



## In Focus

### Devolution in England: Regional Mayors

#### Summary

On 4 May 2017, the first regional mayoral elections will be held in six English regions: Cambridgeshire and Peterborough, Greater Manchester, Liverpool City Region, Tees Valley, West Midlands and the West of England. Each of these regions consists of formal groupings of councils known as combined authorities, which have assumed powers from central government on strategic matters including transport, housing and planning, skills and economic development.

The mayoral elections follow the agreement of ‘devolution deals’ between the Government and these combined authorities, by which new powers and budgets would be devolved on condition that directly-elected mayoralties be introduced. These authorities then become mayoral combined authorities.

The devolution deals agreed to date cover a range of policy areas and budgets, and vary in their extent between combined authorities. Greater Manchester, which was the first area to form a combined authority in 2011, is assuming the widest range of powers, including over health and social care. Other mayoral combined authorities have agreed deals incorporating more limited powers.

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#### Devolution in England: Recent History

Combined authorities and devolution deals are largely governed by two pieces of primary legislation. The Local Democracy, Economic Development and Construction Act 2009, which first made provision for the creation of combined authorities; and the Cities and Local Government Devolution Act 2016, which provided for the election of mayors to combined authorities and for the devolution of a wider range of powers, as well as arrangements for funding and scrutiny. The Labour Government initially introduced combined authorities on a voluntary basis through the 2009 Act with the intention of providing a “means for local authorities to pool functions and manage joint activity on economic development and regeneration, as well as [...] transport issues”.<sup>1</sup> The Conservative Government stated that a key objective of the 2016 Act was to widen the scope of devolution in England: in June 2015, the then Secretary of State for Communities and Local Government, Greg Clark, argued that it would allow “any powers, other than powers to legislate, currently held by a minister or public body to be devolved”.<sup>2</sup>

Since the passage of the 2009 Act, combined authorities have been established in nine areas of England.<sup>3</sup> These are:

- Greater Manchester (1 April 2011)
- Sheffield City Region (1 April 2014)
- West Yorkshire/Leeds City Region (1 April 2014)
- Liverpool City Region (1 April 2014)

- North East (8 April 2014)
- Tees Valley (1 April 2016)
- West Midlands (17 June 2016)
- West of England (9 February 2017)
- Cambridgeshire and Peterborough (3 March 2017)

Greater Manchester was the first combined authority to agree a devolution deal with the Coalition Government in November 2014, followed by West Yorkshire (also known as the Leeds City Region) in March 2015.<sup>4</sup> Cornwall agreed a devolution deal with the Conservative Government in July 2015.<sup>5</sup>

In May 2015, the Government announced that it would offer further devolution to combined authorities in return for their agreement to the introduction of a directly-elected mayor.<sup>6</sup> Bids for 34 new devolution deals were received by September 2015.<sup>7</sup> The Government pursued a smaller number, announcing five deals in November 2015 covering the Sheffield City Region, the North East, Tees Valley, Liverpool City Region and the West Midlands. A further three deals were announced in the March 2016 Budget, with East Anglia, Greater Lincolnshire and the West of England.<sup>8</sup>

However, some of these deals have not proceeded. The North East deal was cancelled when four of seven constituent authorities voted against it in September 2016 and the Greater Lincolnshire deal collapsed following a vote against it by Lincolnshire County Council in October 2016.<sup>9</sup> The deal in East Anglia (covering Norfolk, Suffolk, Cambridgeshire and Peterborough) was replaced by proposals for two separate combined authorities—Norfolk and Suffolk, and Cambridgeshire and Peterborough. The separate proposals for Norfolk and Suffolk were abandoned in November 2016 while the Cambridgeshire and Peterborough proposal went ahead.<sup>10</sup> In addition, no further deal has yet been agreed with the West Yorkshire Combined Authority beyond that initially agreed in March 2015, and the combined authority has indicated that it hopes to conclude a further agreement without a requirement for an elected mayor.<sup>11</sup>

Sheffield City Region was due to hold a mayoral election in May 2017, but this was postponed in January 2017 following a legal ruling that residents in one constituent authority, Chesterfield, had not been properly consulted over their inclusion as a constituent member of the combined authority.<sup>12</sup> It has been reported that a fresh consultation is currently being held, and the combined authority has indicated that it hopes to hold a mayoral election in May 2018.<sup>13</sup>

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## Mayoral Combined Authorities: Powers

The six current mayoral combined authorities comprise the following constituent authorities:

- **Cambridgeshire and Peterborough:** Cambridgeshire (county council), Peterborough (unitary authority), Fenland, Huntingdonshire, East Cambridgeshire, South Cambridgeshire, Cambridge (all districts).<sup>14</sup>
- **Greater Manchester:** Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan (all metropolitan boroughs).<sup>15</sup>
- **Liverpool City Region:** Halton, Knowsley, Liverpool, Sefton, St Helens, Wirral (all metropolitan boroughs).<sup>16</sup>
- **Tees Valley:** Darlington, Hartlepool, Middlesbrough, Stockton-on-Tees, Redcar and Cleveland (all unitary authorities).<sup>17</sup>
- **West Midlands:** Birmingham, Wolverhampton, Coventry, Dudley, Sandwell, Solihull, Walsall (all metropolitan boroughs).<sup>18</sup>
- **West of England:** Bath and North East Somerset, Bristol, South Gloucestershire (all unitary authorities).<sup>19</sup>

Some of these combined authorities also have neighbouring non-constituent or associate member authorities, which will not take part in the mayoral elections. These non-constituent members may join more than one combined authority, but may not have voting rights. The combined authorities also all incorporate one or more Local Enterprise Partnerships (LEPs), which seek to support business and economic development.<sup>20</sup>

The mayoral combined authorities have been granted varying powers and budgets. To date, all six agreed mayoral authorities have been granted a 30-year investment fund, and varying degrees of control over education and skills, housing, planning and transport. All six have been granted an adult skills budget, while four of the six (Greater Manchester, Liverpool City Region, Cambridgeshire and Peterborough and West of England) will receive powers over apprenticeship grants for employers and the post-16 further education system. These four will also receive strategic planning powers, while all six (including the West Midlands and Tees Valley) will receive a consolidated transport budget. In addition, Greater Manchester has been granted control of a £6 billion integrated health and social care budget, while Cambridgeshire and Peterborough and Liverpool City Region will also have powers over planning for health and social care integration.<sup>21</sup>

The Cities and Local Government Devolution Act 2016 also enabled mayors to assume the powers of Police and Crime Commissioners (PCCs) in devolved areas, though as yet only the Greater Manchester combined authority has adopted this power.

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## Electoral Process, Scrutiny and Governance

Combined authority mayors will be elected by the preferential supplementary vote system, by which voters express a first and second preference for mayoral candidates. If no candidate receives more than 50 percent of the vote, the two candidates with the highest first preference votes proceed to a second round, where second preferences are added to their tallies to determine a winner. This system is currently used in local authorities with their own directly elected mayors, for the election of the Mayor of London and for police and crime commissioner elections. The mayoral elections will take place on a four-year cycle, with the next set of elections due in May 2021.<sup>22</sup>

Mayors will govern in conjunction with representatives (usually leaders) from the constituent local authorities, who will be known as the combined authority cabinet. The mayor appoints a deputy mayor from the cabinet to whom they may delegate decision-making functions. They can also delegate decisions to any individual member of the combined authority cabinet, or to a committee comprising cabinet members.<sup>23</sup>

Unlike in London, which has had a directly-elected mayor since 2000, the mayoral authorities will not incorporate directly elected assemblies to scrutinise mayors and approve budgets. The scrutiny function will instead be conducted by overview and scrutiny committees comprising elected councillors from the constituent local authorities. The committees will have powers to suspend combined authority decisions while reviews are conducted.

Also unlike London, where the mayor has strong executive powers, it is expected that the combined authority mayors will consult their cabinets on budgets and decision-making. Each mayoral budget can be rejected by a two-thirds majority of the cabinet, and some combined authorities will also enable the cabinet to vote down the mayor's strategic decisions by a two-thirds majority. In addition, some devolved matters such as land use planning will require unanimous agreement by the cabinet. The mayor has no power to remove cabinet members and may only reallocate portfolios among them.<sup>24</sup>

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## Further Information

- House of Commons Library, [Devolution to Local Government in England](#); and [Combined Authorities](#), 23 November 2016
- National Audit Office, [English Devolution Deals](#), 20 April 2016, HC 948 of session 2015–16
- Centre for Cities, [Everything You Need to Know About Metro Mayors: An FAQ](#), 2016
- Centre for Public Scrutiny, [Cards on the Table: English Devolution and Governance](#), 2016

<sup>1</sup> [HC Hansard, 22 June 2009, col 652W.](#)

<sup>2</sup> Department for Communities and Local Government, [‘Speech: Local Government, Housebuilding and Decentralisation’](#), 2 July 2015.

<sup>3</sup> Greater Manchester Combined Authority Order 2011 (SI 2011/908); Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014 (SI 2014/863); West Yorkshire Combined Authority Order 2014 (SI 2014/864); Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014 (SI 2014/865); Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 (SI 2014/1012); Tees Valley Combined Authority Order 2016 (SI 2016/449); West Midlands Combined Authority Order 2016 (SI 2016/653); West of England Combined Authority Order 2017 (SI 2017/126); and Cambridgeshire and Peterborough Combined Authority Order 2017 (SI 2017/251).

<sup>4</sup> Local Government Association, [‘Devolution Deals’](#), 5 January 2017.

<sup>5</sup> *ibid.* Cornwall is the only area to have agreed a devolution deal which is not a combined authority, as it consists of only a single local authority, Cornwall Council.

<sup>6</sup> Department for Communities and Local Government, [‘Bringing Our Country Together: Cities, Towns and Counties to Get Stronger Powers’](#), 29 May 2015.

<sup>7</sup> National Audit Office, [English Devolution Deals](#), 20 April 2016, HC 948 of session 2015–16, p 4.

<sup>8</sup> HM Treasury, [Budget 2016](#), March 2016, HC 901 of session 2015–16, p 68.

<sup>9</sup> BBC News, [‘Sajid Javid Ends North East Devolution Deal’](#), 8 September 2016; and [‘Lincolnshire Devolution Deal in Doubt After No Vote’](#), 20 October 2016.

<sup>10</sup> BBC News, [‘East Anglia Devolution: Proposal Splits Counties’](#), 17 June 2016; and [‘Norfolk and Suffolk Elected Mayor Plans Scrapped’](#), 18 November 2016.

<sup>11</sup> West Yorkshire Combined Authority, [‘WYCA Responds to Reports that Theresa May Could Ditch Insistence on Elected Mayors’](#), 22 August 2016.

<sup>12</sup> BBC News, [‘Sheffield City Region Devolution Survey Unlawful, High Court Rules’](#), 21 December 2016.

<sup>13</sup> Sheffield Star, [‘Sheffield City Region Devolution Poll Set to be Run Again’](#), 30 March 2017; and Sheffield City Region, [‘Combined Authority Will Work Towards 2018 Mayoral Election’](#), 12 January 2017.

<sup>14</sup> Cambridgeshire County Council, [‘Devolution for Cambridgeshire and Peterborough: Find Out More’](#), accessed 3 April 2017.

<sup>15</sup> Greater Manchester Combined Authority, [‘About GMCA’](#), accessed 3 April 2017.

<sup>16</sup> Wirral Council, [‘Liverpool City Region Combined Authority’](#), accessed 3 April 2017.

<sup>17</sup> Tees Valley Combined Authority, [‘Who We Are’](#), accessed 3 April 2017.

<sup>18</sup> West Midlands Combined Authority, [‘Who’s Included?’](#), accessed 3 April 2017.

<sup>19</sup> West of England Combined Authority, [‘About Us’](#), accessed 3 April 2017.

<sup>20</sup> Centre for Cities, [‘Everything You Need to Know About Metro Mayors: An FAQ’](#), 27 June 2016.

<sup>21</sup> *ibid.*

<sup>22</sup> *ibid.*

<sup>23</sup> *ibid.*

<sup>24</sup> House of Commons Library, [Combined Authorities](#), 23 November 2016, p 6.

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