

English Devolution and Community Empowerment Bill¹

Based on the latest guidance and summaries of the English Devolution and Community Empowerment Bill, here is a comprehensive list of powers that Mayors of Strategic Authorities will have under the new legislation.

The powers outlined in the bill were anticipated in the devolution White Paper, although the bill describes them in more detail.

Powers devolved to Mayors.

1. Housing and strategic planning

- Strategic Authorities will be required to have a Spatial Development Strategy, SDS, (this power is devolved to the strategic authority and not the mayor). An SDS complements and does not replace local plans.
- The Mayor will have:
 - Similar planning powers to the Mayor of London. This includes the ability to direct refusal of planning applications of potential strategic importance (eg large or prominent schemes), and the ability to call in these applications (for example, unpopular schemes). In practice this power will only cover a handful of schemes, with the vast majority continuing to be managed by the planning authorities. These would be significant housing and commercial developments.
 - Powers for mayors to raise a mayoral community infrastructure levy. This levy:
 - Is intended to support local infrastructure projects that align with the MCCA's local growth plan.
 - Will be governed by specific voting and governance arrangements, likely requiring a majority vote within the combined authority or strategic authority.
 - Builds on the existing Community Infrastructure Levy (CIL) framework but gives mayors a strategic funding tool to support regional development.
 - This funding stream could be used to provide local funding for strategic infrastructure projects such as the NWL or other larger infrastructure schemes where it has become increasingly difficult for NCC to provide local match.
 - The Bill extends the powers to create Mayoral Development Corporations to all mayors of Combined Authorities (CAs) and Combined County Authorities (CCAs). The Bill will require Local Planning Authorities to be consulted and to approve the MDO. Where the LPA(s) do not approve the order, the Mayor can request that the Secretary of State approve the order instead. This request is not automatic and will likely be dealt with through an Inquiry procedure, led by an Independent Planning Inspector.
 - Only a small number of MDCs have been established so far, and are usually used to bring forward regeneration of complex urban sites. The

¹ [English Devolution and Community Empowerment Bill - Parliamentary Bills - UK Parliament](#)

¹ [English Devolution and Community Empowerment Bill: Guidance - GOV.UK](#)

mayor would need the MCCA to approve a budget to establish and run an MDC.

2. Transport and Infrastructure

- As anticipated in some transport powers will transfer from NCC and SCC to the MCCA – day to day management of local roads and budgets for road maintenance etc will still come to the county council.
- The Bill allows Strategic Authorities to charge a transport levy to their constituent councils to fund their activities. This funding would be expected to come from funding provided to the authorities from the DfT. The Strategic Authority will also be able to pay grants to constituent councils to support the delivery of transport activities.
- The Mayor will have:
 - Oversight of local transport networks, including bus franchising or enhanced partnerships and integrated ticketing.
 - Power to designate a key route network that are considered some of the “most important local roads in an area”, they can then “direct constituent highways authorities” in the use of their powers.
 - Influence over major infrastructure projects and investment priorities.

3. Economic Growth and regeneration

- The Bill introduces a statutory duty to produce a Local Growth Plan (LGP) to include shared priorities with government and an investment pipeline.
- The Bill requires certain public organisations to “have regard” to the shared priorities in the LGP. This is helpful as government and other bodies will be required to cooperate with and have regard to the plan. Organisations can be named and will be required to consider the shared priorities when bidding for government funding.
- Strategic Authorities will be required to work with LGPs on local projects that deliver social or economic benefits for local communities.
- The Mayor will have:
 - Power to lead local economic strategies.
 - Authority to attract investment and support business growth.

4. Skills and employment support

- Authority over adult education budgets and skills provision, together with the budget.
- Power to shape local training and employment initiatives.

5. Health and well being

- A new legal requirement for MCCAs to ‘have regard’ to the need to improve the health of people in their areas and reduce health inequalities.
- No powers around health are being taken from the county council.
- The Mayor will have:
 - Influence over local NHS and public health priorities.

6. Police and fire

- The Bill will allow a mayor to take over the functions of more than one PCC and more than one Fire and Rescue service (Mayors can only take on one of each at the moment)
- PCCs are not expected to merge – but FRAs could. FRA mergers are possible under existing legislation, however mergers would be determined locally.
- Oversight of community safety initiatives.

7. Climate and Environment

- No new powers. Government is committed to exploring future opportunities in this area.

Flexibility Mechanisms

- **Right to Request Further Powers**
 - Mayors can formally request additional powers, funding, or partnerships from central government.
 - This will be helpful as it would enable the Norfolk and Suffolk MCCA to secure additional funding and powers which have been given to other MCCAs.
 - It also provides an opportunity to negotiate powers over areas such as flooding and energy.

Powers of Competence

The Bill gives Mayors of Strategic Authorities new powers, to give them the means to drive growth, collaboration and improvements within their areas. These are:

1. **General Power of Competence** - allows mayors and their authorities to do anything an individual can do, unless explicitly prohibited by law.
2. **Power to Convene** - enables mayors to convene local partners (e.g. public services, businesses, voluntary sector) to address strategic challenges.
3. **Duty for Partners to Respond** - when a mayor uses the power to convene, local partners are legally required to respond.
4. **Duty to Collaborate** - requires mayors of neighbouring Strategic Authorities to formally collaborate where appropriate.