

EXTRAORDINARY COUNCIL

To: All members of the Council

You are hereby summoned to attend an extraordinary meeting of South Norfolk Council for the purpose of transacting the business set out in this agenda.

Yours sincerely

A handwritten signature in black ink, appearing to read "Trevor Holden", with a long, sweeping horizontal stroke at the end.

Trevor Holden
Managing Director

Cllr J Easter
Chairman of the Council

Cllr Y Bendle
Vice-Chairman of the Council

Date & Time:

Monday 6 March 2023
6.00pm

Place:

Council Chamber, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich NR7 0DU

Contact:

Claire White tel (01508) 533669
Email: committee.snc@southnorfolkandbroadland.gov.uk
Website: www.southnorfolkandbroadland.gov.uk

PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRlmsTCIng>

If a member of the public would like to attend to observe please email your request to committee.snc@southnorfolkandbroadland.gov.uk, no later than 5.00pm on Wednesday 1 March 2023.

AGENDA

1. To report apologies for absence

2. To receive Declarations of Interest from Members;

(Please see guidance and flow chart attached – page 3)

3. A County Deal for Norfolk - Response to the Consultation

(report attached - page 5)

Please note that some of the documents attached have been provided by external sources and it cannot be guaranteed that they are fully accessible

Agenda Item: 2

DECLARATIONS OF INTEREST AT MEETINGS

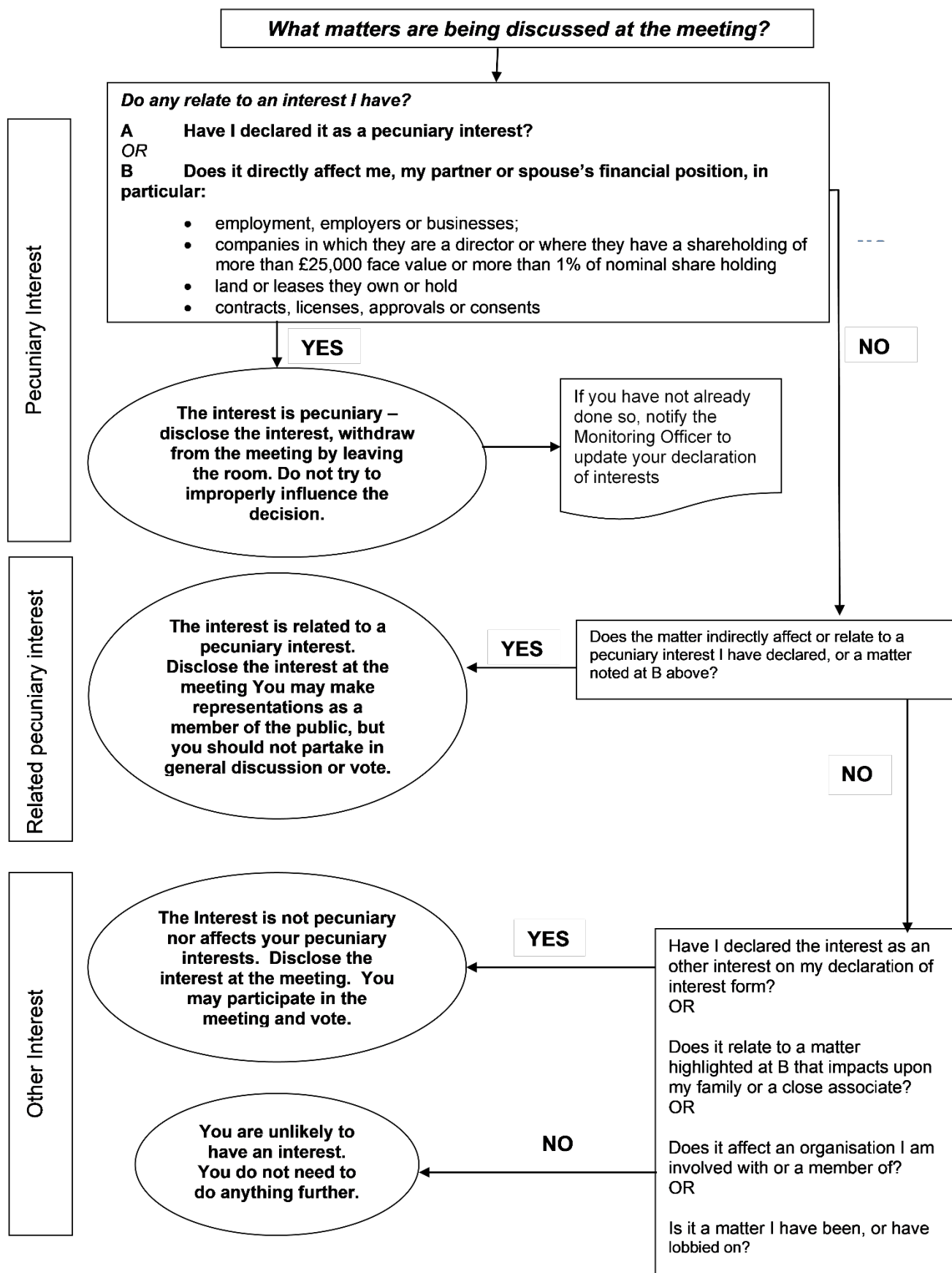
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.
<p>Does the interest directly:</p> <ol style="list-style-type: none">1. affect yours, or your spouse / partner's financial position?2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?3. Relate to a contract you, or your spouse / partner have with the Council4. Affect land you or your spouse / partner own5. Affect a company that you or your partner own, or have a shareholding in <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



A County Deal for Norfolk – Response to the Consultation

Report Author(s): Cllr John Fuller

Portfolio: Leader

Ward(s) Affected: All

Purpose of the Report:

The Government and Norfolk County Council signed an in-principle Devolution agreement in December 2022 which sets out the terms of a Level 3 Deal. This deal is subject to consultation, as well as statutory requirements and parliamentary approval of secondary legislation.

This report provides an overview of the contents of the Deal and the proposed areas to consider as part of a consultation response.

Recommendations

1. To approve the draft consultation response (in Appendix 1) to the Norfolk County Council consultation on a County Deal for Norfolk, with any minor amends delegated to the Leader in consultation with the Managing Director and Monitoring Officer.
2. To make suggestions for amendments to the Levelling Up Bill via Local MPs in pursuance of a new deal that addresses the shortcomings highlighted in this paper.

1 SUMMARY

- 1.1 Norfolk County Council are out to consultation on the proposed Deal for Norfolk. This report provides a background to Levelling Up, overview of what the proposed Deal means in practice and what a more ambitious Deal for Norfolk could look like.

2 BACKGROUND

Levelling Up White Paper

- 2.1 On 2 February 2022, the Government published its long-awaited policy paper - Levelling Up the United Kingdom. It sets out a new devolution framework for England. This extends devolution beyond metropolitan areas for the first time and sets out pathways to a devolution deal for every area of England that wants one.
- 2.2 As part of this, Government have confirmed their intention not to impose top-down restructuring of local government. Reorganisation will remain a locally led avenue available where there is broad local support but will not be a requirement for a devolution deal.
- 2.3 Government initially invited a number of areas to submit Levelling Up deals which included Cornwall; Derbyshire and Derby; Devon, Plymouth and Torbay; Durham; Hull and East Yorkshire; Leicestershire; Norfolk; Nottinghamshire and Nottingham; and Suffolk.
- 2.4 Government stated in the White Paper they aim to simplify devolution, by both seeking to legislate to establish a new form of combined authority to be made up of upper-tier local authorities which would only allow county councils/unitaries to be a part of the negotiations for Devolution Deals.
- 2.5 Since 2nd February 2022 there have been a number of significant changes and global challenges. The Ukrainian War, the Energy crisis and cost of living have brought the statutory responsibilities and activities of district councils to the fore, adding a significant challenge to support our communities and economies at a local level.

The involvement of city, borough and district authorities has only been 'encouraged', with deals only to be agreed with county and unitaries. In practice, this means the city, borough and district authorities are not constituent partners and have no vote on decisions.

- 2.6 There are three different "Levels" of devolution within the framework:
- Level 1: Local authorities working together across a functional economic area (FEA) or a whole county area
 - Level 2: A single institution or county council without a Directly Elected Mayor, across a FEA or a whole county area

- Level 3: A single institution or County Council with a Directly Elected Mayor across a FEA or whole county area
- 2.7 There are a menu of options that offers the most powers to a directly elected mayoral model; fewer powers to a single accountable institution model (i.e., county council); and minimal powers to a joint committee model.
- 2.8 This approach is unsatisfactory as the majority of statutory duties exercised by local government including planning, housing and the clean environment are delivered by districts. The value and usefulness of a deal that excludes these key drivers of growth and commitment to place must be questioned.
- 2.9 While devolution is handled in a bespoke manner, the higher the level (e.g., level 3), the more a local authority can expect funding and powers to be devolved to them. However, currently only most ambitious deals are only available to Mayoral Combined Authorities. Equally the deal is at least 30 years in duration and any decision must have consideration for the long-term future and ability to influence government.

Levelling Up and Regeneration Bill

- 2.10 Following the Levelling Up White Paper, Government introduced a new Levelling Up and Regeneration Bill which had its first reading in the House of Commons on 11 May 2022. The Bill aims to make a range of legislative changes associated with the Government's levelling up agenda.
- 2.11 The Bill has proceeded through the House of Commons and is currently at the House of Lords stage. A number of amendments were made to the Bill during the passage through the House of Commons, particularly on a critical clause around transfer of district council functions. This clause would have undermined sovereign district council powers and local democracy by allowing their functions to be centralised at a county level, regardless of the views of democratically elected district councillors. Following district councils raising concern around this, the Levelling Up Secretary tabled an amendment which now prevents the functions of a district council being exercised by a combined county authority (CCA). This is a move in the right direction; however, the Bill still prevents districts from having an active and collaborative role in devolution deals through the new legislation.
- 2.12 At the time of writing, it is understood that there are 44 outstanding amendments to the Bill in the House of Lords. This is both a threat to the delivery of the Bill but an opportunity to repair the manifest weaknesses that have emerged.

Existing forms of devolution

- 2.13 To date, the large majority of devolution deals have been through establishing combined authorities who have taken on powers and funding devolved from Government. Across the Country, there are 10 combined authorities (CA) already established. Most of the combined authorities (9) also have directly elected mayors leading them (termed 'Mayoral Combined Authorities' (MCA)). CAs and

MCAs are tried and tested models which have delivered real success across the country.

- 2.14 To date, these CA's have been established using existing legislation through the Local Democracy, Economic Development and Construction Act 2009, which has been amended by the Cities and Local Government Devolution Act 2016.
- 2.15 The key difference between the existing legislation and the proposed new legislation (Levelling Up and Regeneration Bill) – is that under existing legislation, district councils have a formal role in the CA as a 'constituent' member (e.g., a voting member in decision making), whereas the new legislation, only allows for the County Council to be a decision maker.

3 CURRENT POSITION/FINDINGS

- 3.1 As part of the launch of the White Paper, Government announced that Norfolk was to be invited to form the first round of formal negotiations to agree a new County Deal. Only the County Council has been directly involved in negotiations with Government to date.
- 3.2 In December 2022, Government and Norfolk County Council announced they had come to an in-principle agreement on a level 3 deal, with a Directly Elected Leader [DEL] model. This model is new and would create an 8th type of governance model in an already fragmented and inconsistent environment. Analysis of the sorts of areas that could participate in the DEL model show that it is available only to a very small number of places. Every other area is entitled to have a Mayoral Combined Authority [MCA] devolution model of the type already established and understood with all statutory powers represented and greater autonomy than is being proposed for Norfolk & Suffolk. There is a real risk that *only* Norfolk & Suffolk may end-up in this novel arrangement.
- 3.3 Norfolk County Council must now undertake a public consultation on the proposals. Following this, 'statutory requirements will need to be made which includes consenting to the Levelling Up Bill and Parliamentary approval of the Deal. Only once this is done is the Deal confirmed.

Governance model

- 3.4 As part of the White Paper, there are two governance models which allow an area to achieve level 3 powers.
- 3.5 Below is an overview and comparison of these two models.

Area	Directly Elected Leader Model (as proposed in the Norfolk Deal)	Mayoral Combined Authority Model
Leadership	A Directly Elected Leader (DEL) is not the same as a Councillor. They are chosen in a separate election to Council elections, using the 'first past the post'	A Mayor of a Combined Authority is elected in the same way as a DEL.

	<p>voting system. They are directly elected to an individual council and do not represent all councils in the area.</p> <p>A DEL cannot be removed by Council (unlike a leader of a council who can be removed by the council upon a vote).</p> <p>The DEL model within the framework of devolution is untested. Norfolk would be one of the first areas to test this model.</p>	<p>A Mayor of a Combined Authority spans the number of local councils in the area and was introduced as a key part of the devolution agenda between 2010 and 2015.</p> <p>Previous devolution deals have all focussed on the role of combined authorities in delivering devolved powers and decision making.</p>
Election	A DEL model would require an additional election to take place as it does not take on the functions of the PCC.	Removes the need for an additional election (circa. £1m saved) as the PCC functions are rolled into a Mayor.
Power	<p>A DEL is vested with all executive powers of a County Council, as well as the devolved powers from Government as set out in a deal.</p> <p>No other existing Mayor has to simultaneously manage the added responsibilities of devolved power with the complicated minutia of service delivery.</p>	A Mayor in this model does not have any executive power over any individual council and only has devolved powers from Government as set out in a deal.
Functions	<p>A DEL model can receive 17 out of the 23 functions set out in the Levelling Up White Paper. The functions not included in this model are:</p> <ul style="list-style-type: none"> • Ability to introduce mayoral precepting on council tax* • MCAs to have a duty for improving the public's health (concurrently with local authorities) • Clear defined role in local resilience* • Mayoral control of Police and Crime Commissioner (PCC) functions where boundaries align^ • Defined key route network* • Control of appropriate local transport functions e.g., local transport plans* <p>* Refers to functions which are only applicable to combined authorities</p>	The greatest powers and money are reserved for MCAs. An MCA model can receive 23/23 (all) functions set out in the Levelling Up White Paper. 6 out of the 23 functions are reserved for either combined authorities or mayoral combined authorities.

	^ refers to functions which are currently only applicable to mayoral combined authorities	
Decision Making	<p>Decisions on executive functions of the County Council and decisions on devolved functions are made by the DEL and Cabinet of the County Council.</p> <p>This model only allows for the County Council Councillors to make decisions on devolved functions and powers which affect all Councils in the area.</p>	<p>Decisions on Council functions stay with each Council and decisions on devolved functions are made by all of the constituent councils.</p> <p>This model strengthens the already existing Norfolk Leaders Board by embedding it into formal governance.</p>
Membership	The DEL and Councillors from the County Council make up the Cabinet. The DEL appoints the Cabinet (not necessarily from the majority group) and the Cabinet does not need to be politically balanced.	A Mayor of a Combined Authority acts as the chairman of the Combined Authority board where all the principal authorities [County and Districts] sit together as equals and can bring all the statutory functions to bear. In this case, the County is maintained as a sovereign body for the County functions.
Integration of PCC	PCC is not integrated into the DEL model.	PCC would be integrated into the role of the Mayor.

Powers and functions

- 3.6 It is critical that we achieve a bigger, better and bolder deal for Norfolk – enabling better outcomes for our residents and businesses.
- 3.7 The current deal for Norfolk could be more ambitious. A large proportion of the deal is set around growth, housing and planning as an enabler for levelling up. However, successful delivery of these levers are reliant on the functions, powers and capacity of city, borough and district councils in Norfolk. Any deal for Norfolk needs to have a model which enables the deal to be delivered in true collaboration and not narrowly through a single institution. This is because evidence showcases that districts have a key role to play in levelling up at a place level through their role in reimagining town centres, raising local skills and increasing employment, regeneration, housing, connectivity and improving the public realm (see DCN Report ‘Levelling Up Places’).
- 3.8 The Norfolk proposal would see devolution absorbed into the County Council with all executive powers hived up to the DEL. This is incompatible with the need for places like Norfolk to raise money in the capital markets or, perhaps from the LGPS, for infrastructure funding. The lowest borrowing costs and greatest access to finance are best available to MCA entities with their own legal personality. It is unclear why the second-best option has been preferred in our County.
- 3.9 Alongside this, there is room for growth and more ambition in the current deal in relation to the powers and funding negotiated with Government. The deal is

focussed too narrowly on elements of growth and could be seen to miss the wider opportunities around health, justice and the community, which is increasingly important in Norfolk with a near failing social care system and growing problems with health care.

- 3.10 The funding amount of £20m per year should be more. The West of England Deal (which was agreed in 2016) equated to £27 per head per annum (£30m per year) – plus inflation 2016-2022. In order to reach the same per head figure and relative value, the Norfolk Deal would have to be worth more than £30m – this does not take into account the inflationary impact of this financial year.

4 PROPOSED ACTION

- 4.1 Norfolk's city, borough and district councils are the powerhouses and engine rooms for delivery across the county, working collaboratively, effectively and at pace to improve the lives of our communities. We need an ambitious devolution deal, embedded in a strong, collaborative, tried and tested governance model – to allow us to deliver more, further and faster. ***Districts deliver – we are best placed to accelerate delivery of the Levelling Up missions within the County and wider.***
- 4.2 We all want the same thing in Norfolk – devolution, a directly elected mayor with all principal authorities represented in membership to really effect the unblocking of opportunities for our place and people. The key to unlocking devolution is ensuring that all principal authorities with the power to deliver, are constituent members and it appears the only way this can be achieved is through a Mayoral Combined Authority under existing legislation.
- 4.3 The DEL model is not yet a lawful construct and it is disappointing that a consultation has been undertaken when there is so much material uncertainty around what the final provisions will be. The consequence of this is that the consultation questions have been overly simplistic, with loaded questions which it would be difficult to disagree with and wholly missing some of the more 'gritty' dilemmas like clarity over what would happen to the assets and powers of the LEP, for example. The validity of the consultation framed and timed in this way must be questioned.
- 4.4 The Council benefits from an Enterprise Zone at the Research Park and has participated in the construction of the Ella May Barnes building with the LEP. Each is directionally responsible for 5% of our total capital and net-budget revenues. This Council cannot support a devolution proposal of any kind until clarity around the LEP asset arrangement is received. On this basis alone, the consultation is premature.
- 4.5 The Consultation fails to explain what alternatives might be available or provide an analysis of how the deal compares with other areas so that respondents can make an informed response. That is wholly unsatisfactory.

A more ambitious deal for Norfolk

4.6 A deeper and more ambitious deal for Norfolk is needed to deal with the challenges and opportunities of the future across our County. It is clear that the current deal for Norfolk offers limited decentralising powers and functions to local government (via the county). The proposal is less ambitious than the alternative forms available to other areas and actually hives-up powers away from local people and concentrates it in a single person's hands. This is counter to the principles of sufficiency, stability and the widest possible participation that is available elsewhere and delivers the greatest number of new freedoms and powers that will truly drive a more ambitious deal.

4.7 A more ambitious deal for Norfolk would look to secure:

1. A **collaborative governance model** through an MCA which:
 - is tried and tested, bringing together key levers of growth, housing, planning and local insight and puts Norfolk in the same standing as other parts of the Country
 - allows for the widest participation with all statutory responsibilities and principal authorities as constituent partners around the table
 - allows for focus on Levelling Up and growth in UKplc without the complexity and detraction of statutory services like adult social care
 - is flexible enough to allow for certain decisions to be retained by certain authorities it affects e.g., so one council cannot outvote another
 - provides stability both politically and financially
 - can raise and deploy capital and not back funding revenue cuts
2. The **ability to leverage greater levels of investment** through the covenant strength of all partners (plus an opportunity for greater links between the MCA and LGPS infrastructure investment). This can only be achieved through not having the financial drag anchor of the County Council (social care services in particular). The County are struggling financially – with a budget gap of £60m in 23/24 which is growing, despite efforts to cut services and streamline delivery.
3. **Greater levels of funding which considers inflationary pressures** - at least £30m per year. Ability to capitalise on the direction of travel of Government in providing **single department-style settlements** to MCAs
4. A **more ambitious deal** which includes greater powers and freedom to tackle the challenges in our area – with the starting point being all level 3 powers to the MCA. Further areas Norfolk may negotiate upon:
 - A more holistic and co-design approach to criminal justice, prevention and rehabilitation through devolution and integration of criminal justice, offender management powers and PCC functions
 - Ability to reduce governance by rolling in the functions of the PCC within a collaborative Board to focus on strategic public safety issues.
 - Closely integrate health, education and accommodation, with police, Crown Prosecution Service, the courts, prisons, and probation service – encouraging simpler pathways to support which would improve outcomes and reduce costs.
 - Opportunity to have a single crime reduction plan.

- Potential to roll in fire service under future reviews and alignment.
 - **Greater integration and delivery of health and wellbeing** – taking a person centred approach through enabling partners working collaboratively to have a strategic convening role, bringing together the statutory responsibilities from across the ICS, County and District partners
 - A collaborative board could have a strategic convening role, bringing together the statutory responsibilities from across the ICS, county and city, borough and district partners. This would allow for greater ability, through collaboration, to affect change within the health and social care systems which are struggling within Norfolk at present.
 - **Agree a Skills Deal and leading role in design of Local Skills Plans** based on local labour market and economic needs
 - A collaboration of partners could take on a more active role as economic champions – a key way of doing this is empowering through consolidating funding and powers around skills plans development
 - Effective delivery of the devolved Adult Education Budget will be reliant on creating strong links with skills plans for the area to enable growth
 - Ability to seek delegation of DWP functions and funding
 - **Power over infrastructure** to drive growth
 - A number of existing MCAs have created Land Commissions with the aim of developing creative approaches to use of land, for example through innovative processes and ownership models (e.g., Community Land Trusts and Public-Commons Partnerships).
 - Ability for Mayoral Development Corporations to issue development bonds similar to the model previously seen in Milton Keynes
 - Homes England assets
 - **Environment agency powers** for flood defenses
5. **A model which does not pre-determine local government reorganisation in the future.** The current County Deal model of a Directly Elected Leader leads to it being highly unlikely that any 'Leader' would then choose to disaggregate the funding and powers which have been centralised at a County level. Our view is that Norfolk is not best served by a single unitary in the future, given its scale and at least two economic geographies it covers. This is against the ambition of devolution and the idea of decisions being made as close to the population as possible.

Delivering a Better Deal for Norfolk - Benefits

- 4.8 There are a range of benefits to the MCA model which could be capitalised upon. Central Government have themselves also recognised the advantages of a MCA model, quoting in the most recent Devolution Deal for the North East 'A key advantage of the mayoral combined authority model is its joint governance arrangements for key growth levers such as transport, skills, economic

development and regeneration, which allow for strategic prioritisation across its area and integrated policy development'.¹

Benefits

- All councils would have an equal voice in deciding what works best across Norfolk to deliver our ambitions for the County
- Decisions that affect people and communities can be made closer to them
- It formally embeds the already existing Norfolk Public Sector Leaders Board and allows for a greater ability to affect change in Norfolk. This does not add a layer of governance, as it embeds the already existing partnership in Norfolk
- Greater access to resources through collaboration of city, borough, districts and County – leading to co-investment and co-production rather than siloed delivery.
- A directly elected mayor of an MCA provides greater local accountability and decision-making power in a similar way to a directly elected leader. The key difference and benefit here is that a mayor of an MCA would work in formal partnership with the combined authority and constituent councils. It also convenes all partners to focus on delivery and outcomes, with the ability to set the direction for the wider state. Compared to the Directly Elected Leader model, a Mayor of a Combined Authority would not have excessive power over both statutory functions of a Council and the devolved powers and funding from government
- It would set the course for future collaboration when it comes to public sector reform
- It could be delivered at pace through establishing a 'Shadow' Authority with all partners agreeing and no reliance on the Levelling Up Bill

Following successful precedence – what other MCAs across the country have delivered in collaboration

4.9 Devolution deals through an MCA model has achieved significant investment and delivered a range of initiatives to improve the areas they represent:

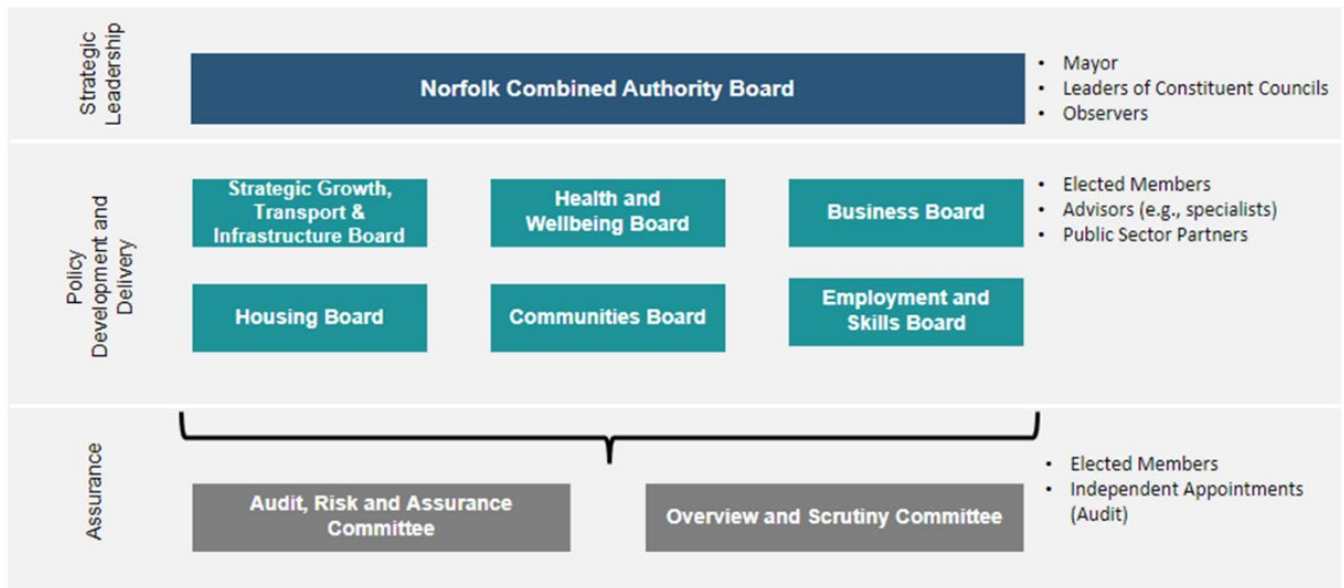
- Tess Valley MCA attracted a further £500m to invest in local projects since its devolution deal was agreed in 2015
- Greater Manchester MCA worked closely with Stockport Council to establish an innovative Mayoral Development Corporation, spearheading regeneration and £100m of investment
- West Yorkshire MCA working in collaboration with the LEP attracted £45m from the Growth Deal into creating 10 Enterprise Zones across the Leeds City Region, delivering 1.5m square feet of new commercial space
- Greater Manchester MCA has agreed devolution of Justice functions working together with the Ministry of Justice – aiming to provide a unified public service and whole systems solution to complex behaviours and problems

How an MCA for Norfolk could work

¹ North East Devolution Deal

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1126764/North_East_Devolution_deal.pdf

- 4.10 The critical lever for an MCA for Norfolk is the benefit it brings in convening all partners around the table to make strategic decisions for the county. Governance models for MCAs tend to be very similar in nature and below is an example of what it could look like in Norfolk:



Mayoral Office Overview

The Mayor would lead the Combined Authority, specifically focussing on:

- Providing overall leadership and chair combined authority meetings
- Delegating functions to members of the combined authority
- Taking support and advice from members of the combined authority on the exercise of the mayoral functions

Has responsibility for:

- Mayoral General Functions e.g., powers devolved from Government directly to the Mayor (e.g., powers to designate a Mayoral Development Corporation, Land and Housing Acquisition powers, setting of mayoral precepts on council tax, PCC functions)¹

Mayoral Combined Authority Board Overview – principle decision making body

- Made up of constituent Councils (all districts and county) and co-opted members e.g., CCG, Police, Broads Authority, Integrated Care System and third sector
- Consists of Leaders from constituent Councils – with each taking a portfolio of responsibilities
- Chaired by Elected Mayor, with a deputy(s) being appointed by the Mayor
- Constituent members all have a full voting right
- Decisions made via a consensus of the members where possible. Where not possible, these decision-making routes need to be set out in a constitution of the MCA as agreed by all members
- Chair (Mayor) to have a casting vote to avoid any deadlock in decision making
- Executive officer team in place to support the Combined Authority Board and to lead on policy, strategy and commissioning for key priority workstreams

Has responsibility for:

- Representing the interests of the people of Norfolk
- Ensuring that the decisions and actions of the Combined Authority deliver key outcomes for the people within that locality
- Powers in relation to – economic development and regeneration, adult education and skills funding, transport functions, housing functions relating to compulsory purchase (if constituent councils agree), power to borrow to an agreed cap for non-transport functions

Where it makes sense to and constituent councils agree, existing functions or resources currently held by the constituent councils can be shared with the mayor and combined authority board.

Policy development and delivery boards overview

- Boards to represent the principle responsibilities of the Combined Authority
- May be aligned to a portfolio of work for each constituent Leader on the MCA Board
- Members determined in proportionality with members of each constituent council's political alignment

Has responsibility for:

- Taking a supporting and advisory function to the Mayor and the Combined Authority on respective policy areas
- Delivery of key aspects of the Combined Authority's responsibilities

Assurance Committees

- Made up from members from each constituent council, plus independent appointments (audit)

Has responsibility for:

- (Audit) Providing a high-level focus on assurance and the MCAs arrangements for governance, managing risk, maintaining an effective control environment, and reporting on financial and non-financial performance
- (Scrutiny) Ensure the MCA is delivering its objectives and hold the MCA to account in regards to decision making processes

5 ISSUES AND RISKS

- 5.1 **Resource Implications** – Resources required to deliver an MCA model would need to be identified through a planning process.
- 5.2 **Legal Implications** – Norfolk County Council must adopt a new DEL and cabinet executive model subject to the Levelling Up and Regeneration Bill receiving royal assent and a resolution being passed at their Full Council. To establish an MCA model, this can be done under existing legislation with the agreement of all partners.
- 5.3 **Equality Implications** – An EqIA would need to be completed on an MCA model for devolution if it were to be agreed for Norfolk.

5.4 **Environmental Impact** – No implications.

5.5 **Crime and Disorder** – No implications.

5.6 **Risks** – There are risks associated with the current County Deal on the table which have been highlighted throughout this report. The key risk is that a deal is agreed which will not achieve all it could for Norfolk.

6 CONCLUSION

6.1 Moving forwards, it will be important that we respond to the consultation on the County Deal to ensure that we get the right deal for the residents of our district.

6.2 The current deal is clearly insufficient compared to alternatives already established or proposed elsewhere. By failing to accommodate all the Level three powers it lacks ambition for the county. It is not constructed in such a way to maximise opportunities for infrastructure investment or the raising of capital.

The consultation is premature in a number of respects. The proposal is not yet lawful, and the emerging Bill is subject to over forty amendments. There remain a significant number of significant and material uncertainties over ownership of assets, governance and powers so that the consultation questions fail to realistically reflect either the intention or likely outcome.

6.3 The deal as proposed cannot be supported in its current form. A better deal is required that brings all the powers and all the principle authorities round the table.

7 RECOMMENDATIONS

1. Approve the draft consultation response (in Appendix 1) to the Norfolk County Council consultation on a County Deal for Norfolk, with any minor amends delegated to the Leader in consultation with the Managing Director and Monitoring Officer
2. To make suggestions for amendments to the Levelling Up Bill via Local MPs in pursuance of a new deal that addresses the shortcomings highlighted in this paper.



Norfolk County Council

Your Views On A County Deal For Norfolk

Overview

Norfolk County Council and the Government have agreed, in principle, a new County Deal, to transfer funding and powers to Norfolk – a process known as devolution. This provides a unique and exciting opportunity to unlock significant funding and for decisions currently made in Whitehall to be made in Norfolk, for Norfolk.

Under a County Deal, Norfolk would benefit from a new Government investment fund including £20m per year over the next 30 years, and an additional £12.9m during the current Spending Review period (2024-25). In addition to the investment fund, Norfolk would also get control of the Adult Education Budget (just over £10m in 2022/23) and an un-ringfenced Transport and Maintenance Budget (approximately £40m per year). There would also be a county council leader, directly elected by the public and with no additional bureaucracy or changes to councils.

This Deal represents a real opportunity to unlock Norfolk's potential, for the county take control of its own destiny and shape its own future, and to have a stronger voice nationally. If our Deal went ahead, we would have powers and finance to invest in areas such as better transport, skills, job opportunities, housing, and regeneration.

This could be just the start of further powers being devolved to Norfolk. Some examples of additional powers and responsibilities devolved in other areas of the country include greater powers over the NHS and social care and controls over the number of holiday homes in coastal areas. Therefore, it is important to hear your views about this Deal and your ideas about priorities for Norfolk.

Why we are consulting

Norfolk County Council was invited to begin devolution negotiations for a County Deal in February 2022 and is one of the first few authorities in the country to start this process. So far, County Deals have been agreed, in principle, in North Yorkshire and York, Derby, Derbyshire, Nottingham and Nottinghamshire, Cornwall and Suffolk.

This consultation is a chance for you to find out more about our County Deal and give us your feedback. For devolution to go ahead we need to hear your views.

As well as this survey, which guides you through our Deal and asks a set of questions, there is a leaflet, frequently asked questions document and video which provide you with more information about our Deal.

We are consulting through:

- This online consultation, which is also available as a paper copy
- Drop in events throughout Norfolk
- Business events across the county
- Third sector events
- Our Norfolk Residents' Panel
- Local councils

We are consulting for six weeks from **6 February to 20 March 2023**. Please note that if we receive any consultation responses after **20 March**, we cannot guarantee that we will be able to take them into account.

We will feed back the findings from our consultation to our County Councillors and Government for their consideration so that a decision will be made about next steps for our County Deal.

If you need a copy of this consultation document in a different format, please email haveyoursay@norfolk.gov.uk, call 0344 800 8020 or Text Relay on 18001 0344 800 8020 (textphone) and we will do our best to help.

The consultation should take approximately 10 minutes to complete.

You can also attend one of our drop-in events where you can speak to one of our officers, find out more and complete paper copy of this survey if you so wish.

Personal information, confidentiality, and data protection

We will use any personal information to understand how different groups of people feel about our County Deal.

We will process any personal information we receive from you in line with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679), the Data Protection Act 2018 and Norfolk County Council's data protection policy and guidelines. This means that Norfolk County Council will hold your personal data and only use it for the purpose for which it was collected, being this consultation. You can find a copy of our privacy statement at <https://www.norfolk.gov.uk/privacy>

We won't identify individuals when reporting back our findings and under our record management policy we will keep this information for five years. We will also, under normal circumstances, not pass your personal data on to anyone else. However, we may be asked under access to information laws to publish or disclose some, or all, of the information you provide in response to this consultation. We will only do this where such disclosure will comply with such relevant information laws which include the Freedom of Information Act 2000, the Data Protection Act 2018, and the Environmental Information Regulations 2004.

This consultation is being independently analysed by The Consultation Institute. Selected staff members from the Consultation Institute will have access to the responses for purposes of analysis only but all information will remain with Norfolk County Council.

You can choose not to take part in the consultation, to stop responding at any time, or to ignore any personal questions that you do not want to answer.

By completing and returning this form you agree that you have read the personal information, confidentiality and data protection statement above.

A County Deal for Norfolk

The Government and Norfolk County Council are proposing to work together on a devolution deal to allow Norfolk to unlock long-term funding and gain greater freedom to decide how best to meet local needs and create opportunities for the people who live and work in the county. Put simply, this means some decisions and funding previously controlled in Westminster could, in the future, be decided by Norfolk.

Agreeing a county deal for Norfolk will mean that, from 2024 onwards, we could:

- **Target funding and resources to Norfolk's own priorities** with a new investment fund of £20m per year for 30 years
- **Give Norfolk a stronger business voice**, by providing more direct business input into decision making and strategic economic planning.
- **Invest in the skills we know we need** with devolution of the adult education budget and input into the new Local Skills Improvement Plans.
- **Open-up housing and employment sites** with an initial injection of £12.9m capital funding and new powers to drive regeneration, housing, and development priorities
- **Invest in local transport planning and consolidate transport budgets** to better direct funding to meet our local needs and priorities.
- **Have a Council Leader who is directly elected by the public**, with the first election planned for May 2024.
- **Benefit from devolution as it would enable Norfolk's voice to be heard by Government** to help shape future policies.

You can read the full deal on the Government website

www.gov.uk/government/publications/norfolk-devolution-deal

If you would like a hard copy of the devolution deal, contact Norfolk County Council. Details of how to contact us can be found at the end of the document.

The following is a series of survey questions about a County Deal for Norfolk and information is presented before each question with links to the relevant section of the Government deal to help you make an informed response. There are consultation questions followed by some quick questions to find out more about who is responding to our survey. Thank you for giving us your views on Norfolk's future.

Target funding and resources to Norfolk's own priorities

Norfolk County Council will use and control the new Norfolk Investment Fund of £20m per year for 30 years. As with all devolution deals, Norfolk will need to demonstrate to the Government that money is being invested in the right way and creating a positive impact for our region. The Government will review and check every five years to ensure that residents and businesses in Norfolk can see what is being achieved.

Other funding elements in the deal relate to Government's current Spending Review period (which runs to the financial year 2024/2025). The next Spending Review will take place in Autumn 2024, to come into effect in 2025/26.

We continue to engage district authorities and other partners, such as business, education, and the voluntary sector on the delivery of the UK Shared Prosperity Fund through a group of representatives that would be the Norfolk Investment Framework steering group. Representatives include portfolio holders for each district authority and Town Deal Board Chairs.

Other areas with devolution deals have seen significant funding in subsequent spending rounds directly channelled to them, for example Tees Valley, who secured a further £900m of Government investment in the 5 years since their original deal.

We have compared the 30-year £600m Norfolk Investment Fund, which is the key element of our proposed County Deal, with the amount provided by the Government in other deals. Our analysis shows that the Norfolk Investment Fund is worth £21.83 per head per year; this is in line with the existing devolution deals, which have an average of £20.64 per head per year. You can find full details of the proposed funding in the Finance and Investment section of the Norfolk Devolution Deal.¹

1. To what extent do you agree or disagree with the proposal for Norfolk to have control of money devolved from the Government?

Please choose one answer only, from the list below:

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly disagree | <input checked="" type="checkbox"/> |
| Don't know | <input type="checkbox"/> |

Why do you say that?

This is a loaded question that fails to separate the general principle that more of the taxes raised in Norfolk should be spent here from the specifics of this particular Devolution proposal, which results in a materially worse proposition than is available elsewhere in terms of both money and powers.

Norfolk's city, borough and district councils are the powerhouses and engine rooms for delivery across the county, working collaboratively, effectively and at pace to improve the lives of our communities. An ambitious devolution deal, embedded in a strong, collaborative, tried and tested governance model – would allow us to deliver more, further and faster. ***Districts deliver – we are best placed to accelerate delivery of the Levelling Up missions within the County and wider.***

It is incredibly important that we are able to achieve a better deal for Norfolk which brings together the key levers of growth, housing, planning and local insight and puts Norfolk in the same standing as other parts of the Country.

We do not disagree that Norfolk should have more control of devolved funding – quite the opposite; we believe that Norfolk should have maximum devolution, involving and engaging all principal authorities and built upon a tried and tested model.

The proposal remains unclear about the assets and governance around LEP assets, where the Council has significant investments and revenue opportunities around our enterprise zone. Unless and until these are clarified, the Council can not support this proposal.

We fundamentally disagree with the proposal that Norfolk County Council will ‘use and control the new Norfolk Investment Fund’ through a directly elected leader model, which only allows for one of the eight principal authorities in Norfolk to make critical decisions.

The deal takes a focus on the delivery of Levelling Up through the key levers of housing, growth and planning. To deliver this, it must use the functions and role of district councils who control these powers.

The current deal for Norfolk could be more ambitious and the funding amount of £20m per year should be more. The West of England Deal (which was agreed in 2016) equated to £27 per head per annum (£30m per year) – plus inflation 2016-2022. In order to reach the same per head figure and relative value, the Norfolk Deal would have to be worth more than £30m – this does not take into account the inflationary impact of this financial year.

We also need to have the ability to leverage greater levels of investment through the covenant strength of all partners. This can only be achieved through not having the financial drag anchor of the County Council (social care services in particular). It appears the only way we would be able to achieve this is through a Mayoral Combined Authority governance model.

¹ <https://www.gov.uk/government/publications/norfolk-devolution-deal/norfolk-devolution-deal#finance-and-investment>

How to give Norfolk a stronger business voice

The New Anglia Local Enterprise Partnership (LEP) is a non-statutory body which works with businesses, education, and local authority partners to drive growth and enterprise across both Norfolk and Suffolk. The LEP secures public and private investment to deliver initiatives to improve infrastructure, skills, and business support.

Under our proposed a County Deal for Norfolk, and in line with Government's objective to have more local accountability, LEP functions will be brought into Norfolk County Council (NCC) to create a local business voice. Benefits of bringing functions into NCC include:

- Dedicated Business Board for Norfolk alone (currently the Business Board serves both Suffolk and Norfolk)
- Economic programmes that are specific to Norfolk
- Co-ordination between businesses and the skills they need, as training will be commissioned from within the same organisation.

This is an exciting opportunity for Norfolk to have a stronger business voice and be instrumental in shaping our economic growth, plus create and secure jobs for future generations. Norfolk County Council will be supported by the Government to take on all the important functions and roles set out in Section 10 of the guidance on LEP integration published in March 2022. More information on the Government's approach can be read in the LEP Integration section of the Norfolk Devolution Deal.² Along with the guidance published in March 2022.³

² <https://www.gov.uk/government/publications/norfolk-devolution-deal/norfolk-devolution-deal#:~:text=does%20not%20hold.-,LEP%20integration,-35.%20The%20Levelling>

³ <https://www.gov.uk/government/publications/local-enterprise-partnerships-integration-guidance>

2. To what extent do you agree or disagree with the proposed change to create a stronger local business voice for Norfolk

Please choose one answer only, from the list below:

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly disagree | <input checked="" type="checkbox"/> |
| Don't know | <input type="checkbox"/> |

Why do you say that?

We believe that the devolution deal should be for the County of Norfolk, not for Norfolk County Council. By excluding districts, there will be no powers to achieve better planning, housing, cleaner environment, welfare or growth. This is clearly evident in the proposed removal of the UK Shared Prosperity Fund from districts, who are best placed with local insight and knowledge, to drive allocation of funding in the areas in need of growth.

Districts are the powerhouses for economic growth across the region – without the 86 powers districts bring, the Deal will fail immediately in delivery.

We disagree with the proposal that the LEP should be integrated into Norfolk County Council and strongly believe that the LEP needs to be fully integrated into a model which allows for full participation of all councils which hold the levers for growth. Districts own many of the LEP assets therefore folding the LEP into the County Council may not be a viable option.

Fully integrating the functions of the LEP into a model such as a Mayoral Combined Authority, would avoid the 'stop start' challenges we have had with growth in Norfolk and enable it to become a successful delivery vehicle for growth across the County. As mentioned in other parts of our consultation response, a Mayoral Combined Authority model provides a clear focus on delivering Levelling Up, without the conflict of interest of also needing to deliver statutory services of the County.

Invest in the skills we know we need

Under a Deal for Norfolk, we will have both the money to spend on adult education and the opportunity to decide locally what it is spent on. We will have the opportunity to contribute to Local Skills Improvement Plans, developed by the Chamber of Commerce, enabling us to invest in the skills we and businesses know we need for the future.

This devolution deal gives us powers to help local people and businesses in Norfolk get the skills and support to reach their ambitions. Funding will be set aside for skills required when entering employment through apprenticeships, training courses or further learning leading to qualifications.

Boosting adult skills could add significant value to our region, and our County Deal includes fully devolving the Adult Education Budget (AEB) to Norfolk County Council from academic year 2025/26. You can find full details of Adult Education plans in the Adult Education section of the Norfolk Devolution Deal.⁴

3. To what extent do you agree or disagree with the proposal to move the Adult Education Budget from Government to Norfolk County Council?

Please choose one answer only, from the list below:

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly disagree | <input checked="" type="checkbox"/> |
| Don't know | <input type="checkbox"/> |

⁴ <https://www.gov.uk/government/publications/norfolk-devolution-deal/norfolk-devolution-deal#:~:text=market%20and%20skills-,Adult%20education,-41.%20Norfolk%20faces>

Why do you say that?

The devolution of the Adult Education Budget is an important part of the wider skills agenda for Norfolk. There are further opportunities however to explore alongside this – moving us away from a top down and centralised approach to skills. Districts working within the locality, have unrivaled local knowledge and insight and the proven ability to bring businesses, skills providers and people seeking work together and turn that into delivery.

To enable effective delivery of the devolved budget, it is key to ensure there are strong links with skills plans within the area to facilitate growth. We would argue that a more ambitious deal would seek to secure a skills deal and leading role in the design of Local Skills Plans based on the local labour market and economic needs.

We do not agree that the Adult Education Budget should be moved to Norfolk County Council. A Mayor, leading a collaboration of partners of principal authorities, could take on a more active role as economic champions – a keyway of doing this is empowering through consolidating funding and powers around skills plans development.

So whilst the desirability of local control of skills is accepted, this is not the best way to achieve it, especially as it would discard and disband the work done by the LEP over a decade at the moment the economy needs it. This is a disruptive proposal that will cause an unacceptable hiatus in skills delivery.

Open-up housing and employment sites

One of the top priorities for Norfolk is to increase the availability of decent affordable housing for local people and enable them to continue to live in their communities.

Our County Deal proposes almost £7m in 2024/25 for the building of new homes on brownfield land - sites which have been previously developed.

This is a good opportunity to help residents and their children who are passionate about living in Norfolk by building new homes and driving regeneration. This will involve:

- Working with District Councils and other relevant partners to identify local priorities and using newly given Homes England Compulsory purchase powers to acquire land for development, regeneration, and infrastructure projects in the public interest, which will help to bring about improvements to social, economic and environmental wellbeing.
- Ability to establish Development Corporations (with the consent of the local planning authority) which are statutory bodies created to support the

regeneration of a defined area and can draw on a wide range of powers to acquire, develop, hold, and dispose of land and property, and develop infrastructure.

Though the Deal is between the Government and Norfolk County Council, implementation of the Deal can only be achieved through working with District Councils, and other partners. You can find full details of the Housing and Land proposal Housing and Land section of the Norfolk Devolution Deal.⁵

4. To what extent do you agree or disagree with plans to open-up housing and employment sites in Norfolk?

Please choose one answer only, from the list below:

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly disagree | <input checked="" type="checkbox"/> |
| Don't know | <input type="checkbox"/> |

Why do you say that?

We agree that the Deal goes some way to put in place plans to open-up housing and employment sites in Norfolk. We continue to reiterate however, that we believe there is further to go in the powers and freedoms negotiated as part of this Deal to make a real change and impact in Norfolk. As mentioned in other parts of this response, simply 'working with' and getting the 'consent' of district councils is not enough to ensure delivery of Levelling Up is fully maximized for Norfolk.

The proposals around the duty to cooperate and the execution of strategic powers are unclear. The questions fail to adequately explain how these will be dealt with and the necessary democratic oversight of the authorities with the statutory powers to deliver them.

There are further opportunities which could be secured through a MCA devolution Deal to drive growth and housing delivery which are not currently included in this Deal. Particularly, it would be beneficial to seek greater power over infrastructure through powers previously devolved to other Mayoral areas such as:

- Power to create Land Commissions across all principle authorities – reviewing and developing creative approaches to the use of public land
- Ability for Development Corporations to issue development bonds (similar to the model previously seen in Milton Keynes)

In essence, a DEL deal that excludes the authorities with the statutory powers for planning and housing isn't a deal worth having.

⁵ <https://www.gov.uk/government/publications/norfolk-devolution-deal/norfolk-devolution-deal#:~:text=contracted%20employment%20programmes.-,Housing%20and%20land,-54.%20Norfolk%20County>

Invest in local transport planning and consolidate transport budgets to better direct funding to meet our local needs and priorities

Norfolk is the fifth largest county (by area) in the country, and it is essential to create an effective transport system that creates certainty for the future while protecting the beauty of our region. Extra funding could start in 2024/25 as the Government will work with Norfolk to agree an integrated multi-year transport settlement at the next Spending Review.

Presently, we receive funding for specific transport initiatives, each with its own terms and conditions set by the Government. In the future and under an integrated approach all those funds will come as one whole pot giving us the flexibility to make decisions in Norfolk about our own transport plans like helping to shape and improve local rail services, deliver high quality bus services along with decarbonising local bus services and improving the road network serving Norfolk. Further funding could be available to help with our ambitious carbon reduction targets.

You can find full details of proposed transport plans in the Transport section of the Norfolk Devolution Deal.⁶

5. To what extent do you agree or disagree with proposals for an integrated transport settlement?

Please choose one answer only, from the list below:

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly disagree | <input type="checkbox"/> |
| Don't know | <input type="checkbox"/> |

⁶ <https://www.gov.uk/government/publications/norfolk-devolution-deal/norfolk-devolution-deal#:~:text=functions%20and%20powers-,Transport%20plans,-66.%20In%20line>

Why do you say that?

We agree with the proposal for an integrated transport settlement for Norfolk, however again reiterate that we believe this would best be delivered through a collaboration of principal authorities rather than through the County Council alone.

The most ambitious level 3 powers for strategic passenger transport are only available to MCAs. It is inexplicable why Norfolk should settle for a deal that excludes the potential for an 'Oyster' style card.

Have a Council Leader who is directly elected by the public, with the first election planned for May 2024

Our Deal requires Norfolk County Council to change the way its leader is appointed. Put simply, instead of being appointed by other County Councillor's, every eligible person in Norfolk would get the opportunity to vote for a Leader. The position of a directly elected Leader would replace the existing position of the Leader of the Council with the first election planned for May 2024.

A directly elected leader would be supported day to day by the County Council's Cabinet and existing officers and systems.

Norfolk County Council also wishes to create a Norfolk Leadership Board, consisting of representatives from local government, health, the police, business, education, and the voluntary sector, to further support the directly elected Leader with shaping the priorities for Norfolk and developing strategy for further devolution deals.

A County Deal for Norfolk is not about local government re-organisation, every council remains a sovereign organisation and will not lose any powers or statutory duties. The directly elected leader would not change this, nor would they have the power to do so in the future.

The Deal text gives details of the proposed Governance model in the Governance section of the Norfolk Devolution Deal.⁷

6. To what extent do you agree or disagree with plans for an elected leader and cabinet system of governance?

Please choose one answer only, from the list below:

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree or disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input checked="" type="checkbox"/>
Don't know	<input type="checkbox"/>

Why do you say that?

We all want the same thing in Norfolk – devolution, a directly elected mayor and the unblocking of opportunities for our place and people. The key to unlocking devolution is ensuring that all principal authorities with the power to deliver, are constituent members and it appears the only way this can be achieved is through a Mayoral Combined Authority.

Let's not create 8th new structure for local government specifically for Norfolk and Suffolk a high-risk, unstable untested model of Directly Elected Leader, responsible for all of the Executive Functions of the County Council.

The problem with the DEL model is that you would end up with a Mayor trying to make social care decisions whilst on a trade mission to Beijing. The solution is to have a Mayor with well-defined powers and the rest of the State can do what it does.

People now understand what Mayors do via Street, Burnham, Houchen. It is not sensible to create a DEL Mayor-lite without those powers.

We strongly disagree with plans for an elected leader and cabinet model and believe that this governance model will inhibit delivery within Norfolk and block the Levelling Up of our County. **We want a model which does not subordinate Norfolk.** Norfolk and Suffolk would be the only areas in the country which would be in this model of governance, at a time where Government is focussed on further devolution to Mayoral Combined Authorities. We do not want to create an 8th structure of local government in an already fragmented and inconsistent environment.

A DEL in this model would not have a core focus on delivery of Levelling Up and the functions/powers devolved from Government, as they would also have the added of complicated minutia of service delivery. The nature and role of a Mayor for Norfolk should be understood at the outset. It should be about having a collaborative role setting out a long term strategy and working with government to resource it in the most effective way possible. A mayor cannot be dealing with decisions on social care whilst negotiating large scale investment deals for the County

The deal has also missed the opportunity and benefits which could be sought in rolling in the PCC functions into the directly elected leader role. The proposed model would mean that an additional election would be taking place (both an election for a PCC and an election for a DEL). By integrating the PCC into a DEL or Mayor role, this would not only allow for greater integration of criminal justice and public service delivery, it would also save the public purse approx. £1m by avoiding an additional election being held.

Every district in Norfolk in 2022 wrote to the County Council expressing their preference and support for an MCA model.

To get there and to deliver effectively, Norfolk needs:

A collaborative governance structure through an MCA which:

- is tried and tested, bringing together key levers of growth, housing, planning and local insight and puts Norfolk in the same standing as other parts of the Country
- allows for the widest participation with all statutory responsibilities and principal authorities as constituent partners around the table
- allows for focus on Levelling Up and growth in UKplc without the complexity and detraction of statutory services like adult social care
- is flexible enough to allow for certain decisions to be retained by certain authorities it affects e.g., so one council cannot outvote another
- provides stability both politically and financially
- can raise and deploy capital and not back funding revenue cuts

As an MCA, Norfolk could have an important role and voice across the eastern region and wider and be a key partner of central government to drive regional growth and productivity. This builds upon the tried and tested model seen across the country. Currently, this model has not been fully explored and is missed as a potential other option to drive forwards devolution at pace.

It has been confirmed that an MCA model is an option on the table for Norfolk and could be delivered at pace and through existing legislation which enables all partners (e.g. city, borough, districts and county) to be constituent voting members – allowing for decisions to be made closer to the communities they affect – something which the Levelling Up agenda sees as a priority.

Benefits of this model:

- All councils would have an equal voice in deciding what works best across Norfolk to deliver our ambitions for the County
- Decisions that affect people and communities can be made closer to them

- It formally embeds the already existing Norfolk Public Sector Leaders Board and allows for a greater ability to affect change in Norfolk. This does not add a layer of governance, as it embeds the already existing partnership in Norfolk
- Greater access to resources through collaboration of city, borough, districts and County – leading to co-investment and co-production rather than siloed delivery.
- A directly elected mayor of an MCA provides greater local accountability and decision-making power in a similar way to a directly elected leader. The key difference and benefit here is that a mayor of an MCA would work in formal partnership with the combined authority and constituent councils. It also convenes all partners to focus on delivery and outcomes, with the ability to set the direction for the wider state. Compared to the Directly Elected Leader model, a Mayor of a Combined Authority would not have excessive power over both statutory functions of a Council and the devolved powers and funding from government
- It would set the course for future collaboration when it comes to public sector reform
- It could be delivered at pace through establishing a 'Shadow' Authority with all partners agreeing and no reliance on the Levelling Up Bill

⁷ <https://www.gov.uk/government/publications/norfolk-devolution-deal/norfolk-devolution-deal#:~:text=a%20devolution%20deal.,Governance,-16.%20Strong%20local>

Benefitting from devolution and enabling Norfolk's voice to be heard by Government to help shape future policies

County Deals are part of the Government's levelling up agenda designed "to spread opportunity equally across the UK", bespoke to the needs of the individual places, bringing decisions closer to people and places. The Government is clear that County Deals are not about local government re-organisation and the County Council is committed to working closely with key partners such as district councils, businesses plus other bodies, to make the most of any new powers and funding that come into Norfolk because of a Deal.

Norfolk would benefit by being part of a group of areas with devolution deals and directly elected Leaders or Mayors giving the County better direct access to Government ministers with the ability to lobby on important matters for our area.

The proposed Deal will require a directly elected leader. The most significant element of the deal, the Investment Fund worth £20 million per year over 30 years, as well as other funding and powers, would not be available without a directly elected leader. Details of the devolution framework are available on p.140 of the Levelling Up White Paper.⁸

7. To what extent do you agree or disagree with the principals of devolution and the benefits it brings to Norfolk?

Please choose one answer only, from the list below:

- | | |
|---------------------------|--------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or disagree | <input type="checkbox"/> |

8

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1052706/Levelling_Up_WP_HRES.pdf

Disagree	<input checked="" type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

Why do you say that?

Recent announcements from the Treasury have made it clear that they will give preference to MCAs in future. What is being contemplated for Norfolk is not an MCA. So we are considering something that is second-best at inception. It is not entirely clear why anyone would find this acceptable.

Analysis of the areas eligible for the DEL model give rise to the realistic expectation that the construct proposed will only be available to Norfolk & Suffolk and perhaps one or two other areas. All other areas either already have Executive Mayors within them, have a unitary within the historical ceremonial county or are already members of a combined authority.

This niche proposal is an invitation to be bypassed and exposes Norfolk to the risk that rather than be eligible for subsequent deals, it is structurally incapable of accessing them.

The deal is focussed too narrowly on elements of growth and misses the wider opportunities around health, justice and the community, which is increasingly important in Norfolk with a near failing social care system and growing problems with health care.

The Levelling Up White Paper sets out a total of 23 functions which could be negotiated in devolution deals. The Directly Elected Leader model, chosen by the County Council, will only allow for 17 out of the 23 functions to be devolved. 6 of the functions are reserved only for either a combined authority or mayoral combined authority.

It is devolution of new freedoms and powers which will drive a more ambitious deal for Norfolk and we believe there are further opportunities which need to be fully explored as part of the Deal such as:

1. A **collaborative governance model** which brings all the principle authorities with all the local government powers together to drive effective delivery for the County.
2. The **ability to leverage greater levels of investment** through the covenant strength of all partners (plus an opportunity for greater links between the MCA and LGPS infrastructure investment). This can only be achieved through not having the financial drag anchor of the County Council (social care services in particular). The County are struggling financially – with a budget gap of £60m in 23/24 which is growing, despite efforts to cut services and streamline delivery.
3. **Greater levels of funding which considers inflationary pressures** - at least £30m per year. Ability to capitalise on the direction of travel of Government in providing **single department-style settlements** to MCAs
4. A **more ambitious deal** which includes greater powers and freedom to tackle the challenges in our area – with the starting point being all level 3 powers to the MCA. Further areas Norfolk may negotiate upon:

- A more **holistic and co-design approach to criminal justice**, prevention and rehabilitation through devolution and integration of criminal justice, offender management powers and PCC functions
 - Ability to reduce governance by rolling in the functions of the PCC within a collaborative Board to focus on strategic public safety issues.
 - Closely integrate health, education and accommodation, with police, Crown Prosecution Service, the courts, prisons, and probation service – encouraging simpler pathways to support which would improve outcomes and reduce costs.
 - Opportunity to have a single crime reduction plan.
 - Potential to roll in fire service under future reviews and alignment.
 - Greater **integration and delivery of health and wellbeing** – taking a person centred approach through enabling partners working collaboratively to have a strategic convening role, bringing together the statutory responsibilities from across the ICS, County and District partners
 - A collaborative board could have a strategic convening role, bringing together the statutory responsibilities from across the ICS, county and city, borough and district partners. This would allow for greater ability, through collaboration, to affect change within the health and social care systems which are struggling within Norfolk at present.
 - **Agree a Skills Deal and leading role in design of Local Skills Plans** based on local labour market and economic needs
 - A collaboration of partners could take on a more active role as economic champions – a key way of doing this is empowering through consolidating funding and powers around skills plans development
 - Effective delivery of the devolved Adult Education Budget will be reliant on creating strong links with skills plans for the area to enable growth
 - Ability to seek delegation of DWP functions and funding
 - **Power over infrastructure** to drive growth
 - A number of existing MCAs have created Land Commissions with the aim of developing creative approaches to use of land, for example through innovative processes and ownership models (e.g. Community Land Trusts and Public-Commons Partnerships).
 - Ability for Mayoral Development Corporations to issue development bonds similar to the model previously seen in Milton Keynes
 - Homes England assets
 - **Environment agency powers** for flood defenses
5. **A model which does not pre-determine local government reorganisation in the future.** The current County Deal model of a Directly Elected Leader leads to it being highly unlikely that any 'Leader' would then choose to disaggregate the funding and powers which have been centralised at a County level. Our view is that Norfolk is not best served by a single unitary in the future, given its scale and at least two economic geographies it covers. This is against the ambition of devolution and the idea of decisions being made as close to the population as possible.

What happens next

All the following steps need to be completed to enable a Deal to proceed:

The County Council's Cabinet will meet in the summer to consider the results of this public consultation, decide whether to proceed and, if so, submit the consultation results to the Government

All County Councillors will be asked in the December 2023 Full Council Meeting whether they support the move to an elected leader and cabinet system of governance

In spring 2024, Parliament will decide whether to approve the 'statutory instrument' required to let the Deal proceed.

If the deal is not agreed, nothing changes. This means that Norfolk would not receive the investment outlined in the deal, nor the powers and governance that accompany it. Given that a proposed deal has undergone significant negotiation with Government, if it is rejected, we would expect that, if there was a desire to seek devolution in the future, other areas would be prioritised above Norfolk.

How we will make our decision and report back to you

We will take a report about the findings of this consultation to the County Council's Cabinet in June.

Our County Councillors will consider the consultation responses we receive very carefully. In particular, they will consider:

The impact of any proposal on individuals, groups of communities and on people identified as having 'protected characteristics' under the Equality Act 2010. The protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. As well as this equality impact assessment, councillors will consider the impact of proposals on rural areas.

The views of people, partners and other stakeholders consulted.

The evidence of need and what is proven to work effectively and well.

The financial and legal positions and any constraints at the time.

Any potential alternative options, models, or ideas for making savings.


You can send back a paper feedback form to:

Freepost Plus RTCL-XSTT-JZSK, Norfolk County Council, Ground floor – south wing, County Hall, Martineau Lane, Norwich NR1 2DH.

However, if you want to help the council save money, please use a stamp, and send to this address: Stakeholder and Consultation Team, Norfolk County Council, Ground floor – south wing, County Hall, Martineau Lane, NR1 2DH.

You may wish to keep a copy of your response to our consultation for your own records.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

	<p>If you need this document in large print, audio, Braille, alternative format or in a different language please email us at haveyoursay@norfolk.gov.uk or contact Customer Services on 0344 800 8020 or Text Relay on 18001 0344 800 8020 (textphone) and we will do our best to help.</p>
---	--