdom, is bursting with ambition and potential. Our country has the raw ingredients to ignite growth across our regions, with high-skilled workers, leading universities and world-class businesses. Although talent and potential exist in every town, city and county, opportunity is not being developed or shared evenly.

The number one mission of this government is to relight the fire of our economy and ignite growth in every region. To do this, we need to end this ‘cap in hand’ approach to our regions, where towns and cities are pitted against each other, fighting for a small portion. Because the truth is that for all the promises of levelling up, when the rubber hits the road, central government’s first instinct is all too often to hoard power and hold our economy back. That’s why we have an economy that hoards potential and a politics that hoards power. England is one of the most centralised developed countries³. Too many decisions affecting too many people are made by too few. The controlling hand of central government is stifling initiative and development throughout the country. It is no wonder that the UK has more regional inequality⁴, slower wage growth⁵, and a relative decline in living standards compared to other developed countries⁶. Micromanaging from the centre combined with short-term, sticking-plaster politics has left England’s regions in a doom loop, unable to achieve their potential.

If we are going to build an economy that works for everyone, we need nothing less than a completely new way of governing – a generational project of determined devolution. Because the Westminster system is part of the problem. Whitehall is full of layers of governance and bureaucracy, controlled and micromanaged from the centre. To truly get growth in every corner

¹ Ipsos poll (2024) [Three in four say Britain is divided, but public say problems are less serious than in the US | Ipsos](#)

² As set out at the Autumn 2024 Budget.

³ Institute for Government (2022) [subnational-government-in-england-international-comparison.pdf](#)

⁴ Carrascal Incera, A, McCann, P, Ortega Argiles, R & Rodríguez-Pose, A. (2020) ‘UK interregional inequality in a historical and international comparative context’, National Institute Economic Review, vol. 253, pp. R4-R17. <https://doi.org/10.1017/nie.2020.26>

⁵ House of Commons Library (2024) [Average earnings by age and region - House of Commons Library](#)

⁶ Institute for Fiscal Studies (2024) [Seven key facts about UK living standards | Institute for Fiscal Studies](#)

of the country and put more money into people's pockets, we must rewire England and end the hoarding in Whitehall by devolving power and money from central government to those with skin in the game.

Within days of the election, one of the first things I did as Deputy Prime Minister, alongside the Prime Minister, was to welcome England's regional Mayors to Downing Street. I invited them around the table early on, because I know that we cannot bring about the change and the national renewal we were elected to deliver without them. They are best placed to serve their residents – using their powers and regional vantage point to bring in good, well-paying jobs, to build affordable homes and to link up our communities with high quality public transport.

That is why I am wasting no time in finally giving local leaders and communities the tools they need to deliver growth for their area and raise living standards in every part of the country. This matters for all of us. We have the raw ingredients for success in every corner of our nation: skilled workforces, competitive industries and a brilliant capacity for innovation. It is a failure of government that for so many years our potential has been untapped.

Ending this cycle means a permanent shift of power away from Whitehall and into the hands of those who know their communities best. It means an efficient and accountable local and regional government, with local champions who understand their local places, their identity and strengths, and how to harness them. This White Paper sets out how we will achieve this, backed up by our landmark English Devolution Bill, which will empower communities to take back control from Westminster. Taking back control – if it means control for communities, not politicians in Westminster – is absolutely essential for growth.

Everyone deserves control over the things that really matter in our daily lives – from the security of a good job, to trusting that good public services will be there when we need them. I know from my own time working as a home helper for Stockport Council that strong local government, led in the interests of local people, can transform lives.

Accountable local leaders, single-mindedly focused on delivering for local people. This is the kind of change that is so badly needed to restore trust in politics as a force for good.

This government will drive change at every level.

We will give communities stronger tools to shape the future of their local areas, including through a strong new right to buy and maintain beloved community assets.

We will get councils back on their feet, by providing long-term financial stability, strengthening standards, streamlining structures and ending the destructive 'Whitehall knows best' mindset that micromanages their decisions.

We will give Mayors strong new powers over housing, planning, transport, energy, skills, employment support and more, backed up with integrated and consolidated funding.

Devolution will no longer be agreed at the whim of a Minister in Whitehall, but embedded as a default into our country's constitution. We will rewire national government so that our first instincts are to deliver in partnership with Mayors and council leaders, not sideline them until the last moment.

This government will, at last, do the job properly. Our devolution revolution will help us rebuild our country so that it works for working people, and deliver on our Plan for Change.

This government will change our economy with a decade of national renewal, to deliver growth that can be felt in the pockets of working people. And we will change our politics, so that decisions are made with communities, not done to them.

That's what it means to take back control, and that's what we will deliver.



A handwritten signature in black ink, appearing to read 'Angela Rayner'.

The Rt Hon Angela Rayner MP

**Deputy Prime Minister and Secretary of State for Housing,
Communities and Local Government**

Foreword by the Minister of State for Local Government and English Devolution

We are determined to change our economy, with a decade of national renewal to deliver growth that can be felt in the pockets of working people – where pride is renewed and security at home, in local communities and at work is secured.

This White Paper sets the direction of travel. It will provide places with the tools they need to deliver the government's ambitious Plan for Change, empowering them to tackle the crisis we inherited, with poor outcomes for local public services, significant parts of our economy being underpowered, and opportunity denied for working people to get on in life.

This government is committed to resetting the relationship with local and regional government, empowering local leaders and Mayors to make the right decisions for their communities, and working together to grow an inclusive economy, reform public services and secure better outcomes.

So, as we set out the path to rebuilding and reforming local government as the foundation of devolution, much of it will focus on getting the basics right: resetting the framework to ensure the sector is fit, legal and decent; giving security in the Finance Settlement by updating the way we assess local need to provide better value for money, and delivering multi-year settlements free of the shackles of unnecessary restrictions; fixing the broken audit and early warning system; and raising standards and modernising democratic working practices.

We must end the top-down micromanaging of individual decisions and approaches by local leaders and replace it with a principle of constitutional autonomy and partnership. Everyone – from frontline councillors convening their communities, to regional Mayors leading strategic economy policy – needs the tools and trust to deliver change. There must be a genuine relationship of equals, mutual respect, and collective purpose built around the missions to transform the UK, with clear outcomes local people will see and feel.

This is ambitious, but it isn't new. This programme of reform continues the work of the '97 governments onward which saw the formation of the Mayor of London, the devolved parliaments and assemblies in Scotland, Wales and Northern Ireland, and freedoms for local government, with the creation of Combined Authorities, the power of economic, social and environmental wellbeing, and more locally the introduction of quality parish status.

The work to repair the foundations, bring in consistent and accountable structures, and shift decision making outwards, is not the end in itself. It should only be seen as a means to realising the change the country voted for, and which the electorate will judge the government on.



A handwritten signature in blue ink that reads "Jim McMahon." The signature is written in a cursive, flowing style.

Jim McMahon OBE MP

Minister of State for Local Government and English Devolution

Executive summary



England is one of the most centralised countries in the developed world. Devolution across England is fundamental to achieving the change the public expect and deserve: growth, more joined-up delivery of public services, and politics being done with communities, not to them. These are all key aspects of this government's Plan for Change. We believe it is only by redistributing political, social and economic power that we will rewire England and allow everyone everywhere to realise their full potential.

The foundation of modern devolution began in Scotland, Wales, Northern Ireland and London in the late 1990s. Since then, and despite austerity and insufficient funding for local government over the past 14 years, mayoral devolution has shown that it can be a vehicle for the change the public expect.

Mayoral devolution works because Mayors can use their mandate for change to take the difficult decisions needed to drive growth; their standing and soft power to convene local partners to tackle shared problems; and their platform to tackle the obstacles to growth that need a regional approach. It works because they have skin in the game and are accountable to their citizens. This White Paper initiates the biggest transfer of power out of Westminster to England's regions this century.

Widening devolution across England

Our goal is simple. Universal coverage in England of Strategic Authorities – which should be a number of councils working together, covering areas that people recognise and work in. Many places already have Combined Authorities that serve this role. The government will continue to develop new Strategic Authorities collaboratively and in partnership with places. However, in order to ensure that citizens across England benefit from devolution, and to ensure the effective running of public services, we will legislate for a ministerial directive. This will allow the creation of those Strategic Authorities where local leaders have, after due time has been allowed, not been able to make progress. This, combined with our plans to support local government reorganisation, will help align public service boundaries with Strategic Authorities and will ultimately lead to fewer politicians and a more efficient state.

Devolution by default will end the deals-based approach

Devolution policy is currently ad hoc and inconsistent. It is unclear to places what they can access, when they can access it, and under what conditions. The government will put a framework into legislation setting out the powers that go with each type of authority. The framework is a floor on our ambition, not a ceiling. Over time, we expect it to be added to and enhanced. The framework will be clear and easy to follow, and will enable Mayors to drive growth and the public to hold them to account. The most far-reaching and flexible powers will be for Mayoral Strategic Authorities.

Unprecedented powers and budgets for Mayors

Getting things done in Mayoral areas. Mayors can find it impossible to do the basics, like pass the budget or implement an effective transport strategy, because unanimity amongst constituent councils is sometimes needed. Deploying a veto can be a political device and not in the best interests of getting houses built or growing the local economy. So, we will move Mayoral Strategic Authorities to simple majority voting, including the Mayor's vote, wherever possible.

An Integrated Settlement to fund local priorities. Mayors across England in receipt of government funding already have plans to deliver for their place. But that government funding comes with conditions, reporting requirements, forms to fill in and boxes to tick. Mayors have to slalom between pots of money to deliver the answer they already know is right. The Integrated Settlement will change that – starting with Greater Manchester, Liverpool City Region, North East, South Yorkshire, West Midlands and West Yorkshire Combined Authorities receiving a consolidated budget across housing, regeneration, local growth, local transport, skills, retrofit, and employment support.

This will enable Strategic Authorities to move funding between policy areas. It will lead to better value for money and outcomes for citizens, because in practice these programmes should not operate in departmental silos. New housing developments often depend on transport links and supporting people back into work often requires helping them to upskill.

Integrated Settlements will reform the way Strategic Authorities account to government for the funding they get. It will move away from the current complex and fragmented departmental monitoring and reporting requirements to a single, mutually agreed outcomes framework, monitored over a Spending Review period.

Transport. Since devolution in 1999, London is widely seen to have one of the best integrated transport systems in the world. Huge progress is being made across mayoral areas, not least in the introduction of the Bee Network in Greater Manchester, and Mayors in West Yorkshire and Liverpool City Region taking back control of their buses. But the government will be more ambitious still in three ways:

- The process for taking buses back into public control will be made faster and simpler.
- Mayors will be given a statutory role in governing, managing, planning and developing the rail network. In addition to partnerships with Great British Railways, Mayors of Established Mayoral Strategic Authorities will have a clear right to request greater devolution of services, infrastructure and station control where it would support a more integrated network.
- Mayors will take on powers to coordinate their road network, in partnership with constituent authorities and with less oversight from national government.

Skills and employment support. Mayors are central to driving local growth and supporting labour market and skills needs. To support them, we will take further steps:

- The majority of the Adult Skills Fund is devolved to existing Mayoral Strategic Authorities, but we need to go further. We will therefore remove ringfences from Skills Bootcamps funding and Free Courses for Jobs funding for Mayoral Strategic Authorities, providing them with much more flexibility. Supported employment funding will also be devolved to all local areas and form part of the Integrated Settlement.
- Strategic Authorities will take on joint ownership of the Local Skills Improvement Plan model, alongside Employer Representative Bodies, which set out the strategic direction for skills provision in an area.
- While 16-19 education is not a devolved function, Mayoral Strategic Authorities will have an important role working with employers to promote clear pathways from education and training into employment, including to help identify local industry placements for 16-19 year olds. This will support the Mayoral Strategic Authorities' critical role in the delivery of the Youth Guarantee announced in the Get Britain Working White Paper, overseeing 18-21 year olds participating in education, employment and training.
- The Get Britain Working White Paper also sets out an intent that all Mayoral Strategic Authorities will have a substantive role in co-designing any future non-Jobcentre Plus employment support, and Established Mayoral Authorities will have a substantive role in its delivery.

These changes will enable local areas to deliver on their Local Growth Plan and other strategies.

Housing and planning. Mayors are integral to delivering the 1.5m homes committed to in this Parliament. Therefore we will support Strategic Authorities and Mayors with new powers:

- All areas, with or without a Strategic Authority, will have to produce a Spatial Development Strategy, which will be adopted with support from a majority of constituent members. This policy change means more homes will get built.
- Mayors will also be given new development management powers, similar to those exercised by the Mayor of London. This will include the ability to call in planning applications of strategic importance.
- In conjunction with these powers, Mayors will be able to charge developers a Mayoral Levy to ensure that new developments come with the necessary associated infrastructure. A Mayoral Community Infrastructure Levy was introduced in Greater London in 2012 to help finance the Elizabeth Line.
- To enable Mayors to deliver on their plans, we will forge a stronger partnership between Homes England and Established Mayoral Strategic Authorities, increasing Homes England's accountability to Mayors. As part of this, the government intends, over time, to move Homes England to a more regionalised model so that the agency is even more responsive to the economic plan of an area.
- The government will further ensure that Mayors have the funding they need to deliver on their housing ambitions, with control of grant funding for regeneration and housing delivery.
- Established Mayoral Strategic Authorities will also have the ability to set the strategic direction of any future affordable housing programme.

Environment and climate change. The government has committed to making Britain a clean energy superpower. So that Strategic Authorities can play their role in this mission, we will make the following changes:

- Mayors will be handed control of retrofit funding as part of the Integrated Settlements, providing a strengthened route to local delivery of the Warm Homes Plan.
- Strategic Authorities will have a strategic role in the delivery of the Great British Energy Local Power Plans, delivering local sustainable energy generation.
- They will also have a role in the wider energy system, delivering our transition to Net Zero, become the zoning co-ordinators for local heat networks, and with their plans taken into account in the National Energy System operators' Regional Energy Strategic Plans.
- Finally, we will expand Strategic Authorities' role in leading Local Nature Recovery Strategies.

Supporting businesses and research. The growth mission means delivering good jobs across the country. We will support businesses to deliver through strengthening Strategic Authorities' role in the business ecosystem:

- Growth Hub funding will be rolled into the Integrated Settlement.
- The Office for Investment will work with Mayors to develop and market strategic investment propositions.
- We will work with Established Mayoral Strategic Authorities to develop a future regional innovation funding programme as part of the second phase of the Spending Review, and UK Research and Innovation will extend its regional partnerships to other Mayoral Strategic Authorities.
- Strategic Authorities will also be key partners in boosting culture, heritage and the visitor economy, supported by close integration with arm's length bodies like Historic England.

Reforming and joining up public services. Successive governments have tried to join up the constituent parts of public services. One of the simplest and most effective means of doing so is bottom up, through place. The government's view is that it is a good thing the Mayor of South Yorkshire is both the Police and Crime Commissioner for the region and the Chair of the Integrated Care Partnership. This makes it more likely that those services deliver for citizens. Join-up also leads to fewer politicians. This White Paper sets out an intention to do more:

- Where geographies align with Police and Crime Commissioner and Fire and Rescue Authorities, Mayors will, by default, be responsible for those services.
- We will explore, in time for the English Devolution Bill, the possibility of a single Mayor taking on Police and Crime Commissioner and Fire and Rescue Authority responsibilities across two or more Police Force and Fire and Rescue Authorities, where boundaries align.
- We will introduce a new bespoke duty for Strategic Authorities in relation to health improvement and health inequalities.
- We will introduce an expectation that Mayors are appointed to Integrated Care Partnerships and are considered for the role of Chair or Co-Chair. The Mayor should also be engaged in appointing Chairs of Integrated Care Boards.
- Over the long term, the government is announcing an ambition to align public service boundaries, including job centres, police, probation, fire, health services and Strategic and Local Authorities.

Hardwiring devolution into central government

While this White Paper sets out unprecedented powers and responsibility for Mayors, for too long the priorities of places have been largely ignored by government departments. New forums, such as the Council of Nations and Regions chaired by the Prime Minister, and the Mayoral Council, chaired by the Deputy Prime Minister, will change that. Mayors will have a statutory duty to

produce Local Growth Plans which will hardwire their local growth priorities into the way the UK government works. Further, national agencies and arm's length bodies such as Homes England, Great British Railways, National Highways, Great British Energy and the National Energy System Operator, and funding bodies like the Arts Council England, will be asked to reconfigure how they work so that the national and the local work seamlessly to benefit the public. Established Mayoral Strategic Authorities will be able to propose that they are responsible for future initiatives that fall within their area of responsibility, effectively giving them first refusal on new policy initiatives where appropriate.

Local government reorganisation

Unitary councils can lead to better outcomes for residents, save significant money which can be reinvested in public services, and improve accountability with fewer politicians who are more able to focus on delivering for residents. This White Paper announces that we will facilitate a programme of local government reorganisation for two-tier areas, and for unitary councils where there is evidence of failure or where their size or boundaries may be hindering their ability to deliver sustainable and high-quality public services. We will invite proposals for reorganisation from all these areas. We will take a phased approach to delivery, taking into account where reorganisation can unlock devolution, where areas are keen to move quickly or where it can help address wider failings. We are clear that reorganisation should not delay devolution and plans for both should be complementary. We will work closely with areas to deliver an ambitious first wave of reorganisation in this Parliament. New unitary councils must be the right size to achieve efficiencies, improve capacity and withstand financial shocks. For most areas this will mean creating councils with a population of 500,000 or more, but there may be exceptions to ensure new structures make sense for an area, including for devolution, and decisions will be on a case-by-case basis.

Local government taking back control

We will rebuild local government after 14 years of mismanagement and decline. Councils are the foundation of our state. They are deeply embedded in the everyday life of people, but have been run into the ground in recent years. We will reset the relationship with local government, to give the sector more autonomy and put councils on the road to recovery. We will provide multi-year settlements, updating the way we provide funding to local government, end micro-management, and move to a meaningful partnership between central and local government. We will rebuild local authority workforces and modernise how councils do business. We will recognise the vital role of local councillors as frontline community convenors, and executive members and leaders as partners in delivering the government's missions. And we will end the current parent-child dynamic. It is nonsensical that the Secretary of State for Housing, Communities and Local Government has to agree before councils can set rules on where people can ride bikes or climb trees in parks. It is costly, inefficient and patronising that the Secretary of State for Transport has to agree to a new cattle grid or to converting a footpath into a cycle lane.

A new approach to communities

We will give local councils greater control over the activities of establishments and premises that can cause health and environmental issues. We will enhance protections for assets and high streets. We will continue to work in partnership with our most deprived communities to tackle their unique challenges. And we will look at the case for strengthening communities with greater rights to be involved in their local issues, as well as delivering a new community ‘right to buy’ for valued community assets, such as empty shops, pubs and community spaces. This will empower local people to bring community spaces back into community ownership and end the blight of empty premises on our high streets.

Leaders that are more accountable to the public for delivering change and have the capacity they need

We will secure devolution for the long term, strengthening accountability and building capacity. We will deliver improvements to the accountability system for devolution, including an outcomes framework for Integrated Settlements, so it remains fit for purpose as we devolve more powers and funding. And we will improve external scrutiny of local public spending through reforms to the local audit system, and to local government standards and oversight. To build capacity at all levels, we will ensure the right people are available for the job, seconding out from central government if needed. We will support Mayors to collaborate on larger regional footprints, and we will rebuild local authority workforces and modernise how councils do business.

Next steps

- **Widening devolution:** The government has already started to deliver on the plans set out here, with two new Mayors and six non-mayoral devolution agreements confirmed since July, getting powers to local areas sooner. We are doubling down with a new Devolution Priority Programme for places ready to match our ambition.
- **Deepening devolution:** We are delivering deeper powers for more areas, increasing the number of Mayoral Strategic Authorities we are committing to give Integrated Settlements to six, and considering how to apply it to London. We will now work with the Mayoral Council on delivering the ambitious Devolution Framework, and where relevant will shape the details of proposals with spending implications through the Spending Review process.
- **Local government reorganisation:** We will work with individual areas, inviting proposals from all remaining two-tier areas and those unitary councils where there is evidence of failure or their size or boundaries may be hindering their ability to deliver sustainable and high-quality services to their residents
- **We also recommit to the English Devolution Bill**, which will be introduced in the first session, subject to parliamentary time, putting the Devolution Framework into statute and moving to a systematic approach that ensures local leaders have the powers they need.

1. Facing the future

1.1 Barriers to national renewal

England has widespread potential for prosperity, but that potential is not being met

Like the whole of the UK, all regions in England have the raw ingredients to ignite growth. They have high quality research institutions, innovative economic clusters, some of the most successful start-up hubs in Europe, and a hard-working and highly skilled workforce.

The government's Green Paper, *Invest 2035: the UK's modern Industrial Strategy*, sets out that these strengths, and the opportunities they create, are distributed across the country⁷. That is why we see burgeoning clusters like:

- Life sciences in places like Cambridgeshire and Peterborough and Liverpool City Region
- Financial services in places like West Yorkshire and London
- Advanced manufacturing in places like Greater Manchester, the West Midlands, the North East, and South Yorkshire
- Clean energy and green industries in places like the North East, the East Midlands⁸, the West Midlands⁹, Tees Valley, York and North Yorkshire¹⁰, and around the Humber
- Digital industries in the West of England
- Defence, with two-thirds of UK's defence spend outside London and the South East¹¹.

Despite these clearly visible strengths, opportunity is being stifled. We have an economy that hoards potential, and a politics that hoards power. It is no wonder that our economy has flatlined, with UK GDP per capita lower than pre-pandemic levels. This has undermined living standards. As the 2024 Autumn Budget set out, if the UK economy had grown at the average rate of Organisation for Economic Co-operation and Development (OECD) countries over the past 14 years, GDP would have been £171bn larger.¹² Working people have paid the price through stagnating living standards and higher taxes.

⁷ DBT (2024) [Invest 2035: the UK's modern industrial strategy](#) - GOV.UK

⁸ East Midlands Hydrogen (2024) [The UK's largest inland hydrogen cluster | East Midlands Hydrogen](#)

⁹ West Midlands Growth Company, [Tyseley Energy Park | Invest West Midlands](#)

¹⁰ BioYorkshire, [Home | BioYorkshire](#)

¹¹ MOD (2023) [MOD regional expenditure with industry 2022/23](#) - GOV.UK

¹² HMT (2024) [Autumn Budget 2024 \(HTML\)](#) - GOV.UK

Harnessing our growth potential across the UK is fundamental to turning this around. For too long we have failed to make use of the untapped strengths we see in towns, cities and counties across the country. The economic gains are potentially huge – if English cities outside of the capital met their productivity potential compared to similar cities in other countries, national economic output could be £34bn-£55bn larger per year¹³.

That is why the government is committed to fixing the foundations of the economy and has begun a decade of national renewal, with growth as its central mission. And whereas some places are held back by infrastructure, others are by skills. So to drive change, dedicated local knowledge, leadership and interventions are needed, led by strong and empowered institutions¹⁴.

This White Paper concerns devolution and local government arrangements across England. It does not cover devolution in Scotland, Wales and Northern Ireland. The devolution of powers to local authorities within Scotland, Wales and Northern Ireland would be the responsibility of their respective devolved government. Respect for devolution and collaboration with the Devolved Governments in these nations remains central to this government's approach to rebuilding the country.

¹³ MHCLG analysis of OECD (2020), *Enhancing Productivity in UK Core Cities: Connecting Local and Regional Growth*, OECD Urban Policy Reviews, OECD Publishing, Paris, <https://doi.org/10.1787/9ef55ff7-en>. £34bn if the workforce and sectoral composition of the Core Cities matched the UK average and £20bn if these cities experienced agglomeration effects in line with second cities in France or Germany.

¹⁴ Stansbury, A. Turner D. and Balls, E. (2023) *Tackling the UK's regional economic inequality: Binding constraints and avenues for policy intervention*, available at: [198_AWP_final.pdf](#) pp.4

Regional growth – the missing local government investment

The Industrial Strategy Green Paper set out that the UK has often ranked in the bottom 10% of OECD countries for investment. This is mainly driven by low levels of private sector investment, though public sector investment has tended to be relatively low as well. UK total public investment, at 3% GDP, was 26th out of 38 OECD countries, against an OECD average of 3.6% GDP in 2022¹⁵.

Low UK total public investment is driven by our low level of local government investment. Although UK central government investment matches the OECD average, at 2.2% GDP, UK local government investment, at 0.8% GDP against an OECD average of 1.4%, ranks 30th out of 38 OECD countries - the lowest in the G7.

If our subnational investment matched the OECD average rate, we would invest an extra £19bn per year – a further 0.6% of GDP. This would put the UK in the top 50% of OECD countries for total public investment.¹⁶

Trust in politics is falling

We face a long-term decline of trust in our politics. Too many people feel like they do not have control over the things that matter most to them, from housing to healthcare. Nearly eight in ten people in England say public services have been getting worse, and many have little faith in our system of government to turn that around¹⁷.

The public are right to demand change: a growing economy, public services that are there when people need them, and a politics that is done with communities, not to them. That is why the Prime Minister has pledged that this government will be one of service, committed to putting the right powers at the right levels.

For decades, central government has called the shots - and the public's trust in politics has fallen¹⁸. There is a different way: empowered local leaders, who know their area better than any Westminster politician, whose sole job is to deliver for their residents. By taking back control, people can begin to regain their faith in politics as a force for good.

¹⁵ DBT (2024) [Invest 2035: the UK's modern industrial strategy](#) - GOV.UK

¹⁶ DBT (2024) MHCLG analysis of [OECD Data Explorer • Subnational government investment](#) (last updated, 01 October 2024), accessed 15.11.2024. 2022 data.

¹⁷ Ipsos UK (2024) [Public Services Face Crisis of Confidence as Election Looms](#) | Ipsos

¹⁸ NatCen (2024) [Trust and confidence in Britain's system of government at record low](#) | NatCen

Public services need integration and reform

Public services are on their knees, with outcomes at historic lows¹⁹. In 2024, polling found that over 69% of people in England believed public services had got worse, and there was significantly net negative satisfaction on areas like council housing, support for children and young people, and employment and skills support for adults²⁰.

People are right to demand better public services. The government is taking difficult decisions to raise revenue to deliver the increased investment that public services need. However, better services also require new ways of working. Building services solely around the institutions and agencies of central government does not work. Too much money has been spent on badly targeted programmes delivering poor outcomes. We urgently need to reform public services to focus on prevention, with programmes built more closely around people and the places they live.

1.2 How devolution can help us deliver

Further devolution in England is critical to solving these challenges

Evidence shows that, under the right conditions, devolution can help solve these challenges.

- On growth, devolution to capable local leaders at strategic scales has been linked to higher productivity²¹, meaning more money in people's pockets.
- When it comes to trust in politics, directly elected Mayors are the most recognisable local political figures, and people think more power should come down from national government²².
- In other developed countries that introduced greater devolution, people were more satisfied with public services²³.

Devolution to Scotland, Wales and Northern Ireland from 1998 laid the foundation for a new approach to governing, with new legislatures and governments making a reality of the principle of democratic self-government and recognising the political and cultural distinctions within the UK. The historic devolution that created the Greater London Authority in 1999 showed the potential of

¹⁹ HMT (2024) [Autumn Budget 2024 speech - GOV.UK](#); see also [Performance Tracker 2023 | Institute for Government](#)

²⁰ Ipsos UK (2024) [Public Services Face Crisis of Confidence as Election Looms | Ipsos](#)

²¹ OECD (2021) A comprehensive approach to understanding urban productivity effects of local governments: Local autonomy, government quality and fragmentation, available at: <https://dx.doi.org/10.1787/5ebd25d3-en> pp.38

²² Centre for Cities (2024) [Metro mayors are the most recognisable local political figures in their area, polling finds](#)

²³ See Espasa, Marta et al. "Is Decentralization Really Welfare Enhancing? Empirical Evidence from Survey Data (1994-2011)." *ERN: Other Macroeconomics: Employment* (2017); or Durmuş, Veli. "[Does the healthcare decentralization provide better public health security capacity and health services satisfaction? An analysis of OECD countries.](#)" *Journal of health organization and management* (2024)

a Mayor across a city region, delivering on priorities and being directly accountable to the public. And the introduction of legislation for Combined Authorities in 2009 showed the path for English devolution outside of the capital, building on the strengths of Local Authorities.

Just as the turn of the century kicked off the rebalancing of power, it is now time for this government to make its contribution with the determination and focus required.

The case for change is clear:

- Devolution means policy can be tailored to local situations, based on a deep understanding of England's regional economies. Places should not have to constantly re-work competitive bids to deliver the government of the day's priority. While ministers and civil servants strive to serve, those making national decisions have competing incentives, limited capacity and less localised information. Devolution enables more decisions to be made by those who know their areas best, leading to better outcomes and a more efficient use of resources.
- Devolution enables coordinated action in a place. Policies across skills, innovation, and infrastructure are much more effective when used to complement each other²⁴. We have already seen the difference that can be made when local leaders and Mayors work together in the interests of the local population. It creates the right mix of local intelligence and capacity with strategic vision²⁵.
- Devolution gives communities a greater say in decisions that affect them. When policy is made at a national level, even the best intentions can fall short and invite public objection if the communities who should benefit are left powerless in the decision-making process.
- Devolution done right drives innovation, enabling different leaders to trial different methods, and learn from what works to ultimately deliver more for citizens.

By pushing more power out of Whitehall, this government is undertaking major structural reform to deliver better democratic and economic outcomes for people and places across England. With more power devolved in England, people will see the following changes.

- Priorities for their area set locally, with policies tailored to needs and circumstances.
- Easier commutes through a single transport system, with pay-as-you-go fares and joined-up services to access more opportunities faster.
- Skills and employment provision that are more relevant to local jobs.
- More houses that are matched with new infrastructure.
- Support from public services that talk to each other and understand what support people need.

²⁴ See e.g. the analysis in Freedman, S. (2024) "[Public Service Reform and Devolution](#)" — [Labour Together](#)

²⁵ Institute for Government (2023) [How can devolution deliver regional growth in England?](#) pp.14

- Fewer but more empowered leaders who can be directly held to account. 83% of people in Greater Manchester recognise the Mayor²⁶ – we want this kind of recognition and direct accountability across the country.
- Local government, as the foundation of devolution, itself given a firm foundation, restored to being fit, legal, and decent. Councillors will play an important role as the delivery arm of this project, with the respect and resources they need to get the job done.

1.3 Our priorities for devolution in England

This White Paper sets the roadmap for a new way of governing: a permanent shift of power away from the centre, with delivery by strong institutions across the right strategic footprint.

1.3.1 All of England should benefit from devolution

There has been progress in rolling out devolution in England, with the proportion of the population covered by devolution deals reaching 61% in 2024, just over 34 million people. However, the current “devolution by deal” approach has created an inconsistent patchwork of powers, coverage and accountability. Over 90% of the North of England is covered by devolution arrangement, yet in the South of England this is just 46%²⁷. And as a result of the deal-based approach, the powers Mayors hold to effect change vary between places. We will bring coherence and consistency – ending one-off deals in favour of a systematic approach.

We want to see all of England benefit from devolution. By completing the map, the government will oversee the rebalancing of power from central government so that local leaders can take back control and increase prosperity for local people²⁸. It is the government’s strong preference that in filling the map, places do so with a Mayor over a strategic geography.

1.3.2 More directly elected Mayors to create visible leadership and greater accountability

Mayors have become vital local leaders, delivering on the promise of change in their area to drive growth, more joined-up delivery, and earning trust. The evidence sets out the reasons for this:

²⁶ Centre for Cities (2024) [Place over politics: What polling tells us about how successful devolution has been to date | Centre for Cities](#)

²⁷ Counting the South West, South East, London and East of England NUTS1 regions.

²⁸ See the benefits of ‘completing the map’ set out in Weinburg, N. *et al* (2024) [A Growth Policy to Close Britain’s Regional Divides: What Needs to be Done | Harvard Kennedy School](#)

- Mayors can use their mandate for change to take the difficult decisions needed – such as funding and driving Greater Manchester’s integrated transport system, or taking the Supertram back into public ownership in South Yorkshire.
- Mayors have the standing and ‘soft power’ to convene local partners and tackle shared problems, directly exercise devolved powers, and attract inward investment – whether bringing together local businesses to open up 20,000 work experience placements in the West Midlands, or the West Yorkshire Mayor’s trade mission to North America to drum up jobs and investment for her region.
- Mayors have a platform for tackling the obstacles to growth that need a regional approach – from the Northern Mayors coming together to consider strategic transport planning at a regional level, to the future Mayors of Greater Lincolnshire and Hull & East Yorkshire coming together with the government to discuss decarbonisation across the Humber.
- Mayors are accountable to their citizens and have the profile to stand up for them on the national stage – able to both partner with and challenge central government where needed.

That is why the government will put Mayors front and centre. They will be a fundamental partner to the government in delivering its missions and allowing areas to take back control. We have established the Council of Nations and Regions and the Mayoral Council. These forums will provide unparalleled opportunities for Mayors, working hand in glove with other local leaders, to engage government at the highest levels on a systematic basis. Through the Councils, Mayors will be able to bring local insights to bear on shared national problems and ensure the interests of their local communities are represented in the development of government policy.

Mayors will collaborate across regions to get things done – with the ‘Great North’ group of Northern Mayors showing the way as they collaborate on shared priorities.

Areas that agree to take on a Mayor will see major benefits, including:

- Prioritisation by the government to agree and establish devolution in their area.
- Powers drawn down from the strengthened Devolution Framework, with a significant devolution offer that will continue to grow over time.
- A clear pathway to unlocking higher levels of devolution reserved for the most mature institutions, including access to the Integrated Settlement which will grow in scope over time.
- Flexible allocated funding, with a long-term investment fund and, once the area has qualified, funding granted through a flexible Integrated Settlement.
- A representative sitting round the table of the Council of Nations and Regions with the Prime Minister, First Ministers from all the Devolved Governments and the Deputy First Minister of Northern Ireland.

- A representative on the Mayoral Council to work with the Deputy Prime Minister on developing devolution and local growth policy.
- A mandate to develop a Local Growth Plan, with local growth priorities agreed with the government providing focus for central government and regional collaboration.
- Membership of the Mayoral Data Council to join up senior data leaders with central government decision-making on data issues that affect them.

1.3.3 Powers in the right places

We will shift the balance of power, but this must happen at the right level and to strong institutions able to deliver.

For hyper-local issues, communities should be empowered to make change happen – such as taking over ownership of treasured community assets, and working with civic society organisations to drive community improvements.

For delivering frontline services, Local Authority leaders need to be empowered, with more certainty and less marking of homework by the government, so they can drive town centre improvements and deliver on core aims like planning and core statutory services.

For strategic decisions to drive growth, we need strong institutions at the right scale.

The evidence is clear that to drive improved economic outcomes, we must devolve core levers over growth – like transport, skills, employment support and strategic planning – and align these across functional economic areas in which people live and work. Places have distinct economic networks where people and companies interact, which can be much bigger than individual towns or councils. Aligning economic policies at this scale can help deliver productivity, because specialisms develop over the wider economic area separate to the individual towns or councils within it – such as a sector specialism needing a new research institute, or regional transport network to connect to new homes.²⁹ In other countries, places with combined authority-type city region bodies had higher productivity than those without³⁰. Without a comprehensive ‘strategic tier’ between national and local government, we will continue to lack the scale needed for very large regional investments and strategically coordinated growth levers³¹.

²⁹ OECD (2019) [The EU-OECD definition of a functional urban area | OECD Regional Development Working Papers | OECD iLibrary](#)

³⁰ Cities with fragmented governance structures tend to have lower levels of productivity (around 6% for a city with twice the number of municipalities), but this can be mitigated by almost half by the existence of a governance body at the metropolitan level. OECD (2014/15) [What Makes Cities More Productive? Evidence on the Role of Urban Governance from Five OECD Countries | OECD Regional Development Working Papers | OECD iLibrary \(oecd-ilibrary.org\)](#)

³¹ McCann, P. (2023) [Levelling-up economics](#)

Many public services are also delivered across large areas. Devolution cannot maximise opportunities to bring levers together unless devolved governance covers wider public service footprints too, so services like health and skills can be brought together – meaning residents get more services for their taxes. Where that alignment can be introduced, this can bolster the capacity of the state to deliver.³²

³² Freedman, S. (2024) [Public Service Reform and Devolution — Labour Together](#)

2. How we will deliver devolution in England

2.1 Our new devolution architecture for Strategic Authorities

To deliver the government's permanent shift of power from Westminster, with consistent powers at the right level across all of England, we need a new architecture.

The government will therefore legislate to introduce the following:

2.1.1 Strategic Authorities

We will create in law the concept of a Strategic Authority. All Strategic Authorities will belong to one of the following levels:

- **Foundation Strategic Authorities:** these include non-mayoral Combined Authorities and Combined County Authorities automatically, and any Local Authority designated as a Strategic Authority without a Mayor.
- **Mayoral Strategic Authorities:** the Greater London Authority, all Mayoral Combined Authorities and all Mayoral Combined County Authorities will automatically begin as Mayoral Strategic Authorities. Those who meet specified eligibility criteria may be designated as **Established Mayoral Strategic Authorities**. This unlocks further devolution, most notably an Integrated Settlement.

The government's strong preference is for partnerships that bring more than one Local Authority together over a large geography. In exceptional circumstances the Secretary of State will have the power to designate an individual Local Authority as a Foundation Strategic Authority only. Our ambition remains for all parts of England to ultimately have a Mayoral (and eventually Established Mayoral) Strategic Authority.

We will legislate to ensure that Strategic Authorities can change structure should local government reorganisation take place, for example, changing from a Combined County Authority to a Combined Authority when a two-tier area becomes single-tier.

2.1.2 Areas of competence of Strategic Authorities

Strategic Authorities will have a defined list of areas of competence, set out in law. These are designed to bolster, not detract from, the functions and role of other public bodies, such as NHS England, Jobcentre Plus the Environment Agency or Local Authorities. To enable effective working with the public, private and voluntary sectors, we will explore a wide-ranging legal power for Strategic Authorities to deliver in their areas of competence. We will also explore enabling Mayors to promote economic, social, and environmental aims and convene stakeholders with a corresponding duty on public authorities to respond. It would go hand in hand with a duty to collaborate with constituent Local Authorities and neighbouring Strategic Authorities in delivering these areas of competence. These changes will put Mayors truly in charge of their place and give them a mandate to get things done.

Proposed list of areas of competence

We would like to engage with views from Mayors and the whole of the local government sector on the areas of competence. The following list should be considered as areas where Strategic Authorities should have a mandate to act strategically to drive growth as well as support the shaping of public services, where strategic level coordination adds value. We are interested in where this list could be expanded now or in the future:

1. Transport and local infrastructure
2. Skills and employment support
3. Housing and strategic planning
4. Economic development and regeneration
5. Environment and climate change.
6. Health, wellbeing and public service reform
7. Public safety

2.1.3 Statutory Devolution Framework

The public need a clear understanding of who is responsible for what in their area so that they can hold local leaders accountable.

We will therefore put into legislation the statutory functions and governance arrangements for each level of Strategic Authority. Members of that level will receive the corresponding functions automatically.

We also want to introduce a more consistent, transparent and effective set of voting arrangements. When residents elect a Mayor, they need to know that key decisions cannot be blocked by a single council, and that decisions will be taken that drive long-term economic

growth. Mayors will always be expected to work in partnership with local authorities and key stakeholders; but a desire for perfect consensus must not get in the way of tough decisions. To enable this, when the framework becomes law, it will override any existing governance arrangements.

In Mayoral Strategic Authorities, a majority vote which includes the Mayor will be required to approve decisions on the use of most functions. Specific functions set out in the Devolution Framework will be exercisable only by the Mayor. In Foundation Strategic Authorities, most decisions will require a majority but key strategic decisions will require unanimity. The governance arrangements for the setting of Combined Authority and Combined County Authority budgets and transport levies will also be standardised. These changes will not apply to the Greater London Authority or any single Local Authority designated as a Foundation Strategic Authority, given their different legal constitution. We recognise that some parts of the country have unique technical circumstances which require small changes to this consistent approach, such as to reflect arrangements relating to the management of trams. We will work with these places on this, but any changes to this approach will be by exception.

The English Devolution Bill will deliver a more consistent approach to devolution but will still allow for local circumstances to be recognised. The process for the making of Statutory Instruments for individual Combined Authorities, Combined County Authorities and Local Authorities will remain, but will account for the new statutory Devolution Framework.

2.1.4 Adding to the Devolution Framework

The Devolution Framework is a floor to our ambition, not a ceiling. We want to continue to deepen devolution across England in the future, as new Strategic Authorities grow in capacity and coverage. So, we will regularly review the Devolution Framework in collaboration with Strategic Authorities. As a first step, we will work with areas that have mayoral devolution agreements and priority areas for new mayoral devolution in the coming months to include them in conversations to evaluate the new framework with relevant departments.

Established Mayoral Strategic Authorities will be able to propose, individually or with others, additional functions to be added to the statutory Devolution Framework, or piloted locally, in order to deliver their areas of competence. The mechanism of requesting further powers is intended to drive innovation and testing to ensure we continue to trailblaze. This will be an annual process ahead of fiscal events. Proposals will be discussed at the Mayoral Council and then Established Mayoral Strategic Authorities will be invited to submit a written proposal formally, to which the government will have a duty to respond. Successful pilots will be considered for addition to the framework.

The government will therefore take the power to add to, but not remove from, the statutory Devolution Framework by statutory instrument, subject to consultation with Mayoral Strategic Authorities.

2.2 Widening and deepening devolution in England

We want to see all of England benefit from devolution, with full devolution coverage across the country, at least to the level of Foundation Strategic Authorities, with an ambition to move to a mayoral model. By completing the map and working towards all areas having a Mayor, the government will rebalance power.

The government will consider future devolution agreements against the criteria set out below on geography and governance arrangements. Ahead of the English Devolution Bill, we will bring forward areas ready to move quickly through a new Devolution Priority Programme.

2.2.1 Geography

When agreeing geographies the government will consider the following principles. It will not be possible to meet all the principles in all situations and the government will work with areas to find an optimal outcome:

- **Scale:** Strategic Authorities should be of comparable size to existing institutions. The default assumption is for them to have a combined population of 1.5 million or above, but we accept that in some places, smaller authorities may be necessary.
- **Economies:** Strategic Authorities must cover sensible economic geographies with a particular focus on functional economic areas, reflecting current and potential travel-to-work patterns and local labour markets. It is likely that where travel to work areas are small and fragmented, Strategic Authorities will cover multiple travel to work areas.
- **Contiguity:** Any proposed geography must be contiguous across its constituent councils (either now or with a clear plan to ensure contiguity in the future through agreed local government reorganisation).
- **No ‘devolution islands’:** Geographies must not create devolution ‘islands’ by leaving areas which are too small to go it alone or which do not have natural partners.
- **Delivery:** Geographies should ensure the effective delivery of key functions including Spatial Development Strategies, Local Transport Plans and Get Britain Working Plans.
- **Alignment:** The government will seek to promote alignment between devolution boundaries and other public sector boundaries.
- **Identity:** A vital element of successful devolution is the ability for local residents to engage with and hold their devolved institutions to account – and local identity plays a key role in this.

2.2.2 Governance structures

Mayoral devolution

Given Mayors are the government's strong preference, the deepest powers will only be available at the Mayoral level and higher. Mayors should have a unique role in an institution which allows them to focus fully on their devolved responsibilities, while council leaders must continue to focus on leading their place and delivering vital services. Conflating these two responsibilities into the same individual and institution, as is the case if an individual Local Authority had a mayoral model of devolution, would risk the optimal delivery of both. We will therefore discontinue the individual Local Authority devolution model in its mayoral form.

To provide consistency across the country, we will remove the ability of Strategic Authorities to call Mayors by another name, in common with local government councillors and UK MPs, regardless of the ward or constituency they represent.

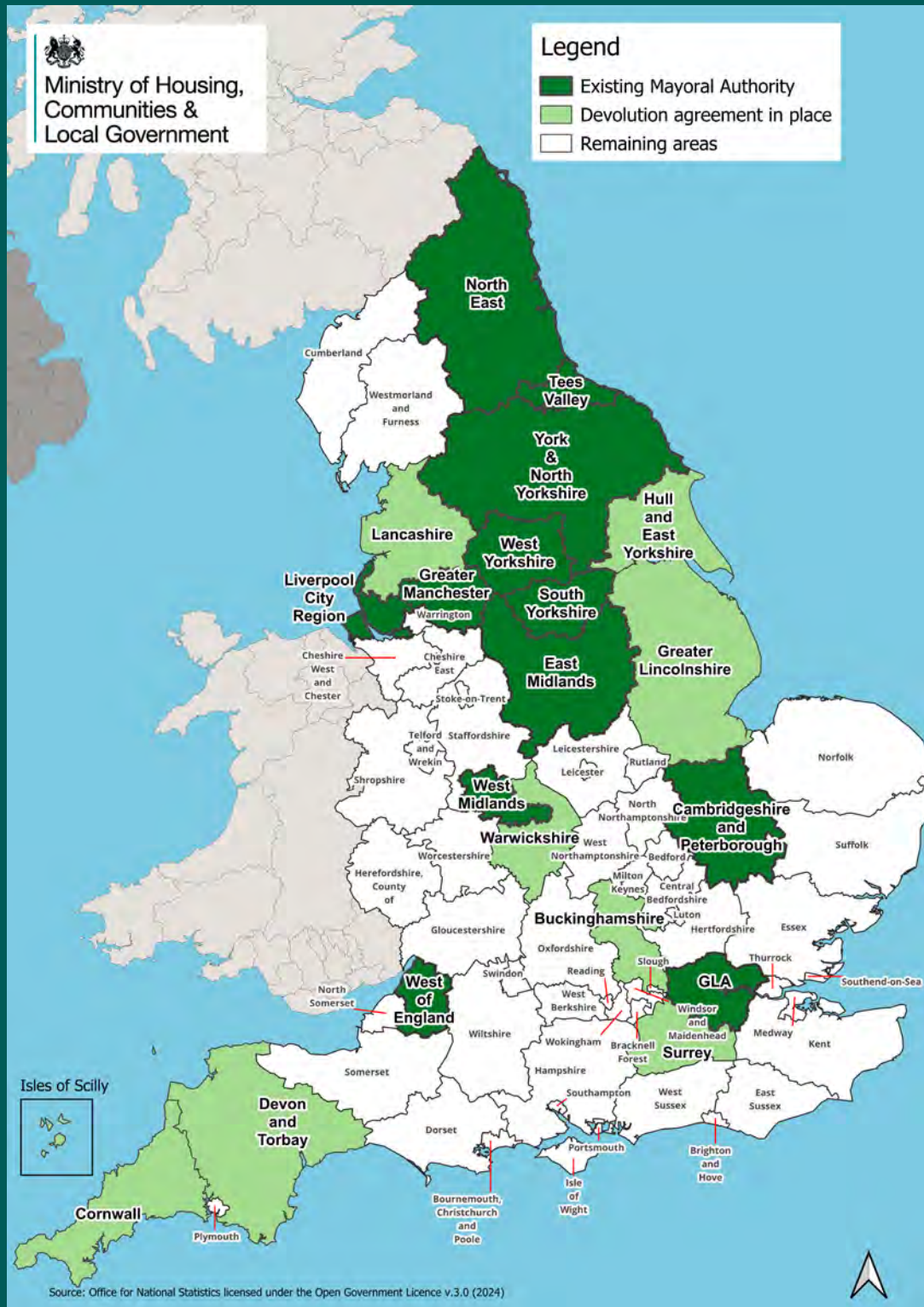
Non-Mayoral devolution (Foundation level)

The government will also consider proposals for Local Authorities to work in partnership through the establishment of a Combined Authority or Combined County Authority, as a platform to consider mayoral devolution in the future. By exception, the government will consider non-mayoral devolution arrangements for single Local Authorities, where the criteria above are met, but only as a stepping-stone towards forming a Mayoral Combined Authority or Mayoral Combined County Authority.

The role of district councils

In areas with two tiers of local government, before moving to a single tier, the government will establish Combined County Authorities but not Combined Authorities. In those cases, while districts will not be constituent members, the government expects effective levels of collaboration to be demonstrated between constituent members and district councils, especially where the district council covers the primary city or economy in that county.

Figure 1: Map of current English devolution landscape, December 2024



Devolution in action: North East Child Poverty Reduction Unit

In the North East the Mayor is driving forward proactive and practical solutions to support prevention of child poverty. This year, the Mayor launched the Child Poverty Reduction Unit. The aim of the Unit is to build a strategic, long-term and collaborative approach to reducing child poverty, building on the initiatives already underway. One of the first outputs will be a Mayor's Childcare Grant, which will help parents find or return to work and keep more of their earnings.

This year, the Combined Authority is delivering a programme of work across all seven constituent authorities. More than 220 schools will be supported to mitigate the symptoms and causes of child poverty. Advisors have supported families and households by bringing welfare rights advice and support into schools. Since September 2024, 125 families have been supported, building on a pilot over the last two years, which saw 760 families supported. The combined authority has also funded 1,450 Baby Boxes for vulnerable first-time parents, building on a successful pilot supporting 750 families last year. The Combined Authority is also working in partnership to support work with 85 employers this year to introduce bespoke, impactful poverty reduction strategies that respond to the voice of staff, including changes to flexible working contracts, updating terms and conditions, and subsidised essential items.



2.2.3 Approach to filling the map

The government will work collaboratively with local government to deliver on the ambition of universal coverage of Strategic Authorities in England.

However, in order to ensure a complete national layer of Strategic Authorities is in place to devolve further powers to in future, we will legislate for a ministerial directive, which will enable the government to create Strategic Authorities in any remaining places where local leaders in that region have not been able to agree how to access devolved powers. Our commitment to working in partnership holds firm, and so the government will limit its use of this power to instances when other routes have been exhausted. We will ensure that the ministerial directive is used to conclude the process where there is majority support, or the formation is essential in completing the roll out of Strategic Authorities in England.

2.2.4 Deepening devolution in Established Mayoral Strategic Authorities

Mayoral Strategic Authorities with a strong track record of delivery, which can demonstrate exemplary stewardship of public finances, can request access to a deeper level of devolution, including the Integrated Settlement.

Eligibility for Established Mayoral status

As part of ending devolution by deal in favour of devolution by default, the government is setting clear criteria for accessing the Established Mayoral tier. Specifically:

- The Mayoral Strategic Authority (or predecessor Mayoral Strategic Authorities) have been in existence, with a directly elected Mayor in place, for at least 18 months at the point of submitting a request to move up to the Established Mayoral tier and access the Integrated Settlement;
- The Strategic Authority has a published Local Assurance Framework in place;
- In the previous 18 months the Strategic Authority has not been the subject of a Best Value Notice, a MHCLG commissioned independent review, or a statutory inspection or intervention;
- The Strategic Authority is not subject to any ongoing (or implementing) recommendations from an externally mandated independent review; and
- There are no material accounting concerns covering the current or previous financial year which relate to the Strategic Authority's ability to manage public money.

Strategic Authorities which meet the criteria will be eligible to apply for the Established Mayoral level of devolution. The Combined Authorities representing Greater Manchester, Liverpool City Region, the North East, South Yorkshire, West Midlands, and West Yorkshire have met these criteria and will receive Integrated Settlements. The government will also explore how an Integrated Settlement could be applied to London from 2026-27, taking into account its unique circumstances. All of these authorities will also take on the additional powers and devolved funding set out in the Devolution Framework.

Qualifying for ‘Established Mayoral’ status

Mayors of Strategic Authorities which meet these criteria will be able to write to the Ministry of Housing, Communities and Local Government to apply to be an Established Mayoral institution. The government will then further consider the devolved authority’s track record of managing major programmes. The Secretary of State will have the power to legally designate Mayoral Strategic Authorities as Established Mayoral Strategic Authorities and will always do so when they qualify as set out above. This process will require the consent of the Strategic Authority’s constituent local authorities.

Once designated as Established Mayoral, Strategic Authorities will automatically be conferred with the relevant powers and functions available at that level of the framework by right. In line with the framework, Established Mayoral Strategic Authorities will be eligible to receive an Integrated Settlement, which will commence at the following Spending Review provided a sufficient preparation period has passed. Wider funding commitments would also commence at this point in the majority of cases. As official designation will not be possible until the English Devolution Bill becomes law, the Mayoral Strategic Authorities mentioned above will receive elements of the framework ahead of designation where practicable.

2.2.5 London: Strengthening the capital’s devolution settlement

Nearly 25 years on from the establishment of the Greater London Authority, the government will examine the Greater London Authority Act 1999 (as amended) to remove any unnecessary or dated provisions and ensure the Act is fit to support the capital’s continued growth and prosperity. As part of this work, the government will also explore whether changes are needed to the system governing the disposal of Transport for London operational land and the way in which transport funding is agreed for London.

As we update the Devolution Framework, we will work with the Greater London Authority to ensure the capital city benefits from new powers and funding being made available to other Strategic Authorities, while retaining pre-existing bespoke London arrangements. This work will include exploring how an Integrated Settlement could be applied to the Greater London Authority from 2026/27. The Greater London Authority will draw on existing ways of working with London Councils to facilitate collaboration where this can support shared objectives.

As a leading global city, it is right that London also looks towards its international competitors to learn from innovative policy approaches. London led the world with the introduction of integrated ticketing and other city-wide policies. The government remains committed to maintaining London's international competitiveness and attractiveness as a place to work, study, visit and invest. To support this, the government will work with the Mayor of London to compare the powers and policy approaches of other global city authorities. This will be led by a new working group sponsored jointly by Ministry of Housing, Communities and Local Government and the Greater London Authority.

Devolution in action: Integrated transport system across London – Transport for London

Transport for London (TfL) runs an integrated transport system and is responsible for the day-to-day operation of the capital's public transport network and managing London's main roads. It is a statutory body created by the Greater London Authority Act 1999, which gave the Mayor of London a general duty to develop and apply policies to promote and encourage safe, integrated, efficient and economic transport facilities and services to, from and within London.

TfL has transformed customer service through a broad programme including simplified fares, Oyster and contactless ticketing, staff development, investing in new trains and upgrading stations. The devolution of responsibilities for the tube and light rail in London, along with a small number of heavy rail routes and services has been a particular success, having led to greater investment, higher levels of passenger satisfaction, and more frequent and reliable services.³³ TfL has delivered extensions to the network – on the Docklands Light Railway, Overground, Tube and Elizabeth Line – to enable London's sustainable development, and has helped embed heavy rail services within wider public transport networks and within broader plans for housing, economic development and decarbonisation in London.³⁴



³³ Passengerfocus (2008) [National Passenger Survey Spring 2008 - Transport Focus](#); Transportfocus (2020) [Main-Report-Spring-2020.pdf \(d3cez36w5wymxj.cloudfront.net\)](#); Transport for London (2024) [Customer service and operational performance report – Quarter 4 2023/24 \(10 December 2023 – 31 March 2024\) \(tfl.gov.uk\)](#).

³⁴ For example, the Northern Line Extension was built to enable regeneration in the Vauxhall, Nine Elms and Battersea Opportunity Area, with planned capacity for 18,500 homes and 18,500 jobs [Vauxhall, Nine Elms, Battersea Opportunity Area | London City Hall](#)

2.3 Hardwiring English devolution into government

Delivering a permanent shift in power from Whitehall so local leaders can drive change needs central government to do things differently. And we need to lock in that way of working for the long term, so that it is future-proofed and cannot be ignored when it is not convenient.

Devolution in action: How the government is working with Mayors to drive growth

The government is already working closely with Mayors to drive growth across the country, through partnership working, funding and support to utilise their growth levers, such as Mayoral Development Corporation powers. The government will work with Mayors to identify new opportunities for collaboration, where central government can work in partnership with Strategic Authorities to unlock new projects and sites.

Through Investment Zones, the government is working with Mayors, alongside business and local partners, to create the conditions for investment and innovation. For example:

- In Liverpool, the government is backing the Mayor's plans to become a global leader in the life sciences sector by providing funding to develop new world-class facilities and capabilities in the region that will drive breakthrough research in infection, therapeutics, mental health, advanced manufacturing, and the use of data and AI to lead healthier lives. Initial investments include new category 2 lab and office space at Sci-Tech Daresbury, and enhancing the AI and robotics capabilities at iiCON. Local partners expect the investment to attract up to £640 million of private investment and create over 8,000 new jobs.
- In West Yorkshire, the government is investing in the Mayor's ambition to grow HealthTech in the region, building on existing strengths in the life sciences, and in digital and technology sectors. Funding will deliver over £50 million of infrastructure investment to accelerate delivery of key initiatives including the development of digital technology innovation assets in the Bradford Knowledge Quarter, specialist clinical teaching and research facilities through the £250 million National Health Innovation master plan in Huddersfield, and refurbishment of the Old Medical School in Leeds to unlock 4,000 square metres of innovation space and create a life sciences and digital health science park.

- The government is also supporting the newly formed East Midlands Combined County Authority's vision to transform the regional economy by driving growth in the advanced manufacturing and clean energy sectors, where the Investment Zone is expected to create 4,300 jobs and leverage £380 million of private investment. The government is also supporting the newly formed East Midlands Combined County Authority's vision to transform the regional economy by driving growth in the advanced manufacturing and clean energy sectors, where the Investment Zone is expected to create 4,300 jobs and leverage £380 million of private investment. Funding will address the lack of R&D and innovation space in the region and unlock much needed development sites, including at Hartington Staveley where there are opportunities to build on the nascent advanced rail cluster, as well as grow world-leading green and nuclear clusters at Derby's Infinity Park and develop on the existing advanced manufacturing expertise at Explore park near Worksop.

The government is also supporting Mayors to take forward local growth priorities and deliver game-changing investments. For example:

- In October 2024, the government confirmed £25m funding for local growth priorities, which the North East Combined Authority plans to use to accelerate progress on the Crown Works Studios in Sunderland. In October 2024, the government confirmed £25 million funding for local growth priorities, which the North East Combined Authority plans to use to accelerate progress on the Crown Works Studios in Sunderland. The £450 million development will be one of the largest studios in Europe with the potential to create over 8,000 jobs and generate £2 billion in GVA. Alongside specialist skills for the UK film industry, those who will benefit from the development being on their doorstep include carpenters, engineers, designers, drivers, electricians, hair and make-up artists, and medics amongst others.
- In London, the government is backing the Mayor's ambition to revitalise Oxford Street, unlocking the area's full potential and delivering a much-improved experience for shoppers, residents, workers and tourists. This includes supporting the Mayor's proposal to establish a new Mayoral Development Corporation to bring forward the regeneration of Oxford Street, working with local leaders to ensure it remains a world-class destination.

2.3.1 Local Growth Plans

Mayors are key partners in delivering the growth mission. Through the English Devolution Bill, we will create a statutory requirement for all Mayoral Strategic Authorities to produce a Local Growth Plan, setting out a long-term vision for growth in their region over the next decade and a roadmap for how this can be achieved. They will galvanise and guide work across partners to help Mayors to deliver growth, including:

- **In Established Mayoral Strategic Authorities and among local partners:** Local Growth Plans will play a key role in implementing and rolling out Integrated Settlements, being reflected in the outcomes framework.
- **In central government and Arm's Length Bodies:** To ensure Local Growth Plans hold weight, guide central government policy, and corral meaningful action, we will work with Mayoral Strategic Authorities to agree a limited number of shared strategic priorities, to act as a focal point for collaboration. This will ensure a shared understanding of economic opportunities, help align policy levers around them, and guard against the proliferation of strategies and policy churn in central government that has hampered local growth efforts in the past.
- **In the private sector and among investors:** Local Growth Plans will galvanise action and investment, including through setting out a pipeline of investment opportunities. Unlocking these opportunities will require the right mix of public and private investment, and the government is currently consulting on a duty for Local Government Pension Scheme administering authorities to work with Strategic Authorities and other stakeholders to identify suitable investment opportunities, and to have regard for Local Growth Plans and local economic priorities when setting their high-level investment strategies. Local Government Pension Scheme administering authorities would be expected to put forward local investment opportunities they had identified to their asset pools, who in turn would be required to have the capability to conduct due diligence on those proposals before taking final investment decisions. The English Devolution Bill will also introduce a reciprocal requirement on Strategic Authorities to work with Local Government Pension Scheme Administering Authorities and their asset pools to develop investment opportunities that are appropriate for pensions investment.

Foundation Strategic Authorities also have an important role to play in driving local growth. These authorities will set out a vision for growth in their area, building on existing local economic strategies where these exist. As they become Mayoral Strategic Authorities, taking on additional powers, functions and funding, they will be required to update these to produce full Local Growth Plans.

Devolution in action: East Midlands Inclusive Growth Strategy

Following the establishment of the East Midlands Combined County Authority (EMCCA) in early 2024, its first Mayor pledged that “We will make our region more prosperous, sustainable and fairer, helping our people and businesses to create and seize opportunities.” To achieve this, work immediately began to create a long-term inclusive growth strategy which would deliver for the whole region, covering some 2,000 square miles and 2.2 million people.

The strategy aims to take a wide-ranging, long-term and systemic approach to driving growth and ensuring benefits for all residents, from the region’s rural areas to its towns and cities.

To do this, EMCCA has established an arms-length and independently chaired Inclusive Growth Commission, chaired by Andy Haldane, the Chief Executive of the RSA. Commissioners from the East Midlands and beyond will draw on their extensive knowledge from different sector backgrounds to generate creative, long-term ideas for growth rooted in cutting edge evidence, community insights and conversations with local leaders. The proposals from the Commission will be underpinned by EMCCA’s emerging Local Growth Plan and a fresh, integrated consideration of spatial growth opportunities.



The strategy will be supported by a transformational programme of systems leadership and reform, working closely with stakeholders to deliver the goal of devolution in bringing prosperity to the region and overhauling years of systemic underfunding. The long-term strategic approach will build on the early success of the authority and its partners in securing £160m to support the East Midlands Investment Zone.

2.3.2 Engagement forums

Local leaders with skin in the game need a bigger voice in national policy making. To deliver this, the government has already established:

- The **Council of the Nations and Regions**, chaired by the Prime Minister, brings together First Ministers of the Devolved Governments, the deputy First Minister of Northern Ireland, and the Mayors of Strategic Authorities to collaborate across the national missions.
- The **Mayoral Council**, chaired by the Deputy Prime Minister, brings together England's Mayors. The Council will be the key forum for engagement between central government and Mayors on Local Growth Plans, pushing the frontier on devolution, feeding back on how best to deliver on the ground, and identifying opportunities to better coordinate national and local policy.
- The **Leaders Council**, bringing together a representative group of local authority leaders with the Deputy Prime Minister and other ministers so that local leaders have a seat at the table in government and policy solutions can be co-designed with local government.

2.3.3 Policymaking with devolution by default

Local leaders' desire to drive change and growth has too often been stymied. Central government must become more responsive to their local knowledge. We will:

- Pursue an ambition to **realign public authority boundaries**, so that over time, public services are delivered over the same areas as Strategic Authority boundaries. Our long-term aim is for public service boundaries – including those of police, probation, fire and health services – and those of Strategic Authorities, to align. Any changes to public service boundaries will be made in consultation with stakeholders and considering the impact on service delivery. In the meantime, we will look for practical solutions to allow Mayors to deliver where service boundaries are non-coterminous, considering the benefits on a case-by-case basis.
- Ensure that Strategic Authorities, in partnership with local authorities and other local institutions where relevant, are considered as the **default delivery institution for new programmes or activity** where these are appropriate for local delivery and in their areas of competence. This recognises the importance of providing Strategic Authorities with clear medium-term certainty about their roles, and of creating the stability necessary to support growth. There will be a presumption that funding flows through Integrated Settlements for Enhanced Mayoral Strategic Authorities.
- Ensure key **Non-Departmental Public Bodies and Arm's Length Bodies**, such as Homes England, Network Rail and National Highways, have appropriate regard to relevant Strategic Authority strategies and the shared growth priorities from the Local Growth Plan for the area in their work.

- Establish the **National Wealth Fund** with a strong regional objective to unleash the full potential of our cities and regions. It will work in close partnership with Mayors to support investable propositions in their Local Growth Plans, as well as with Devolved Governments, and with other local leaders to support their investment plans, being led by local needs. The National Wealth Fund will have increased resources in both its Local Authority and Banking and Investments teams. It will conduct more outreach to identify expanded project pipelines and structure innovative transactions with project sponsors, industry, Local Authorities and government departments. It will work collaboratively, focusing on additionality and never crowding out private investment.

2.3.4 Better data and better use of data

Greater devolved powers need to go hand in hand with the necessary evidence and data – both to design and deliver efficient, effective, and equitable local services, and to help the public hold their leaders to account for delivering change. Access to, and sharing of, data can be resource intensive, slow and difficult to navigate. Where data or statistics do exist, they can be hard to find, often out of date, be at the wrong geographical level, or require advanced technical and analytical capabilities that are not easily available. While having better access to data is important, it is equally necessary to ensure those being provided with the data have the capability and capacity to analyse it. We want to work with local government and data experts to develop a comprehensive vision for local data to coordinate the range of initiatives under one coherent long-term plan.

Making local data a priority from the outset:

- We will establish a new Mayoral Data Council to integrate senior data leaders from Mayoral Strategic Authorities into central decision-making on data issues that affect them. It will champion better data and better use of data, as well as improved data sharing. The Data Council will input into the Mayoral Council and the central government digital and data function. The Council will also look to collaborate with Devolved Governments where appropriate.
- Together with relevant government departments, the Mayoral Data Council will refine and implement the data partnership principles, which were co-developed with Greater Manchester and West Midlands Combined Authorities through the trailblazer deals. These set out how central government and Strategic Authorities will work together for the legal, safe and secure sharing of data, to make accessing data easier and more streamlined. The principles will support and streamline negotiations with individual government departments over access to priority datasets.

Fixing the basics:

- To improve access to data, we will support Office for National Statistics to lead a refresh of the government's subnational data strategy, in which they seek to drive the delivery of better local statistics in collaboration with the Devolved Governments and draw on findings from the recent Lievesley review^{35,36}. We will also continue to engage with Office for National Statistics in meeting the ambitions of that strategy through their local data and insight programme.
- To boost the data and analytical capacity of Strategic Authorities we will provide continued support for ONS Local to gather user needs and understand data gaps, provide data access, analytical support, and capability to local data leaders.
- Data discovery and access needs to be made easier. Strategic Authorities will be consulted on the development and operation of cross-government services that enable easier data discovery and access, as stakeholders alongside central government departments. Examples of current data discovery and access initiatives include the Data Marketplace, National Data Library and the Integrated Data Service.
- More information sharing is needed to improve the services that Strategic Authorities offer local businesses, but there are not always legal gateways for this. We will legislate to broaden the scope of the Digital Economy Act 2017 public service delivery powers via a provision in the Data (Use and Access) Bill – to allow for information sharing to improve public service delivery to businesses. We will also work with Strategic Authorities to consider establishing data sharing initiatives under the Digital Economy Act. We will assess our existing data governance practices (including information sharing agreements) and aim to streamline these processes in compliance with the relevant Codes of Practice and data protection legislation.
- We are committed to improving the efficiency of data collection while improving data consistency and completeness through the adoption of data standards.
- Any and all potential options to increase access to data will, where applicable, respect the provisions in the Data Protection Act 2018, UK General Data Protection Regulation in order to achieve compliance in design, the common law duty of confidentiality and the requirement for Local Authority consent to any future data sharing arrangements.

³⁵ GSS (2021) [Government Statistical Service \(GSS\) subnational data strategy – Government Analysis Function](#)

³⁶ UK Statistics Authority (2024) [Independent review of the UKSA: Announcement \(HTML\) - GOV.UK](#)

2.3.5 Evaluation

To deliver devolution successfully, it is vital that we build evidence of how best to implement our policies over time. Evaluation of policy gives both central and local government insights into what works and how to maximise benefits. Working across government we will explore:

- A public devolution evaluation on the outcomes of devolution to date, including the Integrated Settlements, working with areas to understand the right balance of responsibilities between central and local government.
- A feasibility study for how we can assess the impact of different devolution commitments, including the Integrated Settlement.
- Delivering ongoing process and impact evaluation to capture evidence on devolution as it becomes available, looking at delivery and implementation, future trends, and impact in place.

3. Powers, functions and funding – the Devolution Framework

3.1 The devolution offer

Local leaders have been held back from delivering the change their residents need – growth, public services that are there when people need them, and politics done with communities, not to them. The government is setting out an enhanced Devolution Framework – available by default rather than by deal. This enhanced Devolution Framework will deliver:

- **Mayors free to set the priorities for funding that suit their areas the best** through Integrated Settlements for Established Mayoral Strategic Authorities, meaning that for the first time Mayors are not bound by strict Westminster rules over how to spend money locally.
- **Strategic Authorities' leadership of their area's growth hardwired** through Local Growth Plans, the Council of Nations and Regions, and the Mayoral Council.
- **Easier commutes** because Strategic Authorities are better able to join up transport networks through: faster bus franchising; joined-up transport funding; a statutory role for Mayors in governing, managing, planning, and developing the rail network; option for Mayors to control local rail stations; and the right to request rail devolution for Established Mayoral Strategic Authorities.
- **Skills and employment provision that is more relevant to local jobs** because Strategic Authorities will have joint ownership of the Local Skills Improvement Plan model (alongside Employer Representative Bodies) and devolved control of core adult skills funding; and Mayoral Strategic Authorities will have devolved control of non-apprenticeship adult skills funding, and a crucial role in ensuring there are clear pathways of progression from education into both further education or higher education and employment for 16-19 year olds in their areas, devolution of supported employment funding for the first time across England, and a commitment for Mayoral Strategic Authorities to co-design the future landscape of non-Jobcentre Plus support more widely.

- **More houses, served by the necessary infrastructure, and more social housing** with Mayors becoming responsible for strategically planning for housing growth, backed by devolved funding, a Homes England that is more responsive to the Mayors, and for Mayors of Established Strategic Authorities, the ability to set the strategic direction of any future affordable homes programme.
- **More investment in local areas** through fuller devolution of business support, a clearer role for Strategic Authorities in innovation, a Strategic Partnership with the Department for Business and Trade focused on domestic growth, exports and investment, and collaborative partnerships with the Department for Culture, Media and Sport's Arm's Length Bodies.
- **Strategic Authorities at the heart of making Britain a Clean Energy Superpower**, with a strategic role in the delivery of the Local Power and Warm Homes Plans, devolution of retrofit funding by 2028 to Established Mayoral Strategic Authorities, and clear roles in the wider energy system (e.g. on Heat Zoning).
- **Action to deliver greater public service boundary alignment** in the long term, making more Mayors responsible for fire, police, and engaged in Integrated Care Partnerships, and supporting the mayoral convening role in public services, so Mayors and Strategic Authorities can support partners in driving public service reform. This includes clearer expectations for Mayors' roles in local health systems and in improving population health.

This is a significant devolution of power. But it represents the floor, not the ceiling, of the government's ambition, and will be kept under review. The framework sets out what that will be devolved at each tier. Specific funds are subject to the Spending Review

3.2 Funding and investment

Integrated Settlements for Established Mayoral Strategic Authorities

Integrated Settlements are central to delivering change. Established Mayoral Strategic Authorities will become eligible for the Integrated Settlement, which will commence at the following Spending Review provided a sufficient preparation period has passed. The scope of Integrated Settlements will be confirmed at each Spending Review on the basis of functional responsibilities, and their value by a formulaic process. Integrated Settlements will have a single systematised approach to spending controls and a single, streamlined, overarching assurance and accountability framework coordinated by the Ministry for Housing, Communities and Local Government.

More information is available at GOV.UK: [Integrated settlements for Mayoral Combined Authorities - GOV.UK](#)³⁷

³⁷ MHCLG (2024) [Integrated settlements for Mayoral Combined Authorities - GOV.UK](#)

Funding consolidation for Mayoral and Foundation Strategic Authorities

Outside of the Integrated Settlements, the Devolution Framework also commits to a simplified funding landscape for Mayoral and Foundation Strategic Authorities. This will include:

- For Mayoral Strategic Authorities, consolidated funding pots covering: local growth, place, housing, and regeneration; non-apprenticeship adult skills; and transport. These will commence in the following Spending Review.
- For Foundation Strategic Authorities, MHCLG will provide dedicated local growth allocations, decided by formulae, and with lighter-touch investment sign-off.
- The government will reform the local growth funding landscape at the following Spending Review, rationalising the number of funds and moving away from competitions. Future local growth funding will recognise the centrality of Strategic Authorities for economic growth. And, as the Chancellor announced at Autumn Budget 2024, we will continue providing funding to Mayoral Combined Authorities with Investment Zones to create additional jobs and economic growth in areas that have economically underperformed in the past.

Funding for new and existing institutions

Mayoral Strategic Authorities also need funding certainty to be able to plan for the long-term and get maximum impact from their spending. The 30-year investment funds will remain a core part of the Devolution Framework, with existing arrangements honoured, new areas receiving this funding on their creation, and funding for new institutions standardised to increase fairness. In due course, we will also remove gateway reviews for Established Mayoral Strategic Authorities which have passed Gateway One or equivalent.

Mayoral Combined and Combined County Authorities have been able to raise a mayoral precept should they choose since legislation made in 2016 and 2023 respectively. However, they cannot use this on their full range of functions, often including vital growth levers like bus services and adult skills. We will legislate to correct this, raising the value for money of this existing power.

3.3 Transport and local infrastructure

High quality transport infrastructure supports growth and opportunity. Bringing decisions about transport closer to people is key to improving the transport networks we rely on every day. We will therefore empower Strategic Authorities to take greater oversight of their local transport networks.

Transport funding

For Established Mayoral Strategic Authorities, the Integrated Settlement will include local transport funding streams, including City Region Sustainable Transport Settlement funding for eligible authorities from the start of City Region Sustainable Transport Settlements 2 in 2027/28.

Foundation and Mayoral Strategic Authorities will also have funding consolidation, with greater consolidation, autonomy, and flexibility for places with a Mayor. Places will be held accountable through a transport-specific accountability framework with a proportionate outcomes framework and metrics.

The government is committed to ensuring long-term financial sustainability for Transport for London and will work with them to develop a plan for achieving this from 2026/27 onwards as part of the Spending Review in the Spring.

Roads

Strategic Authorities will play a key coordination role in their local road network, working with National Highways on the strategic road network and their constituent authorities on local roads. Strategic Authorities will have a range of functions and powers as follows:

- Mayoral Strategic Authorities will set up and coordinate a Key Route Network on behalf of the Mayor, allowing the most important local roads to be strategically managed. Mayors will hold a Power of Direction over this network to support delivery of their agreed Local Transport Plan. We will review the effectiveness of the Power of Direction two years after implementation.
- Responsibility for local roads will remain with constituent authorities, unless otherwise agreed locally. The government will encourage Strategic Authorities to work to streamline arrangements across their area, for example, through a single set of highway design standards.
- Some Strategic Authorities have taken on some highways functions concurrently with their constituent authorities and we will continue to explore if standardised powers would add value.
- Local Transport Authorities will be empowered to regulate on-street micromobility schemes (like hire bikes), so local areas can shape these schemes around their needs, connect people to public transport, and tackle the scourge of badly parked cycles and e-cycles.
- Subject to consultation, it is proposed that the government will devolve approval of local Lane Rental schemes to Mayoral Strategic Authorities. Lane Rental schemes enable Local Highway Authorities to charge for works on busy roads at busy times with the aim of minimising disruption. Outside of Mayoral Strategic Authority areas, it is proposed that approval will remain with the Secretary of State.
- To help speed up development, the government also plans to devolve approvals for stopping up orders nationally, in line with London. These powers allow Local Highway Authorities to permanently close roads, subject to planning consent. Other minor road consents will be devolved to Mayors and Local Highway Authorities and changes to tolls on certain tolled undertakings will be devolved to Mayors.

To support Strategic Authorities' role in overseeing the road network, National Highways is committed to formalising and strengthening its relationship with Mayoral Strategic Authorities, ensuring a more cohesive approach to the management and development of England's strategic road network alongside local roads. One example is action to address pavement parking at a national level: we will publish a formal response to the 2020 pavement parking consultation. We will expect Strategic Authorities to play a leading role in developing a consistent approach to enforcement across their area, using available powers as appropriate.

Rail

Great British Railways will put passengers and local communities back at the heart of the railways and protect their interests – integrating the railways with other forms of transport to support seamless journeys for passengers. This will be underpinned by:

- Engagement with Strategic Authorities on how local rail ambitions can be reflected in the national rail planning processes, including through mayoral partnerships, building on the progress already made with Greater Manchester and the West Midlands.
- A statutory role for Mayors in governing, managing, planning, and developing the rail network, to further embed collaboration and bring decision-making as close as possible to local communities. We will consult on this role ahead of the legislation required to establish the functions of Great British Railways. Subject to royal assent, we will publish guidance outlining the core components that each tier of Strategic Authority can expect, reflecting the need for this to be flexible, place-based, and bespoke.
- Greater reciprocal data-sharing, including through the Rail Data Marketplace, aligning this with the DfT 'open by default' position and the MHCLG-led data partnership principles.

If they meet transparent criteria, Mayors will also be given the option for greater control over appropriate local stations so they can capitalise on the opportunities for economic growth, accessibility and intermodal connectivity in and around stations. The government will also work with Strategic Authorities to explore how the considerable land value potential in rail-owned land could drive regeneration, commercial and housing opportunities.

Recognising the successes of the devolved rail models in London and the Liverpool City Region, Established Mayoral Strategic Authorities will have a right to request further rail devolution, up to full devolution of defined local services. We will publish guidance to establish a clear and transparent process for this.

London shows how fully integrated, multi-modal ticketing helps to get people onto public transport. To expand these types of system across the country, Great British Railways will reform the rail ticketing system to make it simpler for passengers and drive innovation. This is particularly crucial where bus franchising is coming or is in place, and rail is often the missing piece. The government will work in close collaboration with Mayoral Strategic Authorities to

deliver these shared ambitions, building on existing pay-as-you-go rail pilots. Priority will be given to Established Mayoral Strategic Authorities in city regions with existing ticketing schemes across other transport modes.

Buses and active travel

The Buses Bill will empower all Local Transport Authorities to decide whether to pursue bus franchising, a strengthened Enhanced Partnership, or publicly owned bus companies. The Department for Transport will publish updated franchising guidance and build its capacity to provide tangible support to Local Transport Authorities.

Strategic Authorities will play an important role in decarbonising transport and reducing its environmental and health impacts. The government expects Strategic Authorities to develop plans to decarbonise and reduce air pollution from their local bus fleet, including how and when emissions reductions will be delivered.

Active travel delivers a range of benefits for people and communities. Active Travel England will support Strategic Authorities to increase capability and address skill gaps to ensure a consistent approach to safety and accessibility for all users, with a right to request capability assessments for their constituent authorities.



Measures Applicable to all Local Transport Authorities

Devolution to all Local Transport Authorities

Local Authorities should be trusted to make decisions about their local area. To help all Local Authorities take back control and deliver transport more effectively, subject to normal legislative processes and consultation outcomes, the government intends to:

- Remove outdated requirements for Secretary of State consent to applications for Special Event Orders, dropped kerbs, conversions of footpaths to cycle tracks, and the construction of cattle grids, as well as exploring further the devolution of traffic enforcement powers. Removing Secretary of State consent requirements will empower local leaders and speed up decision making.
- Further simplify local transport funding matched to the key transport modes and functions.
- Set an expectation to develop an electric vehicle chargepoint strategy. This could be done within the Local Transport Plan.

Taxi and Private Hire Vehicles

Taxis and private hire vehicles are an important part of our transport networks and some of the most vulnerable groups in our society rely on them. We recognise there are concerns about out-of-area working by private hire vehicles and are exploring how best to address these concerns. As part of this, we will consult on whether to make all Local Transport Authorities (including Strategic Authorities) responsible for taxi and private hire vehicle licensing.

Administering taxi and private hire vehicle licensing across this larger footprint would increase the consistency of standards and enable more effective use of enforcement powers across a whole functional economic area. Greater economies of scale should also enable authorities to improve the efficiency of licensing, reducing the incentives for people to license out of their usual working area. This would be a significant change for the sector, and we will work with stakeholders to understand possible impacts before taking a final decision. In London, taxi and private hire vehicle licensing is already the responsibility of the Mayor and Transport for London.

Local Transport Plans

Central to the role of Strategic Authorities is the development of a Local Transport Plan. To make sure Local Transport Plans are as effective as possible, the government will:

- Require that Local Transport Plans have regard to all other Strategic Authority plans and strategies, like the Spatial Development Strategy.
- Require that constituent authorities carry out their functions with regard to the Local Transport Plan – for example, where they are using their powers over local roads.
- Update the framework for Local Transport Plans, including publishing new guidance to support integrated local transport networks across the country.

3.4 Skills and employment support

Devolution means skills and employment provision that is more relevant to local jobs. The government will therefore go further than ever before in devolving adult skills and employment support to support local leaders to develop integrated plans and delivery.

Adult skills and post-16 education

Central to the government's approach is to provide Strategic Authorities the devolution of non-apprenticeship adults skills funding. For Mayoral Strategic Authorities, this will combine and un-ringfence funding for the Adult Skills Fund, Free Courses for Jobs, and Skills Bootcamps from 2026/27 onwards³⁸. For Established Mayoral Strategic Authorities, this will form part of their Integrated Settlements from 2025/26 onwards. Foundation Authorities will continue to receive devolved Adult Skills Fund alongside ringfenced funding for Free Courses for Jobs and Skills Bootcamps.

Local Skills Improvement Plans

Recognising the central role of employers to develop Local Skills Improvement Plans and the vital role of Strategic Authorities where they exist, we will establish joint ownership of the Local Skills Improvement Plans model involving Strategic Authorities and the designated Employer Representative Bodies.

Under this model, and subject to any necessary legislation and statutory guidance needed to implement these changes:

³⁸ Persons subject to adult detention are not funded through the Adult Skills Fund (ASF). Adult learners with an Education Health and Care Plan who are aged under 25 are also outside the ASF as they fall within 16-19 funding. Accordingly, devolved skills funding for the ASF excludes those two groups.

- **Employer Representative Body designation:** When designating a new Employer Representative Body, Strategic Authorities will be involved in the process, with their comments informing the Secretary of State's decision to designate. Going further the Secretary of State for Education would not designate (without good reason) an Employer Representative Body unless the Strategic Authority was satisfied in the choice.
- **Local Skills Improvement Plan development:** In Strategic Authority areas, Local Skills Improvement Plan development will commence with the Strategic Authority establishing the sector skills priorities and sharing relevant data with the designated Employer Representative Body. These will inform the development of the plan and provide the framework within which it exists, alongside Local Growth Plans, the Industrial Strategy, Skills England's assessment of skills needs, and employer input. We will ensure Strategic Authorities and Employer Representative Bodies work together on all stages of the Local Skills Improvement Plan and its governance, with local discretion on the arrangements to deliver this.
- **Local Skills Improvement Plan approval:** Strategic Authorities and Employer Representative Bodies will be required to confirm they are both content with the plan before it is sent to the Secretary of State for Education (through Skills England) for approval. In the rare instances where the Employer Representative Body and Strategic Authority cannot agree a Local Skills Improvement Plan, and recognising the vital importance of all parts of the country having up-to-date Local Skills Improvement Plans, it may be escalated to the Secretary of State for Education. However, even in these cases, the new requirement to include the Strategic Authority's sector skills priorities within the Local Skills Improvement Plans would remain. A Local Skills Improvement Plan could not be approved if this was not the case.

We expect Local Skills Improvement Plans to be clearly linked to Local Growth Plans, relevant parts of the Industrial Strategy and Skills England's assessment of skills needs.

To ensure the policy is implemented effectively, we will align Local Skills Improvement Plan geographies with Strategic Authority geographies wherever possible. Strategic Authorities and Employer Representative Bodies will work with Skills England to ensure insights from Local Skills Improvement Plans are fed into the national picture.

16-19 skills

We will continue to ensure that there is a national and consistent approach to education and training for 16–19-year-olds. However, Mayoral Strategic Authorities have a crucial role in ensuring there are clear pathways of progression from education into both further and higher education and local employment opportunities and the government will work with Mayoral Strategic Authorities to develop the tools needed to support them in delivering this. Initial steps include:

- Ensuring Mayoral Strategic Authorities have regular, structured opportunities to feed their priorities into the Department for Education's annual strategic conversations with colleges to inform and help the further education sector in shaping provision that includes clear pathways of progression from education into further/higher education or local employment opportunities.
- Working with Mayoral Strategic Authorities to use their convening powers and influence to secure work and industry placements with local employers that relate to 16-19 education, training and career paths.
- Providing joint ownership of the Local Skills Improvement Plan model (see above) will also give Strategic Authorities a clear mechanism to help inform the skills offer locally. As part of these new joint ownership arrangements for the Local Skills Improvement Plans model, Strategic Authorities and Employer Representative Bodies can ensure the Local Skills Improvement Plan facilitates opportunities for 16–19-year-olds to undertake apprenticeships, education and training that lead to good quality employment opportunities.

Devolution in action: Utilising the Adult Education Budget in Greater Manchester

Since devolution of the Adult Education Budget (AEB) in 2019 (now the Adult Skills Fund), Greater Manchester Combined Authority (GMCA) has taken a number of measures to expand access to adult education provision with a focus on residents most in need of opportunity, and to ensure all adult education has a connection to the local labour market.

To expand access, GMCA has introduced a range of policy changes and flexibilities to widen eligibility of the AEB resulting in c.17,000 more residents enrolling on a total of over 28,000 learning aims that wouldn't have been accessible under national eligibility. GMCA has also implemented a Local Authority Grant programme to support alleviating barriers to accessing adult and digital skills, worth £1.5m per year for Local Authorities. All GM residents can now access a range of fully funded digital qualifications up to and including Level 2 irrespective of their employment status or income, compared to the national offer which is only up to a Level 1. To date, 2,200 residents have taken up this opportunity. Further, GMCA has mandated that at least 50% of AEB delivery takes place in Lower Super Output Areas (LSOAs)³⁹, ensuring a focus on Greater Manchester residents to whom opportunities to learn and upskill are most valuable, and which may otherwise be out of reach.

³⁹ Greater Manchester Combined Authority (2022) [GREATER MANCHESTER DEVOLVED ADULT EDUCATION BUDGET specification.docx.pdf](#) and [GMCA UKSPF Skills Delivery Specification.docx.pdf](#)

To ensure adult education meets employer needs, GMCA has streamlined the number of skills providers, removing funding from providers that could not evidence their responsiveness to GMCA employers' needs or strategic priorities. A local strategic provider board was established, convening all providers, colleges and local authorities to collectively discuss need and provision. Alongside this, GMCA has incorporated the use of real-time sector skills intelligence to align the level 3 offer with the needs of employers and introduced agile responses to meet local demand. For example, in partnership with Wigan and Leigh College and KraftHeinz – a large employer in Wigan – GMCA has delivered a local skills intervention to support the manufacturing sector and address a productivity-limiting skills gap through flexed AEB funding to expand eligibility for a Level 3 qualification in Mechanical Engineering and Mechanical Maintenance. Delivery was modified to support module-based learning for small groups to facilitate KraftHeinz's continuing business operation, supported by an employer contribution.

GMCA has also taken a holistic, place-based approach, which has considered not just individual funding streams in isolation, but as part of a wider employer-focused package. This has included using AEB funded provision as a springboard to in-work upskilling programmes such as Skills for Growth. In total, since devolution, over 148,000 Greater Manchester residents have accessed over 320,000 devolved AEB-funded courses.



Employment and careers

The UK is the only country in the G7 whose employment rate has not returned to pre-pandemic levels⁴⁰. 2.8 million people are out of work due to long-term sickness⁴¹. 946,000 young people (aged 16-24-years-old) are currently not in work or education⁴². This is a major constraint on the government's ambition to grow the economy. Strategic Authorities should be at the forefront of our response to these challenges in England.

As announced in the *Get Britain Working* White Paper, Strategic Authorities will be responsible for producing a local Get Britain Working Plan, focused on reducing economic inactivity. To support these plans, the government will devolve funding for supported employment provision to tackle inactivity to Strategic Authorities via grant funding, so they can design and deliver an offer that is shaped around local priorities and provision. For Established Mayoral Strategic Authorities, this funding will form part of their Integrated Settlement.

To accelerate a more locally-led and joined-up approach to tackling economic inactivity, and as set out in the *Get Britain Working* White Paper, we will launch a set of place-based trailblazers in Greater Manchester, the North East, South Yorkshire, West Yorkshire, London, and York and North Yorkshire to run during 2025/26.

We will also launch a set of place-based Trailblazers in West Midlands, Liverpool City Region, Tees Valley, East Midlands, West of England, London, and Cambridgeshire and Peterborough to design and test how different elements of the Youth Guarantee can be brought together into a coherent offer for young people.

All Mayoral Strategic Authorities will have a role in co-designing any future non-Jobcentre Plus employment support. Their subsequent role in commissioning or delivery will be determined as part of agreeing the policy objectives, design and funding parameters of any future programme. The government remains committed to ensuring that support remains evidence-based, represents value for money, and is aligned with Department for Work and Pensions delivered support.

Established Mayoral Strategic Authorities will play an integral role in the design and delivery of this support, subject to evaluation and readiness conditions being met, with a clear outcomes and accountability framework. We will also explore ahead of the next Spending Review whether there is scope for devolution of relevant funding as part of Integrated Settlements, subject to a transition period enabling authorities to demonstrate readiness and build capacity locally.

⁴⁰ OECD (2024) Data Explorer. Available at: [OECD Data Explorer • Infra-annual labour statistics](#)

⁴¹ ONS (2024) A01 summary of labour market statistics. Available at: [A01: Summary of labour market statistics - Office for National Statistics \(ons.gov.uk\)](#)

⁴² ONS (2024) [Young people not in education, employment or training \(NEET\), UK - Office for National Statistics](#)

To create a holistic, joined-up employment, skills, and health offer, the government will work in close partnership with Strategic Authorities to design, develop, and test the National Jobs and Careers Service. These tests will be designed to help us discover how we can locally shape services, whilst the government maintains overall accountability for them. As a first step towards developing a more locally responsive and engaged organisation, we will more closely align Jobcentre Plus geographies with existing Mayoral Strategic Authorities.

The framework also gives Mayoral Strategic Authorities a central role in convening local youth careers provision within the national context. For example, it provides greater flexibility for Mayoral Strategic Authorities to support the work of Careers hubs, which support schools and colleges to deliver careers information, advice, and guidance to their pupils and students.

Devolution in action: Working Win, South Yorkshire

Since 2017, South Yorkshire Mayoral Combined Authority (SYMCA) has delivered one of only two national pilots for the health-led employment programme – Individual Placement Support in Primary Care (IPSPC), known locally as Working Win, this is funded by the government’s cross departmental Work and Health Unit. The pilot targeted residents in South Yorkshire with mild to moderate physical or mental health conditions, to be supported into work or to sustain employment that had been at risk because of their health condition.

Working Win is distinguished by its local co-design approach, working with employers and health professionals, to develop a programme that offers personalised support. This has created a shared sense of ownership and trust, enhancing the credibility of programme and commitment from partners, and harnessing pre-existing local infrastructure, networks, and relationships to support implementation and delivery. The total number of residents supported by Working Win has now reached more than 5,200, with over 2,500 returning to work or finding work.

Working Win has opened the door for deeper exploration of other regional approaches to tackling health-related absences from work, such as Pathways to Work, laying the foundations for further integration of health and employment support in the region.



3.5 Housing and strategic planning

Devolution will deliver more houses that are closer to infrastructure, as well as more social and affordable housing. Strategic Authorities have not been able to play their full role because of a lack of effective powers, whether over strategic planning or affordable housing.

Strategic planning and development

As part of the government's commitment to move towards a universal system of strategic planning (see Box: A Universal System of Strategic Planning), all areas, both areas with a Strategic Authority and those without, will be required to develop Spatial Development Strategies over a strategic geography, and within a defined timeframe.

In Mayoral Strategic Authorities, Mayors will be empowered to develop and propose the Spatial Development Strategy for their areas, working closely with Strategic Authority members. Spatial Development Strategies will be approved with the support of a majority of constituent members, including the Mayor. In cases of deadlock, the Mayor will have a casting vote, and where the threshold for agreement cannot be reached, Mayors will be able to refer the proposal to the Secretary of State for decision.

In Foundation Strategic Authorities, there will be the same requirement and priority to produce a Spatial Development Strategy, although in some cases this may need to be agreed with neighbouring authorities over a larger geography. Where the Strategic Authority covers multiple Local Authorities, members will need to work together to deliver these plans, with the support of a majority of constituent members required to adopt the proposal. Where the Strategic Authority is unable to reach an agreement to a suitable time frame, there will be powers of intervention available to the Secretary of State to ensure the Spatial Development Strategy can be progressed.

We are committed to the strategic planning system being universal, so areas without Strategic Authorities will also need to produce Spatial Development Strategies, as set out in Box: A Universal System of Strategic Planning.

As is already the case in London, we will make sure Mayors are able to bring forward development, as well as plan for it. Once a Spatial Development Strategy is in place, Mayors will therefore also have access to development management powers allowing them to intervene in planning applications of potential strategic importance. To support the delivery of strategic infrastructure projects, Mayors will have powers to raise a Mayoral Community Infrastructure Levy.

Mayors will continue to have powers to apply compulsory purchase orders and to establish Mayoral Development Corporations. We will also extend to them the power to make Mayoral Development Orders. Mayors are currently required to secure the consent of the relevant Local

Planning Authority to exercise these powers, however, we will review these arrangements to ensure they remain fit for purpose in the context of the strengthened role that Mayors are expected to play in strategic planning and development.

The government will also provide support for Established Mayoral Strategic Authorities to establish their own public sector land commissions, for example by providing relevant contacts with partners, departments, and stakeholders, and engagement with the government on specific barriers, opportunities, and sites.

Housing delivery

As devolution is deepened, Mayors will play an increasingly central role in housing delivery. To support Mayors in delivering on their housing ambitions, all Mayoral Strategic Authorities will be given control of grant funding to support regeneration and housing delivery. This will be delivered as part of the Integrated Settlement in Established Mayoral Strategic Authorities from 2026/27 onwards. Further details on this will be agreed as part of the Spending Review process.

Established Mayoral Strategic Authorities currently work with Homes England through Strategic Place Partnerships – a formal partnership arrangement which brings together their respective strengths and resources. All Mayoral Strategic Authorities will now have access to these partnerships, subject to a period of joint working on pipeline development and delivery planning. However, we want to go further. In the short term, we will increase Homes England's accountability to Established Mayoral Strategic Authorities. This will include giving Established Mayoral Strategic Authorities the ability to steer and monitor Homes England's progress in delivering on objectives agreed through their Strategic Place Partnerships, and set out in their wider plans, and to escalate any issues to ministers. We will work with these areas over the coming months to develop the detail of how this will operate. Beyond this, the government has announced that Homes England will move to a more regional and place-based operating model to align its structures and ways of working to the government's devolution agenda. Homes England will also work with Foundation Strategic Authorities on a targeted basis to develop a shared development pipeline and joint action plan, using a continuous market engagement approach to identify the authorities with capacity for accelerating development.

Decisions on affordable housing are currently taken too far away from Mayors' plans. It is vital that this changes so that decisions meaningfully recognise and respond to Local Growth Plans and Spatial Development Strategies – both in Homes England's work to encourage pipelines of bids, and in the specific decisions relating to the allocation of grant to social landlords (including Local Authorities) within the Mayor's area. Over time, the government is seeking to move towards full devolution of funds and delivery for affordable housing. As an interim step, Established Mayoral Strategic Authorities will be given the ability – through their Strategic Place Partnerships with Homes England – to set the strategic direction of any future affordable housing programme in their area, including shaping the tenure mix and identifying priority

sites for housing development to be supported by grant. As part of this, there will be a clear approach to ensuring responsibility of Homes England to the Mayors (recognising constraints such as market demand) and a clear framework on the specific decisions Mayors will be able to take, agreed with the Ministry of Housing, Communities and Local Government and to be implemented by Homes England. To support planning, this will include upfront indicative spend per Established Mayoral Strategic Authority, subject to suitable projects being identified. This will support the government's commitment to kickstart the biggest increase in social and affordable housebuilding in a generation.

A universal system of strategic planning

The government has been clear that it will implement a universal system of strategic planning within the next five years. The model that is proposed is the Spatial Development Strategy (SDS), which is well established in London, the London Plan having been produced and continually reviewed over 20 years. As set out at 3.5, where Strategic Authorities exist, they will be responsible for producing or agreeing the SDS for their areas.

While it is our ambition for every area of England to be covered by a Strategic Authority, this will be a gradual process. We want to move quickly on strategic planning. This means that where no Strategic Authority is in place or is planned to be in place, the government will take a power through the forthcoming Planning and Infrastructure Bill to direct defined groupings of upper-tier county councils, unitary councils, and in some cases Foundation Strategic Authorities to deliver an SDS. Given the intention to have all SDSs produced by Strategic Authorities in due course, the government believes it makes sense in the first instance for these groupings of Local Authorities to be guided by the sensible geography criteria that have been set out for agreeing new devolution deals (see 2.2.1). The arrangements for agreeing SDS in areas without a Strategic Authority will follow the same principles as Foundation Strategic Authorities.

In all areas, SDSs will guide development for the Local Planning Authorities in the area, and their Local Plans will need to be in general conformity with the Spatial Development Strategy. However, Local Planning Authorities should not delay development of Local Plans while they await the adoption of SDS. Relevant Local Plans should continue to be updated or developed alongside the SDS process.

Areas will be able to set SDS to enable their area to grow, identify the infrastructure that is needed and strategic locations for development. This will include an obligation to apportion an assessment of the housing need of the Strategic Authority across its constituent members. The government intends for that assessment to be the cumulative total of the local housing need of each constituent member, as determined by the Standard Method set out in national planning policy. The apportioned figure set for each constituent member in the SDS will then be the minimum housing requirement for the purposes of each member authority's next Local Plan. Agreement on the precise distribution of housing need will be agreed through the SDS development process. We also expect that the authorities producing SDSs will be able to encourage the pooling of resources and prioritising of efforts across their constituent authorities to meet housing need.

The content of SDSs will be kept deliberately high level with the dual purpose of preserving detailed policy and site allocations for Local Planning Authorities through their Local Plans, and for enabling strategic plans to be produced quickly, with the intention of achieving national coverage by the end of this Parliament. The government expects high levels of collaboration to be demonstrated between the Strategic or upper-tier Local Authorities who are responsible for the SDSs and Local Planning Authorities in the area. There will be a formal duty for responsible authorities to consult district councils on the development of the SDS and a route for district councils to raise concerns with the planning inspectorate.



Across all areas, these arrangements will encourage partnership working and we envisage that there will be genuine opportunities for efficiencies by sharing research, evidence and expertise that can support both the SDS and Local Plans. However, the government is determined to ensure that, whatever the circumstances, SDSs can be concluded and adopted in a reasonable time period. In order to ensure universal coverage of strategic plans, we will legislate for intervention powers, which will enable the government to intervene where plans are not forthcoming to the timeframe. These will include directing on timetables or particular policy content such as the distribution of housing need, through to taking over the preparation of an SDS and adopting it on behalf of strategic planning authorities.

3.6 Economic development and regeneration

Devolution means more investment in local areas. We will strengthen Mayors' ability to attract international investment, support business to thrive and grow, and create vibrant places where people want to live and work.

Supporting the local business environment

The government recognises the need for strong partnership working between national and regional actors to support productivity and growth. The Department for Business and Trade will:

- Establish bilateral strategic partnership forums with every Mayoral Strategic Authority, building on successful models in Greater Manchester and the West Midlands to strengthen existing partnership working, align national and local policymaking, and drive delivery of local growth priorities as identified by areas through their Local Growth Plans. They will ensure effective delivery of interventions to boost domestic business growth, boost exports, and encourage inward investment and grow the co-operative and mutual economy.
- Publish a Small Business Strategy, next year via a command paper, setting out the government's vision for a new approach to business support, including more devolution in England (through Integrated Settlements where relevant) and a strengthened role for Mayors. The Department for Business and Trade will engage Mayoral Strategic Authorities to shape the Small Business Strategy's development and implementation. This will include consideration of how national, local, and devolved business support schemes – spanning domestic growth, exports, and investment – can best align to increase business growth and productivity. Following wide consultation, the Strategy will also set out further detail of a new Business Growth Service, bringing a range of existing core services under the Business Growth Service banner, working hand in glove with local government, Strategic Authorities, devolved governments, and the Growth Hubs network.
- Work with Mayoral Strategic Authorities and local partners across the North of England in the first instance and then the Midlands and South of England to roll out a tailored export growth programme to high growth businesses in other Mayoral Strategic Authorities. This data-led programme will target small businesses with high international growth potential in the regions, by flexing the existing pilot which was co-designed with the Greater Manchester Combined Authority and local partners.
- Continue to integrate Growth Hubs into Mayoral Strategic Authorities, with funding forming part of the Integrated Settlement in Established Mayoral Strategic Authorities. This will see Mayoral Strategic Authorities taking the lead in managing and focusing local business support, and delivering a core suite of business growth products, as part of an England-wide Growth Hubs network.

The government is also committed to more focused joint working between the Office for Investment and Mayoral Strategic Authorities to maximise the attraction of large-scale inward investment. To do this, the Office for Investment will work with Established Mayoral Strategic Authorities to develop and jointly market investible propositions for significant, commercially viable opportunities, in order to land key strategic investments. This offer will be prioritised for Established Mayoral Strategic Authorities initially and extended out to other Mayoral Strategic Authorities where possible. The Office for Investment will also explore establishing a senior official-level forum with Mayoral Strategic Authorities on a pan-regional basis.

Devolution in action: Innovation-led growth in Tees Valley

The Tees Valley Combined Authority (TVCA) has an ambition to transition to a high-value, low-carbon, diversified, and inclusive economy. The Tees Valley has several regionally strong sectors with growth potential and a focus on innovation, including the digital and creative sectors. The region's digital sector hosts an exciting mix of young, vibrant businesses, including home grown global leaders, and has shown strong increases in R&D intensity in recent years. Combined with the region's broader industrial strengths in chemicals, advanced manufacturing, and clean energy, the growing digital sector is providing new opportunities for economic growth.

To capitalise on these opportunities, the government is working with the TVCA to boost innovation-led growth in the digital and creative sectors through the developing Investment Zone. Focused on existing assets in Hartlepool and Middlesbrough – such as Teesside University, an industry leader in animation and computer gaming – the Investment Zone is set to boost inward investment, unlocking up to £175 million of additional investment. The digital sector in the region is already more productive than the national average – and the Investment Zone is set to turbocharge this by further increasing productivity and creating more than 2,000 new jobs over the next ten years.



Strengthening local innovation ecosystems

A strong local network of public and private institutions focused on R&D, innovation, and the diffusion of ideas is one of the factors which sets highly productive local economies apart. We want to support more local leaders, working in partnership with businesses and universities, to unlock their regions' innovation potential – ensuring everyone benefits from innovation-led growth.

The government will build on existing commitments to support effective innovation partnerships by empowering regional innovation decision-making through stronger direct connections with UK Research and Innovation. This will include:

- Building on the lessons learned from the successful innovation accelerator pilots, we will work with Established Mayoral Strategic Authorities to develop a future regional innovation funding programme as part of the second phase of the Spending Review. This will allow local leaders to develop bespoke innovation support offers for their regions and deliver these in partnership with UK Research and Innovation, based on their capability and the maturity of their local innovation ecosystems.
- UK Research and Innovation extending its regional partnerships and network of embedded points of contact with Mayoral Strategic Authorities that are committed to work collaboratively on innovation, ensuring they are strategically involved in the development and delivery of future strategies and investments.
- Innovate UK collaborating with all Mayoral Strategic Authorities to produce joint plans that shape long-term innovation strategies and investments in places.
- Publishing UK Research and Innovation data on the location of investments to help Strategic Authorities to understand publicly supported innovation activity in their region and how to best take advantage of it.
- Establishing annual engagement between the Mayors of Established Mayoral Strategic Authorities and the Science Minister, plus more regular senior engagement with UK Research and Innovation senior leaders.
- Consulting with Established Mayoral Strategic Authorities on the development of relevant Department of Science, Industry and Technology and UK Research and Innovation strategies.

Devolution in action: Anglia Ruskin University Living Lab, Cambridgeshire and Peterborough

For decades, Peterborough had wanted a new university to tackle a ‘coldspot’ for higher education which has held back economic growth and opportunity in the city. Following devolution in Cambridgeshire and Peterborough and the formation of the Combined Authority, renewed impetus was given to the ambition of a new university for Peterborough.

An initial partnership of the Combined Authority and Peterborough City Council became tripartite when Anglia Ruskin University joined as the higher education partner. Working with partners, the Combined Authority developed business cases which enabled over £80 million of funding to be secured across the various phases of development. In addition to convening the partnership and securing significant funding, the Combined Authority was also responsible for programme management, providing strategic oversight, and key engagement campaigns.



£30.5 million of funding was secured to deliver the first phase, University House, which opened for the 2022/23 academic year. The striking and sustainably designed building features a lecture hall, science laboratories, health simulation suites, café, and other academic facilities. An additional £16.8 million was secured to deliver an Innovation and Research Centre with incubator space for innovation-led business. Construction of this second phase was completed in winter 2023. £20 million was secured from the government, and £11.8 million provided from the local partners, to deliver the third phase; a second teaching building, The Lab, which incorporates the Living Lab. Works began in spring 2023 and construction completed in August 2024.

Culture, heritage, sport, and the visitor economy

The UK's culture, heritage, sport, and tourism are vital anchors in regional economies and among the fastest growing industries with huge potential to drive local economic growth and create opportunities for people in every part of the UK.

For too long, arts and culture funding has been far too concentrated in certain parts of the country to the exclusion of others. The Department for Culture, Media and Sport is reviewing how funding is currently allocated and delivered, alongside a review of Arts Council England to ensure every part of the UK has the chance to access the arts and see themselves reflected in our national story. The same is true of our world-leading television sector. The government wants broadcasters to be more ambitious in growing the sector across the UK and to commission content from every part of the country, because who tells the story determines the story that is told. We have committed to work with the sector to ensure the right framework, conditions, and support are in place for this to happen.

The government will work with Mayors and Local Authorities to devolve the levers of growth in these sectors. The pipeline of skills is a brake on the growth of the creative industries. Our work to address skills challenges through the creative industries sector plan is an opportunity to reset this. We will work with Mayors and Local Authorities to ensure decisions about funding are made with them and, where possible, align with Local Growth Plans. The government will also co-produce an ambitious, transformative National Youth Strategy that will have a particular focus on empowering young people to have a strong voice in local government and the issues that matter in their communities. This new Strategy will be published next year.

Public appointments to major cultural institutions have not been representative enough of the whole country, including geographically. The government will rectify this, working with Mayors and Local Authorities. The Department for Culture, Media and Sport will be setting out further plans on this shortly.

The Department for Culture, Media and Sport will also review the data that it collects and publishes to ensure it provides a better picture of regional and local impact and investment.

We want to ensure that all of the Department for Culture, Media and Sport's Arm's Length Bodies – including arts, sports, and heritage organisations – do their bit in supporting local areas to grow and develop their culture, sports, heritage, and tourism offer, partnering with Strategic Authorities to help deliver their Local Growth Plans. The Department and its Arm's Length Bodies will also explore the potential for deeper, collaborative partnerships with Strategic Authorities to share expertise across culture, heritage, sport, communities, and the visitor economy, opening up opportunities for joint working and alignment between organisations.

Devolution in action: Liverpool City Region Film Production Fund

Liverpool is the most filmed location in the UK outside London and has hosted productions for blockbuster films and series. The Liverpool City Region Combined Authority (LCRCA) sought to build on the existing successes in the sub-sector, using some of their devolved £30 million a year investment fund to support film and TV production locally, via a Liverpool City Region Production Fund.

The fund comprises two interlinked strands – expansion of the Liverpool Film Office to deliver a service across the whole of the city region, promoting locations, facilities, and services and delivering an improved service to external investors; and the establishment of a content fund to attract high value projects to film in the city region.

Via the Production Fund, LCRCA has invested in several high-end television dramas, including *Time*, which won the 2022 BAFTA Television award for best mini-series. In addition to the Production Fund, LCRCA has committed £17 million to transform the city region into the ‘Hollywood of the North’ by regenerating the old Littlewoods building and nearby Depot site to create new studios and sound stages in Liverpool.



3.7 Environment and climate change

Making Britain a clean energy superpower is one of the government's five defining missions. The decarbonisation journey will support efforts to protect the natural environment and biodiversity. The government is committed to working closely with Strategic Authorities to drive progress on the green transition and capitalise on the social, economic, and well-being benefits for local communities that this shift will deliver.

Decarbonising the economy

Strategic Authorities will be crucial partners in achieving the government's clean power mission to transition Great Britain to a low-cost, clean power energy system by 2030, and in implementing the Warm Homes Plan to save households money on their bills and to reduce the UK's carbon emissions.

As part of this mission, Great British Energy will be tasked to work with local government through the Local Power Plan to support the roll out of small-medium renewable energy projects at the local level. This is expected to provide support for Strategic and Local Authorities (as well as community energy groups) to deploy up to 8GW of additional power from small-medium sized generation projects by 2030, and to help Strategic and Local Authorities to build their own pipelines of successful projects.

As previously agreed, funding for warmer homes and greener buildings will form part of the Integrated Settlement for 2025/26. The schemes currently in scope are the Warm Homes: Local Grant, the Warm Homes: Social Housing Fund, and the Public Sector Decarbonisation Scheme. We will extend this approach to other Established Mayoral Combined Authorities over the course of this Parliament. We will begin this with a transition period that enables areas to build capacity and capability and demonstrate a strong track record of retrofit delivery. Once this capacity, capability, and track record is established, funding will transition to becoming part of the areas' Integrated Settlements. We will engage closely with the North East, South Yorkshire, West Yorkshire, and Liverpool City Region Mayoral Combined Authorities, during the current rounds of the national schemes, to prepare and transition delivery by, at the latest, 2028.

Alongside this, the Department for Energy Security and Net Zero is moving towards a simplified, allocative approach for funding schemes, for example via Strategic Partnerships in the social housing scheme, which will pave the way for further devolution of the delivery model for the Warm Homes Plan.

The government also recognises the unique strategic role that Strategic Authorities can play in planning our future energy system by operating across functional economic areas. To give Strategic Authorities a meaningful role in planning our future energy system, the National Energy System Operator will engage with them as it develops Regional Energy Strategic Plans and provide a transparent route for local insights to inform energy system planning.

In addition, the government is committed to establishing heat network zoning in England. Zoning coordinators within Strategic Authorities will be able to designate areas as heat network zones, enabling the most appropriate level of local government to assume the role of heat network zoning coordinator and play a key role in the delivery of heat decarbonisation.

Devolution in action: West of England Combined Authority Climate and Ecology Strategy and Action Plan

The West of England Climate and Ecology Strategy and Action Plan sets out the region's plans to achieve net zero by 2030, and to get nature into recovery. The West of England Combined Authority (WECA) has been able to use its convening role and ability to take action at a strategic scale to bring stakeholders together around the plan.

The plan provides a long-term framework which aims to facilitate action at the most appropriate level – either regionally or locally – and targets funding to where it will have the most impact. It brings together aims across transport, buildings and places, business and skills, energy, nature recovery, and climate resilience. WECA has used targeted investment to help achieve these aims, including creating a £60 million Green Recovery Fund through their investment fund. This has included investing £5 million to deliver 300 electric charge points and 400 charging bays, to increase uptake of zero emission vehicles, and £1.5 million for Sustainable Innovation Finance Foundations for Wind Turbines, providing a pipeline of up to 70MW of investable onshore wind projects.



Environmental and climate leadership

Strategic Authorities will play a crucial role in preparing for the future and tackling climate change and nature emergencies at the local and regional level. Local, place-based environmental leadership is an essential part of this. We will begin the transition by enhancing the roles and functions of the responsible authorities for Local Nature Recovery Strategies. We will empower these authorities, which are already operating at county or combined authority scales, with a clear mandate to take a leadership role on Local Nature Recovery Strategies and wider environmental delivery. This will include convening partnerships, helping coordinate action, funding, and investment in nature recovery and wider environmental delivery across their areas, and monitoring and reporting on delivery. Over time, we envisage Strategic Authorities will be appointed the Local Nature Recovery Strategies responsible authority where they are not already.

Future opportunities for devolution and partnership working will be explored with Strategic Authorities. These could include issues like water management, the circular economy, pollution, or flood resilience. We will also explore how Strategic Authorities and Mayors can provide greater local leadership in responding to the impacts of climate change, and a better route for rural communities to be considered in local policy decision making.

Devolution in action: York and North Yorkshire's Routemap to Carbon Negative

York and North Yorkshire Combined Authority (YNYCA) is committed to becoming a net zero region by 2034, and carbon-negative by 2040 – an ambition developed through the Routemap to Carbon Negative.

In 2023, YNYCA launched its Net Zero Fund to commit £7 million to net zero projects across the region. The fund, which came as part of the region's devolution deal, has enabled organisations to take climate action, from decarbonising building emissions to boosting sequestration activities across the rural areas of the region. Earlier this year, through devolved funding, the York and North Yorkshire Mayor announced the £10 million Carbon Negative Challenge Fund, which aims to accelerate York and North Yorkshire's transformation to become England's first carbon negative region.

Alongside carbon reduction, investment aims to drive economic growth, create jobs, and attract investment into the region. YNYCA is also taking forward research into a private and public sector investment partnership model which looks to accelerate the pathway to net zero, bringing social value and long-term economic benefits to the region. This is part of Department for Energy Security and Net Zero's Local Net Zero Accelerator programme.



Meanwhile YNYCA's Local Investment in Natural Capital programme, in partnership with North Yorkshire Council and City of York Council, is using £1 million in Department for Environment, Food & Rural Affairs funding to develop a pipeline of investment-ready natural capital projects and associated finance mechanisms to generate revenue and returns for investors.

3.8 Health, wellbeing and public service reform

Strategic Authorities have a key role to play in taking action, particularly on the social determinants of health, through the exercise of their functions, in areas such as transport, housing, and planning, and through working with other local leaders to move away from traditional forms of service delivery to a holistic approach, organised around service users.

Improving the public's health

To support Strategic Authorities to be active leaders in this space and drive a “health in all policies” approach in line with our Mission government approach, the government is introducing a new bespoke duty in relation to health improvement and health inequalities⁴³. This will ensure Strategic Authorities have regard to the need to improve health, and the need to reduce health inequalities, in the exercise of their functions, and give them a clear stake in improving local health outcomes. This will complement the existing health improvement duty held by upper-tier Local Authorities. We will engage Strategic Authorities, Local Authorities and the NHS as we take this forward.

The government recognises the benefits that aligned geographical boundaries can have for improving coordination between public services. In South Yorkshire, the aligned boundaries between the Integrated Care System and the Combined Authority have facilitated joint working, including the Mayor chairing the Integrated Care Partnership. The government will therefore work with stakeholders to identify areas where alignment and closer working can be facilitated where there is a clear rationale for doing so, and where the benefits in aligning geographical boundaries significantly exceed any costs and risks incurred.

To support better join-up between Strategic Authorities and Integrated Care Systems, the government expects that Mayors (or a delegate) will be appointed to one or more relevant Integrated Care Partnerships in their local area. We will also establish an expectation that the Mayor or a delegate is considered for the position of Chair or co-Chair of the Integrated Care Partnership, alongside Local Authority, Integrated Care Board and independent chair options.

We will further set an expectation that Integrated Care Boards will engage with mayors during the Integrated Care Board Chair appointment process and will involve them in setting their priorities and developing their plans.

⁴³ It is not intended that this duty will apply to the Greater London Authority, which is subject to existing requirements under the Greater London Authority Act 1999, as amended by the Greater London Authority Act 2007

The government recognises that Strategic Authorities will need appropriate powers and levers to maximise their impact on public health and the government's health and growth missions. The government will keep under consideration the powers and levers that should be made available to Strategic Authorities to support delivery of improvements in health outcomes and maximise impact on the health and growth missions.

Devolution in action: West Midlands Smart City Region

The West Midlands Combined Authority (WMCA) is working in partnership with the three NHS Integrated Care Boards in the region and the constituent Local Authorities to scale the adoption of pioneering technology solutions to transform health and care. Led by WM5G (a wholly owned subsidiary of the WMCA), the programme is focused on helping tens of thousands of citizens to stay well, get diagnosed faster, and therefore treated more effectively for chronic diseases and be supported to live at home for longer – thereby reducing waiting lists, improving productivity and reducing hospital readmissions and bed blocking.

Through partnership working, WM5G and WMCA have brought together multiple funding streams from public and private sector organisations, including in-kind contributions from local Integrated Care Boards, as well as project management and finance support to get innovative projects into sensitive care and treatment settings. Specifically, this financial year they are:



- Cutting screening times for bowel cancer from 30 weeks down to 2 weeks to help up to 2,000 citizens get diagnosed faster by launching colon capsule endoscopy (so-called ‘pill cams’) in Birmingham and Solihull – the first region in England to do so. This service being delivered locally to citizens in conveniently located community diagnostic centres rather than the hospitals, therefore reducing journeys and boosting capacity. WMCA are also in discussion with West Midlands Integrated Care Boards about embedding AI into these services for faster patient selection and imagery processing.
- Launching technology-enabled social care services for up to 1,000 citizens in Coventry, Birmingham, and Wolverhampton to help more people to be discharged from hospitals and increase the capacity of carers to support more people to live and return to their home. This is being complemented by other remote monitoring services for up to a further 4,000 citizens, at home and in care homes across the West Midlands.
- Helping up to 100,000 citizens access free wellness and prevention support – for example to quit smoking, lose weight, or reduce alcohol consumption.

Public service reform and prevention

The framework positions Strategic Authorities as convenors on public service reform, working in partnership with Local Authorities, to bring partners together to drive forward public service reform and prevention. With the support of the government, Strategic Authorities will collaborate with councils to deliver reform and innovation, as they have the geographical footprint to coordinate strategic priorities and bring together disparate parts of the public sector. Strategic Authorities can also enable and support Local Authorities in their role as convenors of place, bringing together public service providers and other stakeholders to drive people-centred services.

To complement the convening role that Mayors will be granted via the new Devolution Framework, we will continue to work with the sector to identify where else they can add value, including considering the devolution of any funding relating to public service reform and prevention

Devolution in action: Public service reform and prevention in Greater Manchester and Liverpool City Region

The Mayor of Liverpool City Region Combined Authority has committed to establishing an Office for Public Service Innovation. This aims to work with government to improve public services by addressing long-standing challenges, examining how data and AI can be used alongside working with communities, and taking a multi-agency approach to enable earlier and more targeted interventions. The Mayor has also committed to setting up a taskforce to explore how the Combined Authority and other Liverpool City Region bodies across all sectors can effectively apply AI capabilities to generate inclusive economic growth and deliver better outcomes and value for money for local residents.

Greater Manchester was one of the first areas in the country to deliver health devolution alongside other public services, devolving £6 billion in health and social care funding to the region. This brought health and public services together in neighbourhoods supported by multi-agency teams, focusing on the holistic needs of individuals. This was also supported by place leadership across health, care, and local government in order to align resources in the community. The ability to better integrate local services meant that this also supported additional targeted programmes of work focused around the wider determinants of health including crime, social support, and employment. The Work and Health Programme supported the long-term unemployed and people with health conditions or disabilities into sustainable employment. Working Well programmes supported over 70,000 residents to unpick a wide range of barriers to work. Of these, over 25,000 people have found employment many of whom were not likely to move into work without specialist intervention.

3.9 Public safety

Strategic Authorities have an important role to play in achieving the government's Safer Streets Mission, supporting rehabilitation and reducing reoffending, and in supporting the safety of their residents and the resilience of their communities. But Mayors can play a bigger role with the right tools, complementing the role Local Authorities play in this area.

Police and fire

We aim to provide efficient, accountable, and visible leadership, with a determination from the outset to bring together the roles which operate at a sub-regional level.

Where mayoral geographies align with police force and fire and rescue geographies, Mayors will be, by default, responsible for exercising Police and Crime Commissioner and Fire and Rescue Authority functions. The government is committed to increasing the number of Mayors who take on Police and Crime Commissioner and Fire and Rescue Authority responsibilities. Alignment with police and fire services boundaries will therefore be a key consideration in the negotiation of new Strategic Authorities.

Where Strategic Authorities do not currently align with these boundaries, or where alignment is not appropriate for new devolution areas, we will take steps to ensure alignment over the longer term.

We will also explore whether a single Mayor can take responsibility for Police and Crime Commissioner and Fire and Rescue Authority functions across two or more police forces or two or more Fire and Rescue Authorities, where this would result in coterminous boundaries, and bring forward any legislative changes as part of the English Devolution Bill. Where there is a clear case in the interests of public safety, we will also enable police and fire boundaries to be altered incidentally upon the transfer of Police and Crime Commissioner and Fire and Rescue Authority functions to Strategic Authority Mayors, something we will consider on a case-by-case basis to ensure the continued efficiency and effectiveness of policing and fire functions. This will enable more Mayors to take on public safety functions, strengthening the accountability of Mayors and enabling them to forge stronger links and partnerships for the good of all the people that live in their Strategic Authority area.

Where the Mayor does not exercise Police and Crime Commissioner functions, the government will foster collaboration between Police and Crime Commissioners and Strategic Authorities by asking Strategic Authorities to ensure that at least one Police and Crime Commissioner representative within a Strategic Authority geography is able to sit as non-constituent member of the Strategic Authority.

Devolution in action: Improving safety for women and girls in West Yorkshire

The Mayor of West Yorkshire has used her powers over transport, economy, and responsibilities for policing and crime to focus on improving the safety of women and girls. Alongside her role as West Yorkshire Police and Crime Commissioner, the Mayor has been able to utilise funding flexibility, aligning multiple funding streams with strong local partnerships to drive this work forward.

The Mayor established the first-of-its-kind dedicated unit to tackle violence against women and girls in the region. The team is a pioneering partnership with members from the West Yorkshire Combined Authority, the Violence Reduction Partnership and West Yorkshire Police to support victims and improve risk assessments and investigations. The Mayor has successfully utilised nearly £1 million of UK Shared Prosperity Funding to support the delivery of a number of priorities and actions in the Safety of Women and Girls Strategy working in partnership with the five Local Authorities. Delivery has resulted in over 47,500 engagements, resulting in a public health approach to education and prevention that delivered training to over 1,100 people. Alongside this, West Yorkshire Combined Authority has delivered a new team of police community support officers dedicated to West Yorkshire's bus network. Funded through £1 million from the Mayor's Bus Service Improvement Plan, police community support officers can patrol across bus stations and buses across the region, with the aim of reducing crime and anti-social behaviour and increasing the safety of women and girls and other more vulnerable travel users.



Offender rehabilitation

Strategic Authorities and Mayors can be instrumental in supporting rehabilitation and reducing reoffending. For example, Greater Manchester Combined Authority adopted a pioneering, whole-system approach to innovation with HM Prison and Probation Service, using practices such as co-commissioning of rehabilitative and resettlement services, resulting in improved community safety and reduced crime in the region.

The government will therefore work closely with Mayors to explore how their skills, employment support, health, and housing levers can be better brought together at local level to support rehabilitation and reintegration of offenders into society. We will continue to seek opportunities for increased co-commissioning between probation and local partners, enabling us to use each other's collective knowledge and expertise, alongside public and community resources, to protect the public and reduce reoffending. In the long term, the government will explore greater alignment of probation boundaries in England with Mayoral Strategic Authorities, particularly in cases where mayors have taken on Police and Crime Commissioner functions.

Local resilience

Local government has long had a vital role in the resilience of our places and communities. The public look to local government to provide leadership and support in times of crisis. To date, the role of Strategic Authorities in supporting resilience has been less defined. The government will therefore support Strategic Authorities to adopt a clear role in building resilience across their areas and in working with local resilience structures.

In establishing these new roles, we will encourage close working and partnership between Strategic Authorities and the Local Resilience Forums within their areas. In July 2024, the government announced a review of national resilience in response to the publication of the Covid Inquiry Module 1 Report⁴⁴, and this review will also consider recommendations from the Grenfell Tower Inquiry Report⁴⁵. The review is ongoing and will inform the development of resilience responsibilities adopted by Strategic Authorities.

Depending on the outcomes of this review, the government may amend the Civil Contingencies Act 2004 to recognise Strategic Authorities as a categorised responder, meaning that they would adopt the duties and responsibilities of a member of the Local Resilience Forum. Further guidance would also be required to help Strategic Authorities undertake these duties.

⁴⁴ Cabinet Office, 2024. [UK Covid-19 Inquiry: Resilience and preparedness \(Module 1\) Report - GOV.UK](#)

⁴⁵ MHCLG, Home Office, and Cabinet Office, 2024. [Publication of the Grenfell Tower Inquiry phase 2 report - GOV.UK](#)

3.10 Devolution Framework summary table

Key

(**) refers to functions for which funding will be included in Integrated Settlements for Established Mayoral Strategic Authorities

(^) refers to functions which apply to Combined and Combined County Authorities only

Detail	Foundation	Mayoral	Established
Funding and investment			
Access to a multi-departmental, long-term integrated funding settlement**			X
Long-term investment fund, with an agreed annual allocation		X	X
Removal of gateway review from investment fund, after Gateway One complete			X
Ability to introduce mayoral precepting on council tax^		X	X
Consolidation of local growth and place funding in a single pot**	X	X	X
Strategic leadership			
A statutory duty to produce Local Growth Plans		X	X
Membership of the Council of Nations and Regions		X	X
Membership of the Mayoral Data Council		X	X
Transport and local infrastructure			
Local Transport Authority and public transport functions, including bus franchising and responsibility for an area-wide Local Transport Plan	X	X	X
Simplification and consolidation of local transport funding**	X	X	X
Removal of certain Secretary of State consents, e.g. on lane rental schemes		X	X
Duty to establish a Key Route Network on the most important local roads^		X	X

Detail	Foundation	Mayoral	Established
Mayoral Power of Direction over use of constituent authority powers on the Key Route Network [^]		X	X
Priority for strategic rail engagement (including mayoral partnerships) with Great British Railways	X	X	X
Statutory role in governing, managing, planning, and developing the rail network		X	X
An option for greater control over local rail stations		X	X
A 'right to request' further rail devolution			X
Priority for support to deliver multi-modal ticketing			X
A clear, strategic role in the decarbonisation of the local bus fleet	X	X	X
Active Travel England support for constituent authority capability [^]	X	X	X
Formal partnership with National Highways		X	X
Skills and employment support			
Joint ownership of the Local Skills Improvement Plan model, with Employer Representative Bodies	X	X	X
Devolution of the core Adult Skills Fund	X		
Devolution of non-apprenticeship adult skills functions through a consolidated skills funding pot ^{**}		X	X
Central convening of youth careers provision including greater flexibility for Careers hubs		X	X
A clear role in relation to 16-19 education and training		X	X
Responsibility for developing local Get Britain Working Plans	X	X	X
Devolution of supported employment funding ^{**}	X	X	X
Co-design of future employment support that is additional to core Jobcentre Plus provision		X	X

Detail	Foundation	Mayoral	Established
Delegated delivery or commissioning of employment support that is additional to core Jobcentre Plus provision			X
Alignment of Jobcentre Plus boundaries with Strategic Authorities			X
Housing and strategic planning			
A duty to produce a Spatial Development Strategy	X	X	X
Strategic development management powers (once the Spatial Development Strategy is in place)		X	X
Ability to raise a Mayoral Community Infrastructure Levy to fund strategic infrastructure (once the Spatial Development Strategy is in place)		X	X
Ability to make Mayoral Development Orders		X	X
Ability to establish Mayoral Development Corporations		X	X
Homes England compulsory purchase powers (held concurrently)	X	X	X
Devolution of wider grant funding to support regeneration and housing delivery**		X	X
Ability to set the strategic direction of any future programme to support affordable housing provision in their area			X
Strategic Place Partnership with Homes England		X	X
Support to establish a public sector land commission			X
Economic development and regeneration			
Partnership working with Department for Science, Industry and Technology and UK Research and Innovation to explore opportunities for closer long-term collaboration in strengthening local research and innovation capacity	X	X	X
Develop joint innovation action plans with Innovate UK to shape long-term strategies and investments		X	X

Detail	Foundation	Mayoral	Established
Embed UK Research and Innovation lead points of contact for enhanced collaborative working on innovation with Mayoral Strategic Authorities that are committed to work collaboratively on innovation		X	X
Responsibility as the accountable body for the delivery of Growth Hubs	X	X	X
Devolution of Growth Hubs funding**			X
A Strategic Partnership with the Department for Business and Trade focused on domestic growth, exports, investment, and delivery of local growth priorities.		X	X
Partnership working with Department for Culture, Media and Sport Arm's Length Bodies to maximise culture, heritage, and sport spending in place	X	X	X
Environment and climate change			
Devolution of retrofit funding this parliament subject to a successful transition period (see 3.7)**			X
Heat network zoning coordination role	X	X	X
Coordinating local energy planning to support development of regional network energy infrastructure	X	X	X
Green jobs and skills coordination role	X	X	X
A strategic role on net zero in collaboration with government, including on Great British Energy's Local Power Plan and Warm Homes Plan	X	X	X
Responsibility for coordinating delivery and monitoring of Local Nature Recovery Strategies^	X	X	X
Health, wellbeing and public service reform			
A bespoke statutory health improvement and health inequalities duty^	X	X	X
Mayors engaged during the Integrated Care Boards chair appointment process		X	X

Detail	Foundation	Mayoral	Established
Mayors as members of local Integrated Care Partnerships, and consideration for position of chair or co-chair		X	X
A role in convening partners and driving cross-cutting public service reform, including looking at areas such as multiple disadvantage	X	X	X
Public safety			
Mayors accountable for the exercise of Police and Crime Commissioner functions where police force and mayoral boundaries align^		X	X
Mayors accountable for the exercise of Fire and Rescue Authority functions where fire and rescue service and mayoral boundaries align		X	X
A clear and defined role in local resilience, working with the Local Resilience Forum to embed resilience into broader policy and delivery^	X	X	X

4. Delivering devolution at every scale

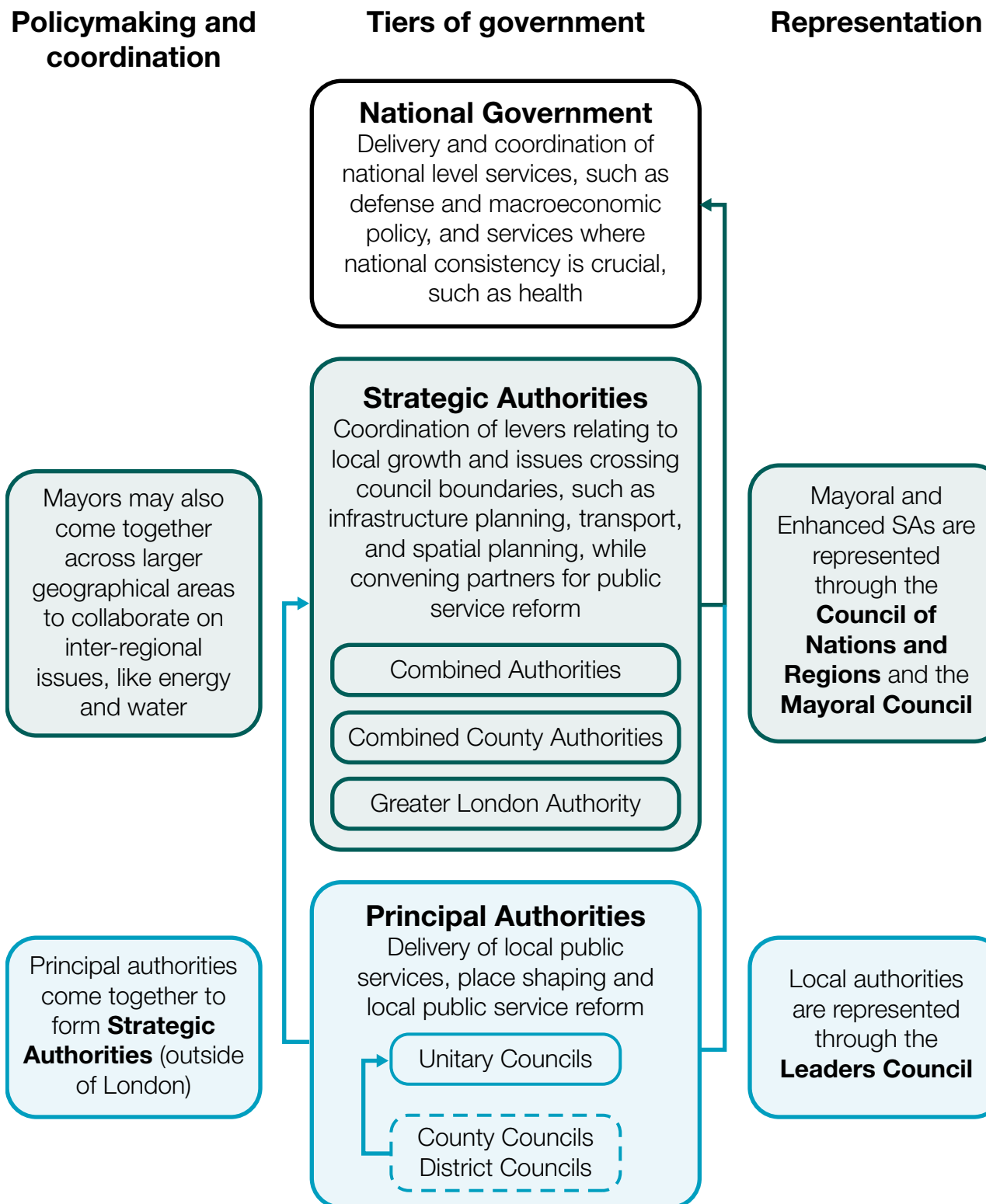
Devolution will put the right powers at the right scale. We cannot deliver the change the public expect, whether more growth, more homes, more joined-up services, or restored trust, without more empowered communities and local government.

As the first step, local institutions in England must have clear goals and the ability to deliver them:

For **Local Authorities**, that means councils on the road to recovery and reform, convening and marshalling local partners to focus on shaping their places, and preventing crises from emerging through public service reform. This means they will be able to move beyond just managing day by day, picking up the pieces where public services fail and the cost of crisis overwhelms the system. We laid out our plans for recovery in the 2025-26 Local Government Finance Settlement Policy Statement. They will support a foundation of strong community institutions, owning what makes their places great and treated as partners in delivering better outcomes.

- For **Strategic Authorities**, that means institutions empowered with clear access to defined powers, enshrined permanently in law; and full devolution coverage across England, at the right geographies, and focused on growth being felt in every corner of the country. Mayors will be supported and encouraged to collaborate across their regions, like the recent 'Great North' group of Mayors.
- For **both Local and Strategic Authorities** that means a new settlement with constitutional autonomy built in, and where devolution is the default setting.

Figure 2: Streamlining government



4.1 Communities

England is made up of thousands of communities – towns, cities and villages – where people look out for one another and feel proud of where they live. But a national politics that hoards power means their interests and values have too often been treated as an afterthought. Policies have been done to communities, rather than for and with them, with one-size fits all approaches and complicated funding processes that reflect the silos of Whitehall rather than the needs of communities. This has left people feeling as if their lives, and the places they call home, have slipped out of their control.

This is partly why local area satisfaction has decreased over the last decade and a growing sense of decline has taken root in our neighbourhoods in recent years. Only 11% of people believe their area has got better to live in over the last two years, and 29% say that it has got worse⁴⁶. This sits alongside a wider feeling of disempowerment and distrust at a local level. Whilst 50% of people say it is important that they feel able to influence decisions affecting their local area, just 23% feel able to do so⁴⁷.

Communities need power returned back to them. We want to support local people – those with skin in the game – so that they can better affect the decisions impacting their areas. However, we cannot expect anyone to feel empowered when they are living payslip to payslip, or stuck on a waiting list to get the services they need.

That is why the government's approach to community empowerment will focus on putting people in control of their own lives, alongside devolving power away from Westminster. We will create new opportunities for communities to have a say in the future of their area and play a part in improving it, while acknowledging that this means nothing if people are not supported to live lives where they can contribute to this decision making.

Therefore, we will introduce new targeted actions and policies in the following areas:

Partnership working with the most deprived communities

The government has retained the Long Term Plan for Towns and will reform it into a new regeneration programme. Learning from the experience of successful regeneration programmes like the New Deal for Communities, the programme will work in partnership with 75 towns across the UK. The programme will build capacity by developing and strengthening the skills, resources, structures and capabilities of individuals and organisations to drive and sustain improvements for local residents. We will ensure that it is shaped and delivered for the long-term by the communities it is intended to benefit.

⁴⁶ DCMS (2024) [Community Life Survey 2023/24 annual release – GOV.UK](#)

⁴⁷ DCMS (2024) [Community Life Survey 2023/24 annual release – GOV.UK](#)

Protecting cherished community assets and high streets whilst empowering communities with new rights and levers to influence their neighbourhoods

The loss of shared community forums, places and institutions – whether it be local news outlets, community cafes, youth clubs, pubs, historic buildings, libraries or sport facilities – has eroded a sense of local civic pride and contributed to a feeling of decline in neighbourhoods and high streets. The government will therefore deliver on its manifesto commitment to replace the community ‘Right to Bid’ with a strengthened ‘Right to Buy’ Assets of Community Value, creating a more robust pathway to community asset ownership. We will support community ownership by funding projects through the Community Ownership Fund in 2024/25, allowing communities across the country to purchase cherished assets that are at risk of being lost. And we will seek to support high streets by strengthening Business Improvement Districts which have helped to improve town and city centres across the UK for 20 years, while ensuring they operate to high standards and are accountable to their communities.

We have also implemented new High Street Rental Auction regulations, providing local communities and businesses with a right to rent premises that have long sat vacant, casting a cloud over the local area. The power will help to provide new shops and community spaces, supporting businesses and communities to access the high street and create vibrant, bustling spaces they can be proud of.

Local government plays an essential role in convening local partners around neighbourhoods to ensure that community voices are represented and people have influence over their place and their valued community assets. We want to work with the sector to ensure that the existing structures and mechanisms for community partnership enable them to fulfil this role. We will also work with the town and parish council sector to improve engagement between them and Local Authorities.

Enhancing Local Authorities’ powers in their areas

Transferring power away from Westminster means strengthening the ability of Local Authorities to set proper strategic direction to address the challenges facing their areas and respond to the hopes and aspirations of the communities they represent.

To this end, we will strengthen Local Authorities’ ability to take over the management of vacant residential premises and introduce large selective licensing schemes to improve conditions in the private rental sector, without requiring the Secretary of State’s approval.

The government is also committed to giving Local Authorities greater control over the location of local establishments to support healthier lifestyles, improved socioeconomic outcomes, and high street vitality. Certain types of premises can exacerbate health and anti-social behaviour challenges. We will explore giving Local Authorities support and new discretionary tools to

manage their proliferation and limit their access by vulnerable communities. We will also look to complement Local Authorities' existing powers in relation to gambling outlets to refuse or place conditions on premises licences in line with measures outlined in the gambling white paper published in April 2023. The government's view is that councillors, working with local people, need to be able to tackle and address these priorities.

4.2 Local government

4.2.1 The state of local government

Councils are the foundation of our state – critical to driving growth, delivering and reforming the local public services people rely on, and to our democratic system. Whether in delivering 1.5m homes, supporting the NHS, or delivering clean energy, this government's agenda relies on putting Local Authorities back on their feet.

But local government has not been empowered to live up to its potential and people have suffered as a result. Too many decisions, whether powers or funding, are subject to review or veto from central government, and councils have been set against each other in expensive bidding wars. Communities have been denied the chance to have their talent and potential matched by opportunity, and bureaucratic requirements have reduced the impact of funding provided.

The way local government is funded currently is outdated, inefficient, and poor value for money, based on funding formulas that have not been updated in a decade. The Fair Funding Review, launched in 2016, aimed to change this, but was abandoned in 2020. The link between need and funding was broken, and people in the most deprived parts of the country have borne the brunt, with vital services lost and resilience weakened. Coupled with the loss of community assets on many high streets, there can be no doubt that the foundations of many places are much weaker than they needed to be. As the demand for and costs of statutory services have risen and funding has fallen behind, councils have also been forced to focus on an increasingly narrow number of services to support the most vulnerable in our society, at the expense of preventative, neighbourhood and community services – creating a vicious cycle in favour of acute support over preventative action, reducing the scope for local choices.

This poses not just a risk to the viability of local government, but to the democratic link between voters and their councils. This is a poor settlement for individuals, communities and the taxpayer.

The response has been short-term top-ups to funding, and a failing to plan for savings that could be generated by investment in prevention and reform. Promising approaches, like the Total Place pilots of the late 2000s, that took a cross-service view of public spending in an area, were abandoned wholesale.

No government can repair a decade and a half of loss in a single parliament, but we can begin the work as part of a decade of national renewal. The public are right to demand change. Restoring their trust requires clear lines of accountability and oversight. This does not mean piecemeal micromanagement, or the combative tone that has too often been taken by central government, when the sector has been let down by a few individuals and councils failing to uphold high standards. It means creating empowered local leaders and councils, with a clear national framework for the public to hold them to account for delivering.

Building on this, the government will fundamentally reset the relationship between local and central government, creating a new partnership based on trust that will deliver growth, the services people expect, and restore public trust. As part of this we must ensure the voice of local government is heard at the highest levels of power, which is why the government has established a new Leaders Council, working to complement existing engagement through the Local Government Association and other organisations.

4.2.2 How we will rebuild

Funding reform

In the 2024 Autumn Budget, the government announced £1.3 billion of new grant funding in 2025/26 for local government to deliver core services. As part of this we will introduce a new ‘Recovery Grant’, worth £600 million, which will increase the efficiency of our funding by targeting money towards areas with greater need and demand for services (we have used deprivation as a proxy for this), and less ability to raise income locally. It will start to correct the inefficiency of the current system to put councils on a more stable footing. Together with income from council tax and locally-retained business rates, this will provide a real-terms increase in total core spending power of around 3.2%. This funding represents an immediate response to the coming year, as part of a recovery phase.

The government is committed to a comprehensive set of reforms to return the sector to a sustainable position. In future, the government will provide multi-year funding settlements, giving Local Authorities the certainty they need to plan ahead, and commission the long-term, cost-effective contracts for vital services. After years of delays to much needed funding reform, we will reform the Local Government Finance System to put councils on the road to recovery – building on the proposals set out in the previous government’s Fair Funding Review. This is about spending taxpayers’ money as efficiently as possible – making sure that funding matches the demand for services. But it is also about the impact it will have on real people’s lives. We cannot keep operating in a system where key social outcomes – like the number of children with a child protection plan – are worse in places that are receiving less funding than they need. As part of this, accumulated business rates growth will be subject to periodic redistribution across the country, through a business rates reset.

Enhanced business rate retention arrangements allow Local Authorities, for example those in some Mayoral Combined Authority areas, to retain more locally raised business rates compared to others. Under existing arrangements, some Local Authorities work collaboratively with Mayoral Combined Authorities in their area to ensure a portion of the extra income is directed to the local growth priorities across the wider region. The current patchwork of business rate retention arrangements allows only certain areas to benefit from enhanced retention of growth in business rates. As part of the government's reform of funding for local government, we will consider how a new model of business rate retention could better and more consistently support Strategic Authorities to drive growth.

A meaningful partnership between central and local government

Delivering growth and the services the public expect requires a meaningful partnership between central and local government. We want to fundamentally reset the relationship and create a new partnership, on areas such as:

- **Housing:** Local Authorities are critical partners in building the homes we need. The government has already committed to better protect council housing stock through reductions to Right to Buy discounts, consulting on a new long-term social housing rent settlement, and through allowing Local Authorities to retain 100% of the receipts from sales, to scale-up delivery of much needed social housing.
- **Prevention and reform:** The 2024 Autumn Budget announced that the government will prioritise reforms to enable a more preventative approach to public service delivery, including in those service areas currently overwhelming Local Authority budgets. In 2025/26, Local Authorities will receive £233 million of additional funding for homelessness services, and £250 million additional funding for Family Help through the new Children's Social Care Prevention Grant. This will nearly double direct investment in preventative services to over half a billion in 2025/26 and lay the groundwork for fundamental children's social care reform.

The government has allocated £100 million to deliver innovative projects to support the development of new approaches to improving public services, partnering with local leaders and Mayors. As part of this new approach, we will focus on empowering Local Authorities as the convenors of place to bring together public service providers and other stakeholders to improve outcomes for individuals and communities. Councils and Combined Authorities have been essential to the successful place-based reforms and delivery programmes of the past – from Total Place to Northumbria's 'Liberated Model', exercised through its Changing Futures programme, to the Greater Manchester Combined Authority's 'Project Skyline'. Local government leaders will be treated as leaders of place, convening and marshalling partners across the public and third sectors in their areas to deliver public service reform.

We want to make reform and prevention the default setting in Local Authorities across England, supported by Strategic Authorities. We want to see the cycle of system failure ended, with better aligned public services delivering better outcomes.

Building on the funding for innovative local projects, we will explore opportunities to work with Local and Strategic Authorities to develop locally-led approaches to public service reform, drawing together service providers in their areas to improve outcomes for residents. We will work with the sector to design and implement this agenda.



Ending micromanagement

Councils need to be empowered to take the difficult decisions to drive growth and improve services. The public being able to hold them to account for those decisions also relies on them being taken locally, without micromanagement from central government. Decisions with purely local implications should, by default, be taken locally, within a clear, streamlined national framework setting out the roles and responsibilities of different tiers of government, which makes clear that local leaders' decision making over local issues is paramount. We will end the 'parent-child' dynamic that has characterised the relationship between central and local government in recent years, so that council leaders and executive members are once again able to genuinely shape their places, while frontline councillors are empowered to convene local people to engage in their community as respected leaders. This new relationship will develop over time, but the government is proposing three immediate steps.

First, we will reform the use of funding pots. The last decade has seen Local Authority funding increasingly allocated through a large number of competitive and ringfenced pots. This has wasted Local Authorities' resources at a time of significant financial strain – councils are estimated to have spent up to £73 million on bids for rounds one and two of the Levelling Up Fund, three quarters of which were rejected⁴⁸.

The government will reduce the number of restrictive grants to Local Authorities – wherever possible, resource funding for service delivery will be consolidated into the Local Government Finance Settlement. We will also rationalise the number of capital-focused growth funds, moving away from time-consuming competitions and better supporting local leaders to drive growth – including consolidating this funding into Integrated Settlements for Established Mayoral Strategic Authorities where relevant.

Second, as the number of grants to local government have increased, so have the associated reporting requirements, and approaches to evaluation. The Ministry for Housing, Communities and Local Government intends to act to streamline and rationalise these requirements to allow a greater focus on those priority local outcomes aligned with the government's missions, so the public can more easily hold local leaders to account.

Third, we will work with the sector to review requirements for Local Authorities and Strategic Authorities to seek Secretary of State consents for use of powers and remove these requirements unless absolutely necessary, alongside legislating to make such removal easier in future.

The process for making byelaws is hundreds of years old and outdated for modern government. The Secretary of State for Housing, Communities and Local Government has to agree before councils can set rules on where people can ride bikes or climb trees in parks, while the Transport Secretary must sign off when an authority wishes to build a cattle grid or convert a footpath into a cycle lane. This is irrational, inefficient and costly – tying up central government in decisions that should be for local leaders, and disempowering those trying to deliver growth while they wait for Whitehall to process every application and the problems councils are trying to fix get worse.

We believe that local leaders are best placed to understand and respond to these issues. We therefore intend to legislate to remove requirements for Secretary of State consent for Local Authority making of byelaws wherever possible. Given the complexity of legislation that has built up over many decades and the wide policy scope under consideration, we will accomplish this through a review of such cases. As part of this review, we will also determine whether councils should be able to enforce byelaws via Fixed Penalty Notices rather than through the courts to improve their effectiveness. Strategic Authorities should be able to make byelaws on matters relevant to their functions and responsibilities. We will consult the sector to agree the best approach on how we might accomplish this.

⁴⁸ Centre for Cities (2023) [What's wrong with the current system of grants? | Centre for Cities](#)

We will also act to give councils stronger tools to improve their housing markets, including removing the requirement to seek approval from the Secretary of State for Housing, Communities, and Local Government for larger selective licensing schemes, so Local Authorities can take more action to tackle specific and persistent issues in private rented sector properties. Together, this amounts to a rewiring of local government's constitutional status, under the presumption that councils have the knowledge and expertise to govern their places.

4.2.3 Local government reorganisation

There is clearly an appetite for reorganisation in parts of England, but previous governments have in the past often not been brave enough to follow through – we will get on with delivering what areas need.

Strong councils are the building blocks for effective Combined Authorities and Combined County Authorities. We will facilitate a programme of local government reorganisation for two-tier areas and for those unitary councils where there is evidence of failure or where their size or boundaries may be hindering their ability to deliver sustainable and high-quality services for their residents. Fewer politicians, with the right powers, will streamline local government to focus on delivering for residents. We will deliver this process as quickly as possible, including through legislation where it becomes necessary to ensure progress. Clear leadership locally will be met with an active partner nationally.

We know people value the role of governance at the community scale and that can be a concern when local government is reorganised. We will therefore want to see stronger community arrangements when reorganisation happens in the way councils engage at a neighbourhood or area level. We will also rewire the relationship between town and parish councils and principal Local Authorities, strengthening expectations on engagement and community voice.

Our priorities in reorganisation

We will expect all two tier areas and smaller or failing unitaries to develop proposals for reorganisation. We will take a phased approach to delivery, taking into account where reorganisation can unlock devolution, where areas are keen to proceed at pace or where it can help address wider failings. However, we are clear that reorganisation should not delay devolution and plans for both should be complementary.

New unitary councils must be the right size to achieve efficiencies, improve capacity and withstand financial shocks. For most areas this will mean creating councils with a population of 500,000 or more, but there may be exceptions to ensure new structures make sense for an area, including for devolution, and decisions will be on a case-by-case basis.

We will prioritise the delivery of high quality and sustainable public services to citizens and communities above all other issues. We will sequence these reforms alongside our devolution ambitions for each area. We will expect new councils to take a proactive and innovative approach to neighbourhood involvement and community governance so that citizens are empowered.

All levels of local government have a part to play in bringing improved structures to their area through reorganisation, including by sharing information and working proactively to enable robust and sustainable options to be developed and considered. We expect all councils in an area to work together to develop unitary proposals that are in the best interests of the whole area, rather than developing competing proposals. We will also expect all councils in an area to work with us to bring about these changes as swiftly as possible. We will also consider which governance models available to local authorities across the sector will best support their decision making.

Supporting places through change

We recognise that reorganisation will create upfront costs and additional pressures for councils alongside their crucial responsibilities to communities, including caring for some of the most vulnerable in society. It is vital that new unitary councils get off to a good start, so we will work closely with local leaders to explore what support they might need to develop robust proposals and implement new structures, including taking decisions to postpone local elections where this will help to smooth the transition process. We will learn from the experience and successes of others who have been through the process.

Next steps on delivering reorganisation

We will write to council leaders as soon as possible to formally invite proposals, setting out information on our criteria for sustainable unitary structures, how and when to submit proposals and how the government intends to respond to proposals. We are clear that reorganisation should not delay devolution so we will work closely with areas on complementary plans and we will deliver an ambitious first wave of reorganisation in this Parliament.

The Case for Local Government Reorganisation

The case for local government reorganisation is that there are significant opportunities available to areas from the creation of suitably sized unitary councils responsible for local government services for that area. Unitarisation can cut wasteful duplication of bodies, reduce the number of politicians and reduce fragmentation of public services.

Efficiencies: In 2020 a PwC report, “Evaluating the importance of scale in proposals for local government reorganisation”, for the County Councils Network, estimated that reorganisation of the then 25 two-tier areas to a single unitary structure would have a one-off cost of £400 million, with the potential to realise £2.9 billion over five years, with an annual post-implementation net recurring saving of £700 million. The unitary proposals submitted in relation to the most recently established unitary councils identified a range of efficiencies that could be achieved where council services are brought together in one organisation. For North Yorkshire Council, established in April 2023, unitarisation has enabled the council to manage financial pressures through structural changes and service transformation which are expected to achieve more than £40million in savings by March 2026.

Service transformation: Unitary councils bring lower and upper tier services together, creating opportunities for service transformation which can support improvements in delivery. For example, bringing supported housing, social care and homelessness together in the same organisation can enable councils to develop preventative and holistic services, focused on the needs of local people and communities. It is also arguably easier for other public service providers to work with one council in an area and to map wider reforms, even where boundaries do not fully align.

Workforce pressures: Local government reorganisation can help ease workforce pressures and local competition for staff, as a reduction in the number of local institutions requires fewer leadership roles.

Local accountability: Unitary councils provide local people with a clearer picture of who is accountable for service delivery and local decisions, requiring fewer councillors and local elections. In Cumbria, unitarisation reduced the number of councillors by two thirds and replaced seven council leaders with two; these simpler structures reduce the considerable demands on all involved, and mean the area now only needs two local elections every four years.

In addition, new unitary councils can enable new and innovative community level and partnership working. There are knock-on benefits for strategic planning decisions and empowered Mayoral Combined Authorities. Longer term, consistent unitary local government will make it easier to deliver other challenging public service reforms.

4.2.4 Audit, Insight and Standards

The vast majority of local elected members maintain high standards and are driven by duty and service. They want to deliver the positive power of public service by maintaining high standards. The public have the right to expect the highest standards from their councils and councillors, both in their conduct and how taxpayer money is spent. Every council must be fit, legal and decent.

We will fundamentally reform the local audit system, rebuilding the vital early warning system to recover a key part of our assurance mechanisms, restore local government standards, and ensure transparency. We will not return to a bloated Audit Commission or allow mission creep to expand the remit of government bodies in the sector. As a first step, we will close the Office for Local Government. It had a vague remit that duplicated functions performed elsewhere and involved data being published without sufficiently clear context, which was then misused without challenge in misleading and politicised ways.

We will transform the audit system to give greater clarity on the purpose of audit and accounts, and ensure they take centre stage in local scrutiny. The government has already taken decisive action to tackle the audit backlog and will now respond to the recommendations of multiple external reviews, including the Redmond and Kingman reviews that have called for much simpler leadership and regulation of local audit. In line with Sir Tony Redmond's recommendations, we will legislate to radically simplify the system, bringing as many audit functions as possible into one body which will also offer insights drawn from audits. We will shortly engage with the sector, including with key audit stakeholders on how best to move functions into the organisation on audit, subject to legislation.

The Localism Act 2011 established the current standards framework for local government. We believe that the Act did not provide councils with sufficient powers to maintain high standards, and have heard from local leaders who say it is ineffectual, inconsistently applied, and lacking in adequate powers to sanction the small number of members who seriously breach codes of conduct. The electorate has the right to expect that it can trust its locally elected members to act in the best interests of their communities and that those who do not meet the high standards expected of them are held to account.

In response, we will give the relevant authorities appropriate and proportionate means to deal with misconduct effectively and decisively when it does occur. We also want to ensure that victims can feel confident and safe when raising an issue under the code of conduct if it impacts them personally, breaches the code of conduct, or brings the council into disrepute. To this end we will be embedding lessons learnt from the development of the parliamentary Independent Complaints and Grievance Scheme. We will therefore consult on proposals including:

- A mandatory code of conduct – to establish a higher minimum standard of expected behaviours and ensure consistency, reflecting the government’s commitment to public service and to updating the 30-year code to cover discrimination, bullying, use of social media, and other issues not featuring in the current minimum requirements.
- A requirement for principal Local Authorities to convene formal Standards Committees – to ensure all Local Authorities have formal, transparent processes to uphold and promote standards.
- A role for a national body to deal with the most serious cases and appeals, as was the case under the former system with the Standards Board for England, subject to discussions with the sector.
- Powers to suspend, including imposing premises and facilities bans – to allow Local Authorities to enforce their own standards. The government believes that councils need the ability to address serious misconduct with powers to suspend councillors for a maximum of six months, with the option to withhold allowances where deemed appropriate.
- Disqualification if subject to suspension more than once – to curb the risk of “repeat offending” and empower councils to signal that poor behaviour will not be tolerated.
- Subject to discussions with the sector we will explore immediate disqualification in certain instances of serious misconduct.
- Interim suspension whilst under investigation – to reassure the public that action is being taken. This could be used in serious cases that may involve protracted investigations or the police, for example alleged fraud or assault.
- Publication of all code breach investigation outcomes – to enhance transparency, giving the public the opportunity to check their council’s record on maintaining good conduct.

4.2.5 Local Authority members and workforce

Voters elect their councillors to improve their area and solve the problems facing it. But previous Whitehall rules and years of underfunding have harmed councils’ capacity to do their job and deliver for their residents, by diminishing the appeal of the sector as a workplace.

It is vitally important that the system works to recruit and retain high performing members and officers. We will continue to work with the sector on support and development for elected members, including addressing barriers to attracting and retaining them. To support this work, the government proposes the following improvements:

- **Workforce development:** The local government workforce is facing widespread capacity challenges, caused by ongoing problems with recruitment and retention. To help start to tackle them, we will establish a local government workforce development group – this will

be run in partnership with the sector and will identify practical solutions to help resolve and improve workforce issues and promote the sector as a great place to work, while ensuring the workforce is set-up for the future.

- **Remote attendance:** To encourage a greater diversity of people to stand as councillors and ensure better scrutiny of council decisions, this government is formally seeking views on proposals to enable elected members to remotely attend formal council meetings, the intent being that an elected member who needs to attend a meeting virtually will have the option and flexibility to do so. This reform will also enable sitting councillors who are not able to physically attend meetings on an on-going or temporary basis to represent the communities they serve.
- **Proxy voting:** We are seeking views on enabling elected members to use proxy voting – so that a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence, such as in cases when they are temporarily unable to participate in meetings due to personal circumstances for a limited period.
- **Address publication requirements:** Attracting high-quality elected officials also depends on making public office safe for prospective candidates. We propose to remove the requirements for a local government member's home address to be published. Currently, councils may consider requests to remove home addresses from published lists but there is inconsistency in how councils choose to apply this provision. Publication of this personal information can risk members or their families being subject to violence and intimidation. We believe it should be put beyond doubt that councillors and Mayors do not need to declare their home address to the public.

5. Upgrading the systems

Devolution can only restore trust in politics if the public knows what their local leaders are empowered to deliver and are able to hold them to account.

The current system of accountability and scrutiny is guided by the English Devolution Accountability Framework⁴⁹ and Scrutiny Protocol⁵⁰, which set out the requirements Strategic Authorities must meet on the use of the public money they receive and how council officers should undertake their duties. This includes having a Local Assurance Framework, maintaining standards in public life and ensuring value for money. Within the governance structures of Strategic Authorities themselves, it is a legal requirement to have an Oversight and Scrutiny Committee and an Audit Committee, and some also hold ‘Mayor’s Question Time’ sessions for the public and media to hold Mayors to account.

But it is right that, alongside our plans for a permanent shift of power from Westminster, there should also be a new system of accountability, as well as comprehensive action to build capacity in the sector. This is not about marking the sector’s homework. However, we will set out and measure progress on the key services and outcomes we expect Strategic Authorities to deliver, to be clearer on priorities and reduce micromanagement – so they can focus on serving, and being held to account by, their residents.

5.1 Improving accountability

5.1.1 Integrated Settlement single accountability framework and outcomes framework

The Integrated Settlements that Established Strategic Authorities are set to receive will be supported by a single streamlined accountability framework, rather than multiple frameworks administered by different departments. This single accountability framework will clarify the roles between the Ministry of Housing, Communities and Local Government ‘system Accounting

⁴⁹ MHCLG (2023) [English Devolution Accountability Framework - GOV.UK](#)

⁵⁰ MHCLG (2023) [Scrutiny Protocol - GOV.UK](#)

Officer', the Accounting Officer of contributing departments, and the Chief Executive of the Mayoral Combined Authority, including interaction with scrutiny and *Managing Public Money* guidance. It will be incorporated into the English Devolution Accountability Framework⁵¹.

The Integrated Settlement outcomes framework

Established Mayoral Strategic Authorities will be held to account for the outcomes associated with their Integrated Settlement via an outcomes framework aligned to national missions, other national priorities and local economic concerns. The outcomes framework will provide a structured approach to defining, measuring and reporting on performance on Integrated Settlement delivery during the Spending Review period. The outcomes framework will identify the desired outcomes for assessing performance across the policy responsibilities devolved through the Integrated Settlement, as well as the indicators, outputs and targets that will be used to track progress in the Spending Review period.

The primary objective of the outcomes framework⁵² is to set outcome-based targets that are clear and transparent, so local and central government, as well as the public, know what the Established Mayoral Strategic Authorities are working to deliver with their Integrated Settlement. The outcomes framework will:

- Provide a single, streamlined approach to accountability and reporting to central government.
- Align local priorities and national priorities with Local Growth Plans as the guiding star for investment.
- Become a scalable feature of the accountability landscape as devolution is deepened and widened.
- Monitor activity which can be genuinely influenced within the Integrated Settlements' themes whilst moving away from existing programme and project-specific monitoring of inputs and outputs that central government track.
- Provide sufficient evidence to inform delivery performance within the Spending Review period.

5.1.2 Improving accountability and scrutiny of local public spending

We want to go further to ensure residents can be confident that their Strategic Authority is well-governed and making best use of every pound. Overview and Scrutiny Committees will remain vital elements of the oversight of Strategic Authorities, providing challenge and scrutiny on decision-making. But to go further we will work with the sector to explore:

⁵¹ HM Treasury (2023) [Managing Public Money May 2023](#)

⁵² More information is available at GOV.UK: [Integrated settlements for Mayoral Combined Authorities - GOV.UK](#).

- A review of the Scrutiny Protocol to ensure that the guidance is reflective of these changes and is driving improvements to the standard of scrutiny in Strategic Authorities as we deepen devolution⁵³.
- How to improve external scrutiny of value for money on local public spending, including exploring a Local Public Accounts Committee model alongside reforms to local audit where we will review how the audit system supports and provides external assurance.
- How to ensure the oversight and transparency of decision making and activity conducted by the bodies that Strategic Authorities establish.
- How to clarify lines of accountability, including through creating a local single point of accountability for value for money, exploring models such as Local Accounting Officers to enhance the accountability of Strategic Authorities, or improved roles and responsibilities and further statutory duties and functions to deliver.
- Ensuring the system of stewardship, as it applies to Strategic Authorities, is operating as effectively as it can, including the case for setting up an annual conversation with each area to allow a clearer understanding of the connections between different funding streams and local priorities.

Local press and media play a crucial role ensuring decision making at local level is accountable to the people they serve and not just to national government. The sustainability of local journalism is an area of particular concern for this government. Our vision is a thriving sector that can continue to play an invaluable role by reporting on the issues that matter to communities, helping counter disinformation locally by being a source of trustworthy information, and keeping communities informed about local issues and decision making. The Secretary of State for Culture, Media and Sport will shortly develop a local media strategy. As part of that strategy, we will explore whether there is more that Local Authorities can do to support the vital role that local media plays, for example through increased openness in providing local journalists with access to information.

5.2 Building capacity

Strategic and Local Authorities need support to build capacity in key areas, while new Strategic Authorities, and those exploring new devolution arrangements, will be supported to succeed.

5.2.1 Capacity and sector representation

Our support offer will help new and established Strategic Authorities deliver for their areas. We will work across government to bring this together and provide a comprehensive offer, including:

⁵³ MHCLG (2023) [Scrutiny Protocol - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115444/ScrutinyProtocol.pdf)

- **Capacity funding:** The government will work with Local Authorities and Strategic Authorities to consider the best way to provide resource funding to Strategic Authorities such as via the Local Government Finance Settlement. This will be guided by the principle that there is a consistent approach to the powers and responsibilities of Strategic Authorities, in line with the Devolution Framework. Where a Strategic Authority takes on powers which are currently funded outside the Local Government Finance Settlement or the integrated settlements, such as Mayoral Capacity Funding, MHCLG will work with the relevant department or organisation to explore funding this through these routes. Subject to Spending Review decisions, new Strategic Authorities will continue to receive Mayoral Capacity Funding to kickstart their organisations and we will also review how Mayoral Capacity Funding is calculated and ensure any changes are consistent with the Devolution Framework.
- **Secondments:** We will introduce a secondment scheme between central government and Strategic Authorities, which will include facilitating the placement of civil servants in Strategic Authority officer roles, including senior positions.
- **Boosting Mayoral and officer capacity to deliver** through a capacity building offer to better support strategic leadership, peer-to-peer support and sharing best practice on innovation – working with Mayoral Combined Authorities to ensure that it is properly targeted and aligns with existing initiatives. We will join up with others, and learn from them on this, where it makes sense to do so. Initiatives such as Bloomberg Philanthropies' Government Innovation program provide great examples of how this has been done successfully, where support has been offered to build local capacity for innovation, data use and place-based leadership. The government will work alongside Bloomberg Philanthropies and others to build a capacity support offer that will help our local leaders deliver results.

We will also work to ensure sector representation. Through the UKMayors Network, Strategic Authorities already work together to provide a cohesive voice to the government, by providing an important coordinating function between mayoralities. As we further extend devolution across the country, it is key that the sector continues to have a strong representative function. We will work with these bodies as well as the Local Government Association and others.

Our ambition to place the right powers in the right places will require working across regions where a larger geographic scale is needed to coordinate on strategic issues. This work has been undertaken to date by pan-regional partnerships, which have provided areas of strong leadership, focus and drive.

However, as an increasing part of England is represented through Mayors and Combined Authorities, it is right for those elected representatives to lead regional collaboration. Therefore, moving forward, the government intends to support Mayors in collaborating at pan-regional level and creating convening bodies whose purpose, priorities and membership are decided at a regional level, and working with existing regional organisations such as Sub-National Transport bodies. The government will support mayoral-led partnerships, such as the 'Great

North’ partnership of Northern Mayors, to convene regional public and private sector partners to promote a region internationally, develop investable propositions in key sectors and align trade, investment, major infrastructure and land use issues. Such bodies could also coordinate major cultural and sporting activities, recognising the opportunity to scale up across wider areas.

5.2.2 Sector improvements

The public have the right to expect that Strategic Authorities have access to the expertise they need, that they work with business, and that Mayors are working full time to deliver for them.

Strengthen leadership

Strategic Authorities will need a leadership team who can drive policy forward across the responsibilities of the Authority and represent it externally. In Mayoral Strategic Authorities there will be critical new functions to undertake, including Local Growth Plans and Spatial Development Strategies, representation on local and national bodies, and joint working with national and local partners. It is not realistic to expect a Mayor to do all of this. The Mayor of London’s Deputy Mayors is one model for how work can be delegated successfully. In many Combined Authorities, board members have taken on portfolios to help drive the authority’s agenda, and the government will explore how to better recognise their contribution and leadership.

In addition, the government will legislate so that Mayors are able to appoint and remunerate ‘Commissioners’ who would be able to support the delivery of key functions. They would not be members of the Strategic Authority, and the roles would be expected to reflect the areas of competence, such as a Transport Commissioner. If they choose to appoint them, Mayors will determine the portfolios of the Commissioners that are right for their authorities. In certain circumstances, the government envisages that Mayors may be able to delegate functions exercisable by the mayor to a Commissioner. These do not replace the approach taken by many Combined Authorities to allocate political lead portfolios to members of the Strategic Authority, usually leaders of constituent councils, but are intended to complement the approach with additional capacity or specialisms.

Where a Mayor is the Police, Fire and Crime Commissioner they will continue to be able to appoint a Deputy Mayor for Policing, Fire and Crime to provide leadership to the ‘blue lights’ services and build effective co-working with local authorities and probation services to take back our streets.

Working in partnership with business

Over the past year, the integration of functions formerly exercised by Local Enterprise Partnerships into Local Authorities and Combined Authorities has advanced significantly. Many Combined Authorities now host Business Boards, putting the voice of local business at the heart of local decision making. For example, in South Yorkshire, the Mayor’s Advisory Business Board

brings together Chambers of Commerce, trade unions and small and large businesses in order to shape joint thinking on the region's economic future. We will continue to work with Strategic Authorities to ensure that business voice continues to play an important role.

Letting Mayors focus wholly on their region

The post of Mayor is a significant role at the forefront of delivering change. It demands the full attention of any post holder. In that context, the government will introduce proposals limiting individuals from holding the office of Member of Parliament and Mayor simultaneously, as is already the case for Mayors who are the Police and Crime Commissioner for their area.

6. Delivering our plans

Delivering the change of this permanent shift of power needs to start now. So we are setting out how we will deliver, and how we will engage with local leaders to ensure they can deliver what the country needs.

6.1 Implementing the agreed devolution deals and Devolution Priority Programme

Since July, devolution agreements for regional Mayors have been finalised with Greater Lincolnshire and with Hull & East Yorkshire. We have agreed to establish Combined County Authorities in both Devon & Torbay and Lancashire, and are progressing four foundation non-mayoral Single Local Authority devolution agreements with Cornwall Council, Buckinghamshire Council, Warwickshire County Council, and Surrey County Council, subject to further statutory tests being met.

The new Combined County Authorities in Devon & Torbay and Lancashire will receive powers to improve the integration of local transport and control of local transport functions and the ability to exercise compulsory purchase powers to help drive regeneration. They will also receive devolved adult skills funding from academic year 2026/2027.

Mayors will be elected in Greater Lincolnshire and Hull & East Yorkshire – the last part of Yorkshire to be covered by a devolution deal – in May 2025. In addition to control over transport and skills, Greater Lincolnshire and Hull & East Yorkshire will receive significant investment to shape the future of their area - including mayoral investment funds, mayoral capacity funding and capital funding for building new homes and to drive place-based economic regeneration.

With this in mind, the Deputy Prime Minister invited places without devolution agreements to come forward with proposals for their areas in July 2024, with the process closing in September. There was a very positive response from across England, which gives an initial indication of where local consensus is growing around preferred geographies. As we progress to the next stage we intend to group areas at similar stages of progress, prioritising those minded to work towards mayoral models of devolution.

We will invite a number of places to join our Devolution Priority Programme. This will be for certain places that are able to come together under sensible geographies which meet the criteria, and where they are ready to achieve mayoral devolution at pace. This programme will aim to deliver institutions and have Mayors elected in the May 2026 elections, and provide certain places with

the full backing of government to deliver to these ambitious timescales. Places will be able to further strengthen their voices and agency in deciding what is right for their areas, including accessing the new powers in our revised Devolution Framework and ultimately taking their seat at the Council of the Nations and Regions.

The government will announce the areas included in the Devolution Priority Programme in due course.

6.2 Upgrading the powers of Mayors

We have already announced at the 2024 Autumn Budget that Mayors in West Yorkshire, the North East, Liverpool City Region, and South Yorkshire will join those in Greater Manchester and the West Midlands in being granted a full Integrated Settlement from next year.

We will work with these areas to ensure they can access the non-statutory elements of the new Devolution Framework as soon as possible, and to support them to be ready for the passage of the additional statutory powers into law. We will also engage with other Mayoral Strategic Authorities looking to demonstrate they qualify for ‘Established Mayoral’ status to help them demonstrate they are ready. We have also committed to update the Devolution Framework over time. We will also consider proposals raised with us at the Mayoral Council from existing and new Mayoral Strategic Authorities ahead of the Devolution Bill getting Royal Assent.

We will encourage and facilitate Strategic Authorities working together with Arm’s Length Bodies, third party providers and government departments where necessary in the use of their Devolution Framework functions.

6.3 Delivering the English Devolution Bill

We will bring forward an English Devolution Bill. The Bill will deliver the government’s manifesto commitment and vision set out in this White Paper, by transferring power out of Westminster to those who know their areas best. The Bill will provide local leaders the power to take back control, recognising the vital role local leaders play in our mission to drive economic growth. It will also enable our towns and cities to thrive by strengthening mayoral powers, giving local leaders the tools to kickstart their economies, and communities the power to transform their neighbourhoods and high streets. It will do this by:

- **Enshrining the new ambitious Devolution Framework in statute**, giving local leaders control over new levers of growth. This will include enhanced powers over strategic planning, local transport networks, skills and employment support, enabling them to create jobs and improve living standards.

- **Moving to systematic devolution**, by making it easier to grant new powers. The government will be able to add functions to the statutory framework by statutory instrument following consultation with Mayoral Strategic Authorities. Established Mayoral Strategic Authorities will also be able to make formal proposals on an annual basis for functions to be added to which the government is required to respond.
- **Providing devolved powers more easily and quickly** through establishing a simpler process for creating new Combined and Combined County Authorities to ensure that every part of England can rapidly benefit from devolution.
- **Improving and unlocking local decision-making** through more effective governance arrangements, ensuring Mayors and Combined Authorities can deliver for their areas.
- **Empowering communities** to revamp high streets and end the blight of empty premises with a strong new 'Right to Buy' for valued community assets.

6.4 Engaging with the sector on detail of our reforms

We will work with key stakeholders on next steps.

We will work with Mayors to:

1. **Identify a set of jointly agreed shared priorities**, which will guide action and collaboration in delivering their statutory requirement to develop Local Growth Plans.
2. **Establish the Mayoral Data Council**, bringing together data leads from across central and local government, to review and implement the data partnership principles.
3. **Set up a new working group with the Greater London Authority** to compare the powers and policy approaches of other global city authorities.

We will target engagement with Mayors and Strategic Authorities to shape how we deliver our reforms on:

4. **New freedoms for Local and Strategic Authorities**, on removing the requirements for Secretary of State consent they are required to seek on use of their powers and byelaws.
5. **The areas of competence for Strategic Authorities** and how these are supported by the powers to deliver against them.
6. **How best to reflect devolution into our policymaking**, where these are appropriate for local delivery and in their areas of competency. This includes feeding back proposals, developing our ambition for public sector boundary realignment, and how we can ensure Non-Departmental Public Bodies and Arm's Length Bodies build in Local Growth Plans and Spatial Development Strategies to their work.
7. **The future of the Scrutiny Protocol** to continue to improve the standards of scrutiny locally.

8. **How to deliver external scrutiny of value for money of local public spending**, particularly where freedoms and flexibilities of the Integrated Settlement are being utilised. The wider reform of audit will include consideration of how to support and provide external assurance on this.
9. **Considering a single point of accountability for value for money**, exploring Local Accounting Officers and Local Public Accounts Committees models to enhance the accountability of Strategic Authorities.
10. **Considering how to ensure transparency and oversight of decision-making and activity conducted by the bodies that Strategic Authorities establish.**
11. **Boosting capacity support for institutions**, looking at what would best support them.
12. **Delivering data reform**, developing a comprehensive vision for local government data.
13. **Effective voting arrangements for strategic planning.**

Work with Local Authorities and the wider local government sector to:

14. Identify where we can provide more **freedoms for Local Authorities to use powers** without central approval.
15. Develop proposals to improve **support and development for councillors**, as well as addressing barriers to attracting and retaining elected members.
16. Consult on **local government standards**.
17. Set out our vision for radically simplifying the **local audit** system, including our intention to establish a new body for local audit. We will engage with key stakeholders on a separate document, which will set out our vision in more detail.
18. Establish a **local government workforce development group**, run in partnership with the sector, to identify practical solutions to workforce recruitment and retention.
19. Work with individual areas on **local government reorganisation**, inviting proposals from all remaining two-tier areas and those unitary councils where there is evidence of failure or their size or boundaries may be hindering their ability to deliver sustainable and high-quality services to their residents. We will facilitate delivery of an ambitious first wave of reorganisation in this Parliament.
20. Develop further proposals for **public service reform and prevention**, alongside place-based leadership models.
21. **The areas of competence for Strategic Authorities** and how these are supported by the powers to deliver against them.
22. Confirm **effective strategic planning voting arrangements** outside of Strategic Authorities.

E03254614

978-1-5286-5315-2

10 January 2025

Jim McMahon OBE MP
Minister of State for Local Government and English Devolution
Ministry of Housing, Communities and Local Government

BY EMAIL to: EnglishDevolutionLGENquiries@communities.gov.uk

Dear Minister,

This letter is sent on from the Leaders of East and West Sussex County Councils and Brighton and Hove City Council in response to your letter of 16th December 2024.

Following the publication of the Government's White Paper on English Devolution the three upper tier councils which comprise the area of Sussex came together to discuss and agree a collective response to your invitation. What emerged from those discussions is a firm agreement on a shared ambition for Sussex and a wish to join the Government's Priority Programme for the establishment of a Mayoral Combined Authority for the area covered by the three councils.

The agreed approach was presented separately to the three Cabinets of the councils on 9th January and each of the Cabinets has fully approved, on behalf of their respective councils, this expression of interest in the Government's Priority Programme for Devolution.

Over the course of the process the three councils have initiated engagement with key stakeholders, including MPs and the leaders of districts and borough councils and have ensured that all stakeholders have been briefed on the proposals and the rationale which underpins them.

The proposal is for a Mayoral Combined Authority for Sussex to be worked up in accordance with the timetable set out in the White Paper.

Devolution

As the Government's position on scale, size and ambition for devolution is now clear, we recognise that the right geography locally is on a pan-Sussex footprint, taking account of the alignment of boundaries with other public services including Sussex Police, Sussex ICS and considering the historic ties across the different communities of our area.

Our vision for a future mayoral authority of Sussex is that it will act as a strong voice for our historic county, whilst providing collegiate and strategic leadership, working closely with partners to drive economic growth and prosperity. Sussex and the City of Brighton and Hove, with a population of 1,712,000, has a modern and diverse

economy, vibrant and innovative urban and rural businesses, three leading universities, the South Downs National Park, multiple AONBs and cultural assets and, with our strong international connections via Gatwick (the UK's second largest airport) and the ports of Shoreham and Newhaven, is a strong and natural contender for the growth benefits mayoral devolution will drive. This is important given the need both to contribute to the national growth mission but also to address the very acute needs of some parts of Sussex, particularly some of our coastal towns which experience significant deprivation and health inequalities.

Devolving on a Sussex geography will be sustainable and recognisable by communities. Sussex and the City of Brighton and Hove have a strong identity and sense of place, and long established and effective partnership arrangements at a strategic level. As well as being recognisable to local people, the Sussex geography would be well placed to balance the need to ensure that communities are empowered whilst also ensuring that decision making is long-term, strategic and embedded in an understanding of the varied needs of the area and the benefits of direct engagement with national forums.

The three upper tier councils have fully considered the benefits a mayoral combined authority would bring and are now keen to follow that momentum of collaboration by joining the Government's Priority Programme so that those benefits can be realised.

Local Government Reorganisation

The three councils recognise and understand the Government's design principles for effective strategic governance and the rationale for working towards single tier local government within strategic authority areas. The councils are therefore committed to meeting the Government's timetable for bringing forward plans for the reorganisation of local government for Sussex. The three councils wish to engage with all key stakeholders and bring forward plans in a timely manner.

It is understood that the Government will soon publish its criteria for unitary local government within combined authority areas – addressing the need for efficiency and sustainability with proposals that make sense and provide clear lines of accountability and are aligned with the identity and connections of the communities the councils will serve. The councils have already considered some of the issues and challenges the proposals would present both for the councils and their communities but have also recognised the benefits that can be realised by securing change through the simplification of governance in the interests of those communities. It is important that any change ensures that local government is financially sustainable in the long term and capable of achieving economic growth whilst delivering effective sustainable services alongside public sector partners.

The three councils also recognise the need to continue the effective working relations with the district and borough councils of the two counties as proposals are developed and the case for change is made. We recognise, in light of the unprecedented financial challenges facing the sector, as well as the continued challenge of delivering the required level of housing development, that it is now necessary to move to a simpler, more effective and more efficient structure to deliver services to all Sussex residents.

The proposals to be developed will also seek to maximise the efficiency savings unlocked through local government reorganisation and build on the sound working arrangements with health partners and others already working at a Sussex geography.

Sussex is well placed to embrace the benefits of devolution. What is more, a Sussex solution, which includes new unitary councils, and a mayoral authority, could be delivered relatively quickly and without undue complication, resulting in financial savings and the longer-term financial viability for the sector locally.

We look forward to receiving the Government's reply to this considered response to its invitation in the White Paper and look forward to working with the Government at pace to finalise the proposals and to help realise the benefits the devolution programme aims to deliver.

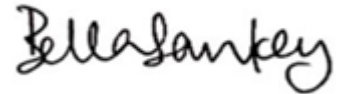
Yours sincerely,



Cllr Paul Marshall
Leader of West Sussex
County Council



Cllr Keith Glazier
Leader of East Sussex
County Council



Cllr Bella Sankey
Leader of Brighton & Hove
City Council

Brighton & Hove City Council

Council

Agenda Item 72

Subject: Maintaining quality education for all

Date of meeting: 30 January 2025

Proposer: Councillor McNair

Seconder: Councillor Meadows

Ward(s) affected: All

Notice of Motion

Conservative Group

This council notes:

- 1) The rise in international league tables e.g. Pisa, of English education since the introduction of academies and free schools under previous Governments, with maths, for example, improving from 27th in 2009 to 11th in 2022¹.
- 2) The improvements in schools in Brighton & Hove which have become part of academy chains e.g. City Academy Whitehawk², Moulsecoomb Primary and PACA.
- 3) The high levels of debt the Local Authority has permitted some schools to incur endangering the council's ability to provide quality education.
- 4) The opportunity academy chains bring to Brighton & Hove not only in the quality of education they provide, the freedom of choice they give to parents, and the savings they would bring to this council struggling with its own finances.

Therefore, resolves to:

- 1) Request that the Administration prioritise, children receiving the best education possible either within the Local Authority or as part of an academy chain or free school.
- 2) Request the Administration acknowledge the importance of schools being able to enter into discussions with academy chains without undue influence from the council to help ensure our children do continue to receive quality education and parents do have choice.
- 3) Request the Leader of the Council to write to the Secretary of State for Education outlining the importance of maintaining the freedoms and quality of education delivered by academy chains and free schools.

Supporting Information:

[England among highest performing western countries in education - GOV.UK](#)
[City Academy Whitehawk - Open - Find an Inspection Report - Ofsted](#)

¹ [England among highest performing western countries in education - GOV.UK](#)

² [City Academy Whitehawk - Open - Find an Inspection Report - Ofsted](#)

Brighton & Hove City Council

Council

Agenda Item 73

Subject: Supporting Unison's Bring It Back Campaign

Date of meeting: 30 January 2025

Proposer: Councillor Sykes

Seconder: Councillor Shanks

Ward(s) affected: All

Notice of Motion

Green Group

This council notes:

- 1) Unison's #Bringitback campaign which highlights that over 14 years the previous government took £110 million from Brighton & Hove City Council through austerity measures.
- 2) That local government services continue to be squeezed by rising costs and demand to the background of inadequate funding from central government.
- 3) Concerns raised by Unison about the impact of our Council's organisation redesign on staff morale and service provision.
- 4) Reports that the Government is considering further cuts than those already planned to public services in response to rising borrowing costs.
- 5) Concerns with the effects of the hiring freeze, overtime ban and temporary stop to using agency workers.

Therefore, resolves to:

- 1) Give its support as a Council to Unison's #Bringitback Campaign.
- 2) Ensure that staff are made aware of the opportunities open to them to join a Union
- 3) Ask the Leader of the Council to write to the Chancellor of the Exchequer Rachel Reeves to call for her to reverse cuts to local councils by the last government.
- 4) Request the Administration to bring a report to Cabinet to look at the effects of the recent staff redesign and the effects it has had on staff and service provision.
- 5) Request the Administration to consider additional methods for the involvement of the public in the 2025-2026 budget setting process.

Supporting Information:

[BRINGITBACK Campaign Launched — Brighton and Hove Unison](https://www.brightonandhoveunison.org.uk/news/bringitback-campaign-launched)
(<https://www.brightonandhoveunison.org.uk/news/bringitback-campaign-launched>)

[#BRINGITBACK Brighton & Hove Campaign — Brighton and Hove Unison](https://www.brightonandhoveunison.org.uk/bringitbackbrightonandhove)
(<https://www.brightonandhoveunison.org.uk/bringitbackbrightonandhove>)

[Reeves mulls deeper cuts to public services as borrowing costs soar | Economics | The Guardian](https://www.theguardian.com/business/2025/jan/09/rachel-reeves-cuts-public-services-borrowing-costs-tax)
(<https://www.theguardian.com/business/2025/jan/09/rachel-reeves-cuts-public-services-borrowing-costs-tax>)

[Keir Starmer says Treasury will be ruthless on public spending cuts | Public finance | The Guardian](https://www.theguardian.com/society/2025/jan/13/keir-starmer-says-treasury-will-be-ruthless-on-public-spending-cuts)
(<https://www.theguardian.com/society/2025/jan/13/keir-starmer-says-treasury-will-be-ruthless-on-public-spending-cuts>)

Brighton & Hove City Council

Council

Agenda Item 74

Subject: Gritting & Highways Winter Service Plan

Date of meeting: 30 January 2025

Proposer: Councillor Hill

Seconded: Councillor Earthey

Ward(s) affected: All

Notice of Motion

Green Group & Brighton & Hove Independent Group

This council notes:

- 1) The impact of a changing climate on our city includes more extreme weather events.
- 2) Recent heavy snowfall this January which led to outlying parts of the city becoming disconnected from outside due to issues with putting grit on roads.
- 3) That the current gritting priority list does not take account of gradient which is only a factor in considering where to put grit bins.
- 4) The need to better connect outlying areas of the city during periods of heavy snowfall.
- 5) The importance of working with representatives of traffic police, bus companies, fire service and health bodies as well as the business and voluntary community sector to coordinate the response to heavy snowfall.
- 6) The lack of rephasing of traffic lights at key junctions when the snow meant that normal traffic light timings were not appropriate to use.
- 7) The problems caused for residents by ungritted pavements.

Therefore, resolves to:

- 1) Request the Administration to bring a report to Cabinet looking at additional sites for grit bins and grit drops and an update which will repeat annually to the Brighton & Hove Highways Winter Service Plan.
- 2) Ask officers to consider how best to seek resident feedback about how the council dealt with the heavy snowfall across Brighton and Hove this month through a consultation exercise.
- 3) Thank members of the community who came out to help others as well as to clear snow and ice, such as farmers who rescued cars in Woodingdean.

Supporting Information:

Current Winter Service Plan from 2019: [highways-winter-service-plan-2019-2020.pdf](https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/highways-winter-service-plan-2019-2020.pdf)

(<https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/highways-winter-service-plan-2019-2020.pdf>)

[Woodingdean farmers helped to rescue cars during snow | The Argus](https://www.theargus.co.uk/news/24845608.woodingdean-farmers-helped-rescue-cars-snow/)

(<https://www.theargus.co.uk/news/24845608.woodingdean-farmers-helped-rescue-cars-snow/>)

Brighton & Hove City Council

Council

Agenda Item 75

Subject: Royal Sussex County Hospital Accident & Emergency Department

Date of meeting: 30 January 2025

Proposer: Councillor Birgit Miller

Seconder: Councillor Amanda Grimshaw

Ward(s) affected: All

Notice of Motion

Labour Group

This council notes:

- 1) That the RSCH serves a large area and is the regional trauma centre.
- 2) That insufficient space creates a stressful and overcrowded environment in A&E.
- 3) That difficulty of access to primary care in eastern Brighton and Hove means A&E and the urgent care centre function as primary care centres.
- 4) That winter increases in infectious diseases increase hospital admissions and can require temporary closure of wards as infection control measures.

Therefore, resolves to:

- 1) Request that the Leader of the Council write to the University Hospitals Sussex NHS Trust to request that :-
 - (a) A contingency plan is put in place for adding short-term capacity while redevelopment is in progress.
 - (b) A detailed analysis is shared with the Council of the planning, specification and futureproofing of the new look A&E, with updated time scales for delivery.
- 2) Request officers to consider, alongside local NHS providers, how to reduce demand through enhanced signposting and redirection, as well as through increased take up of vaccinations against flu, covid and other respiratory diseases.

