



Open Report on behalf of Debbie Barnes OBE, Chief Executive

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| Report to: | County Council |
| Date: | 9 December 2022 |
| Subject: | A Devolution Deal for Lincolnshire |

Summary:

This report asks the Council to support draft proposals for devolution for Greater Lincolnshire and to enter into negotiations with Government to seek a devolution deal at the earliest opportunity.

Recommendation(s):

It is recommended that the council supports:

1. Engagement with government officials to secure a devolution deal for Greater Lincolnshire on the basis of the draft devolution prospectus at Appendix A.
2. In principle, devolution to a mayoral county combined authority for Greater Lincolnshire.
3. Continued engagement with key stakeholders with a view to Appendix A being further developed and enhanced as the basis of the devolution bid to government to ensure that Greater Lincolnshire is in as strong a position as possible to secure a deal.

Alternatives Considered:

To not support the draft proposals for devolution for Greater Lincolnshire.

Reasons for Recommendation:

Supporting the draft proposals for devolution for Greater Lincolnshire will enable us to enter into negotiations with Government to seek a devolution deal which would provide upper tier councils with an opportunity to seek the transfer of a range of new powers

and budgets from Government that can be targeted to local need, used to boost growth in the local economy and level up Greater Lincolnshire.

Not supporting the draft proposals for devolution for Greater Lincolnshire will prevent Lincolnshire County Council entering into any negotiations with Government to seek a devolution deal.

Due to the correlation of increased devolution and economic performance of regions as cited in the Levelling Up White Paper and the resulting new powers from central government coupled with enhanced and more sustainable funding streams the proposed option is the preferred option.

1. Background

- 1.1. The Levelling Up White Paper sets out the Government's ambitions for devolution across England by 2030 and provides the framework for devolving powers to local economic geographies. The white paper is being enshrined in legislation through The Levelling Up and Regeneration Bill currently in Parliament.
- 1.2. A first wave of new devolution deals is being negotiated between the Government and upper tier councils with deals already announced in Nottinghamshire, Derbyshire and North Yorkshire.
- 1.3. The Government has yet to set out a timetable for the second wave of deals, however this is expected to be negotiated in 2023 and would provide upper tier councils with an opportunity to seek the transfer of a range of new powers and budgets from Government that can be targeted to local need, used to boost growth in the local economy and level up Greater Lincolnshire.
- 1.4. Working together, Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council, the seven district councils across Greater Lincolnshire, business and key stakeholders have developed options for a devolution deal for the economic geography of Greater Lincolnshire. This has been informed by:
 - Collaboration across all 10 Councils in Greater Lincolnshire to develop a long-term vision for greater Lincolnshire to deliver a better future for the communities, visitors, and businesses of Greater Lincolnshire. A copy of the vision document is attached as appendix B.
 - Business Engagement through the Greater Lincolnshire Local Enterprise Partnership to gauge the interest, understanding and desire for devolution from local business.
 - Involvement of all 10 Councils in Greater Lincolnshire including discussions with council leaders and a series of meetings of chief executives to refine proposals for devolution to meet the needs of all parts of the historical county.

- Officer level workshops to explore the detail of skills, innovation, investment and infrastructure asks and principles for devolution.

A Devolution Deal for Greater Lincolnshire

- 1.5. The proposals seek to achieve the maximum level of devolution for Greater Lincolnshire to bring greatest benefit for Greater Lincolnshire's residents and deliver on the area's ambitious strategies for growth across key sectors that would lead to more high skill, high wage jobs.
- 1.6. The focus of the proposed deal would be to:
 - Boost growth and productivity in key sectors and supply chains by levelling up infrastructure to create high skill, high wage jobs
 - Increase living standards and opportunity by levelling up skills and access to employment and new high skill, high wage jobs
 - Target investment to level up our towns and places to deliver sustainable growth
- 1.7. Key sectors of the Greater Lincolnshire economic geography are also of strategic importance to the UK and devolution for Greater Lincolnshire will support wider UK objectives for levelling up, energy security, food security and achieving net zero.
- 1.8. A devolution deal for Greater Lincolnshire will be subject to negotiation with Government and the council is invited to consider the proposals for devolution as basis for engaging with Government officials to secure a future deal.
- 1.9. Many of the areas benefitting from devolution have gone on to negotiate additional deals with the Government that build on their initial success. The Greater Lincolnshire proposals for devolution are considered the appropriate asks for a first deal aligned to the powers that are currently available in the devolution framework. If successful they would provide a platform to negotiate further deals to deliver on wider aspects of the Greater Lincolnshire vision in the future.

Agreeing a devolution deal

- 1.10. The Levelling Up and Regeneration Bill sets out the levels, requirements, and process for devolution. New powers and funding would be devolved from Government to a new county combined authority and the maximum level of devolution – level 3 - would only be achieved if this also included a directly elected mayor.
- 1.11. This new type of combined authority has an initial prescribed voting membership of the mayor and upper tier councils, identified as constituent members. It can also

involve a range of stake holders including district councils and businesses as non-constituent members, scrutiny committee members and advisory boards.

- 1.12. In return for devolution of powers the Government expects the county combined authority to provide strong and effective leadership; flexibility; and appropriate accountability. The proposed East Midlands mayoral county combined authority for Nottinghamshire, Nottingham, Derbyshire and Derby provides a high-level model accepted by Government as meeting these principles and leaves significant element of the governance to be determined by the new organisation once formed.
- 1.13. The Government has set out that devolution deals should be led by upper tier councils. In preparation for any negotiation upper tier councils will continue to engage with district councils, businesses, the education sector and other stakeholders to develop the strongest possible devolution proposition and negotiating position for Greater Lincolnshire. This will include building on initial local discussions to negotiate and agree the governance arrangements and principles for a mayoral county combined authority within the constraints of the legislation.
- 1.14. Members will be asked to formally consider progress at a number of decision points including agreement to:
 - Seek a deal and enter into negotiation with government (this report)
 - Consult on a draft devolution proposal following negotiations with Government (future report)
 - The final proposal and to establish a mayoral county combined authority (future report).
- 1.15. If successful, residents across Greater Lincolnshire could be invited to elect a mayor in 2025.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

There are no implications arising from the recommendations in this report for those with a protected characteristic, as defined by the Equality Act 2010.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

There are no direct implications relating to the Joint Strategic Needs Assessment and the Joint Health & Well Being Strategy arising from the recommendations in this report.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the

need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

There are no direct implications relating to the prevention of crime and disorder arising from the recommendations in this report.

3. Conclusion

3.1. Supporting the draft proposals for devolution for Greater Lincolnshire will enable us to enter into negotiations with Government to seek a devolution deal which would provide upper tier councils with an opportunity to seek the transfer of a range of new powers and budgets from Government that can be targeted to local need, used to boost growth in the local economy and level up Greater Lincolnshire.

4. Legal Comments:

The Report seeks support for engagement with government concerning a devolution deal for Greater Lincolnshire.

If successful such a deal would involve the Council in invoking the statutory process for the establishment of a combined county authority which will involve consultation on a formal proposal and the submission of a final proposal to the government followed by the making of secondary legislation.

As stated in the Report, further reports will be brought to full Council at appropriate stages as that process progresses.

The decision is within the remit of the full Council.

5. Resource Comments:

There are no direct resource implications associated with this paper. Any future activity linked to this proposal will be subject to its own resource analysis and commensurate decision making process.

6. Consultation

a) Has Local Member Been Consulted?

Not applicable.

b) Has Executive Councillor Been Consulted?

Yes.

c) Scrutiny Comments

Not applicable.

d) Risks and Impact Analysis

This paper relates to agreement to enter into negotiation based around the complementary Devolution document attached as appendix A. Subsequent policy change and / or service delivery will be subject to their own risk and impact analysis.

7. Appendices

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| These are listed below and attached at the back of the report | |
| Appendix A | Devolution Greater Lincolnshire Prospectus |
| Appendix B | Vision for Greater Lincolnshire |

8. Background Papers

| Document title | Where the document can be viewed |
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| Summary of Business Engagement | Agenda for Greater Lincolnshire Joint Strategic Oversight Committee on Friday, 14th October, 2022, 2.30 pm (moderngov.co.uk) |
| East Midlands Devolution Deal | East Midlands devolution deal - GOV.UK (www.gov.uk) |
| Levelling Up White Paper | Levelling Up the United Kingdom - GOV.UK (www.gov.uk) |
| The Levelling Up and Regeneration Bill | Levelling Up and Regeneration Bill - GOV.UK (www.gov.uk) |

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