

Devolution Update

Overview and Scrutiny Place Committee 31/07/25



Brighton & Hove
City Council

Devolution Update

- Government response to Consultation
- English Devolution and Community Empowerment Bill
- Proposal for Informal Partnership Board
- Next Steps

Government response to Consultation

- Statement from Jim McMahon, Minister for State for Local Government and English Devolution – 17th July 2025
- ‘Following an assessment, I am pleased to confirm that the relevant statutory tests to establish Mayoral Strategic Authorities in all six areas have been met. Subject to the constituent councils’ consent, legislation will be brought before Parliament in order to establish each of the six institutions early in 2026, devolving further powers to local leaders and those with local knowledge, to drive economic growth and empower communities with investment to support their work.’
- [Link to full statement](#)

Key Messages from Devolution Bill (published 10.7.25)

- Devolution Structures
- Changes to role of mayor and voting
- Local Government Structures and Accountability
- Communities
- Duties and Powers (Areas of Competence)



Devolution Structures

The “Strategic Authority”

- The Bill introduces a new devolution framework for England. It creates a new category of authority called Strategic Authorities (SAs).
- SAs will operate at the functional economic area level, meaning they will cover areas that reflect how local economies function.

Powers via devolution framework

- The new devolution model includes the development of a framework that will set out powers and functions available to SAs depending on whether they have a mayor and on their track record of delivery

Expanding the devolution framework

- The Bill allows for new powers and duties to be added to the devolution framework over time by providing Government with new powers to amend the devolution framework in future

The Government aims to introduce **a new SA for each area in England**, by

- creating new SAs, as well as by
- designating existing structures as SAs

There will be **3 levels of SA**:

- **Foundation Strategic Authority** (who do not have a mayor and have limited devolution)
- **Mayoral Strategic Authorities** (who have a mayor and have greater devolution power) -> This is where Sussex and Brighton will start.
- **Established mayoral authorities** (who meet key criteria and have the broadest devolved powers)

SAs will be responsible for strategy development and programme delivery in key areas BUT will not replace the **councils** (referred to here as constituent authorities, or ‘CAs’), which will continue to deliver key services to communities.

The role of the Mayor and voting

Mayoral Powers of Competence

- **Commissioners:** Mayors will be able to appoint up to seven commissioners to lead on each of the specified 'areas of competence' (e.g. transport).
- **No “dual hatters” as MP and Mayor:** Mayors will be prohibited from simultaneously serving as Members of Parliament (MPs).
- **Power to convene-** enabling Mayors to convene local partners to address local challenges
- **Duty to respond:** Placing a duty on local partners to respond to a Mayors request when they make use of the power to convene
- **Duty to collaborate** ensuring that mayors have a formal process by which they can collaborate with neighbouring mayors to deliver project and strategies together.

- **Remuneration** of Strategic Authority members
- Mayoral appointment of **up to 7 commissioners**
- **Voting on budget** by simple majority, including the Mayor
- **Mayoral Precept:** The Bill includes an optional Mayoral Council Tax precept that the Mayor may use to raise funds to be used across the full range of functions.

Mayoral Election Voting System:

- **Supplementary vote:** From 2027, elections for mayors and PCCs will switch from First Past the Post to the Supplementary Vote system. **This change will not be in place for the May 2026 Mayoral election for Sussex and Brighton.**

Duties and Powers (Areas of Competence)

Strategic Authorities (SA) will have the ability to perform functions in the following areas:

- Transport and local infrastructure
- Skills and employment support
- Housing and strategic planning
- Economic growth and regeneration
- Environment and climate change
- Health, Wellbeing and Public Service Reform
- Public Safety



SA: Transport and Local Infrastructure

Core Transport Functions

The SA will be the designated Local Transport Authority Oversight of local transport networks:

- Bus, tram, and light rail (where applicable)
- Legal duty to ensure passenger transport services
- Management of travel concessions (e.g. free/discounted travel)

Local Transport Plan

Must produce a plan outlining:

- Local transport policies
- How they will be delivered

Must align with growth and spatial strategies

Constituent councils support delivery using local powers

Funding & Coordination

- Levy transport charges on constituent councils
- Provide grants for improvements (e.g. bus/cycle lanes)
- Coordinate local roads, unify standards, and enter agreements (with council consent)

Must set up and manage a **Key Route Network** (KRN)

Mayors can:

- Direct council use of highway powers on the KRN
- Set Traffic Reduction Targets (e.g. reduce congestion, promote sustainability)

Micromobility Licensing- Can license:

- Shared cycle schemes (e.g. bike hire)
- Future: e-scooters, delivery bots (pending regulation)
- Local conditions can improve safety, integration, and order

Traffic Enforcement

- May apply for powers to issue Penalty Charge Notices
- Requires agreement from councils with existing powers

SA: Skills and Employment

Adult Education Responsibilities

- The Bill transfers adult education functions from central government to Strategic Authorities.
- This includes the ability to receive and manage the Adult Skills Fund (ASF)—a non-repayable grant from the Department for Education.

Adult Skills Fund (ASF)

Funds skills training for adults aged 19 and over, from pre-entry up to Level 3. Supports adults to:

- Gain skills for employment
- Enter apprenticeships
- Progress to further learning
- Funding is non-ringfenced, giving Strategic Authorities flexibility to meet local needs.

Local Discretion and Flexibility

- Beyond legal entitlements, Strategic Authorities have broad discretion over how to use the ASF.
- They can tailor adult education provision to meet local economic, and skills needs.

Legal Entitlements Strategic Authorities Must Honour

- Strategic Authorities must ensure eligible learners receive fully funded training for:
- English and maths (up to Level 2) for adults 19+ without a GCSE grade 4/C or higher.
- First full Level 2 qualification for individuals aged 19–23.
- First full Level 3 qualification for individuals aged 19–23.
- Essential digital skills (up to Level 1) for adults 19+ assessed below Level 1.

Future-Proofing

- The Bill includes provisions for a transition period.
- Adult education functions will be automatically transferred to any new Strategic Authorities as they are established.

SA: Housing and Strategic Planning

New Planning Powers

- Power to **direct refusal** of planning applications of strategic importance
- Power to **call in applications** for review—especially where proposals align with spatial strategy but face local rejection

Spatial Development Strategy (SDS)

- Must publish an SDS setting out the area's long-term development vision
- Planning powers can only be used **once SDS is in place**

Mayoral Development Orders (MDOs)

- May directly grant planning permission for specific developments without the submission of a planning application
- No need for Local Planning Authority (LPA) consent to prepare/consult
- LPAs must still approve the MDO
- If refused, mayors can escalate to Secretary of State (via Planning Inspector Inquiry)

Mayoral Community Infrastructure Levy (CIL)

Can charge a CIL on new developments to fund infrastructure

Conditions:

- SDS must be in place
- Simple majority approval from constituent councils
- Mayor has casting vote in case of tie

Mirrors powers used in London (e.g. Elizabeth Line)

Mayoral Development Areas (MDAs) & Corporations (MDCs)

- Can designate **MDAs**—defined regeneration zones
- Can establish **MDCs**—statutory bodies to lead development

MDCs provide:

- Geographic focus
- Broad planning and land powers
- Ability to attract investment and private sector expertise

SA: Economic development and regeneration

Local Growth Plans

Required for all Mayoral Strategic Authorities (except London)

Each plan must include:

- **Economic overview** of the region
- **Shared priorities** agreed with government
- **Investment pipeline** for public and private sector support

Greater London Authority is exempt (already produces an economic strategy)

Statutory guidance will support plan development

Legal Responsibilities

Public Bodies Must 'Have Regard' to Shared Priorities

Applies when:

- Bidding for government funding
- Developing related plans or strategies
- Requested by a Mayoral Authority

Relevant organisations will be named in regulations

Collaboration with Local Government Pension Schemes (LGPS)

Must work with LGPS authorities to increase local investment

Projects must deliver:

- **Social or economic benefits**
- **Financial returns** to support pensions

Legal duty to be introduced via the Pension Schemes Bill

Encouragement of visitors and promotion of visitors

This extends the powers currently available to local authorities over encouragement of visitors and promotion of visitors, and power to facilitate provision for entertainment, dancing, premises suitable for entertainment, maintenance of a band or orchestra, and promotion of the arts to CAs and CCAs.

SA: Environment and Net Zero

Heat Network Zoning coordination role

This means that Strategic Authorities will be well placed to take forward heat network zones and create zone coordinators.

While the Bill does not transfer any other statutory environmental or climate powers to Strategic Authorities, it recognises their importance in:

- Protecting the natural environment
- Safeguarding biodiversity
- Advancing the green transition

SA: Health, Wellbeing and Public Service Reform

New Legal Duty on Health

- Strategic Authorities will be required to “have regard” to health outcomes and reduce health inequalities when using their powers.
- What this duty means: SA must consider health impact of their decisions, minimise negative effects on public health and avoid increasing health inequalities.
- SAs have a leadership role in health and wellbeing and working with health and care system partners.

Definition of Health Inequalities

Differences in life expectancy or general health caused by factors such as:

- Housing standards
- Transport services
- Public safety
- Employment opportunities

SA: Public Safety

New Mayoral Responsibilities

- The government aims to expand the number of Mayors with PCC (Police Crime Commissioners) and FRA (Fire Rescue Authority) functions.
- This supports a more joined-up approach to local services and improves public safety outcomes.
- Where mayoral and police/FRA boundaries align, Mayors will automatically take on PCC and FRA functions.

4 Mayors may:

- Exercise PCC functions across multiple police force areas, if aligned with their geography
- Oversee multiple FRAs, with the potential for mergers under one Mayor

Deputy Mayors for Policing and Crime

Where the Mayor is responsible for Police functions, a Deputy Mayor for Policing and Crime must be appointed by the Mayor.

Exceptions

- If a police force spans more than one Strategic Authority, the Mayor will not take on PCC functions for that force.

Boundary Alignment Powers

The Secretary of State will have the power to:

- Adjust police and fire boundaries
- Do so simultaneously with the transfer of PCC and FRA functions to Mayors

Next Steps

- Proposal to establish an Informal Partnership Board
- Appointment of interim Devolution Programme Director for Sussex & Brighton and internal BHCC Programme Lead
- Draft constitution and assurance framework
- Review of implications following analysis of powers and funding
- Full Council debate and Cabinet decision in Autumn
- If agreed by the three Constituent Authorities, Statutory Instrument laid and comes into force establishing Mayoral Strategic Authority with immediate effect.

Devolution Update

Questions and Discussion

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