# **LONDON**ASSEMBLY

**Research Unit** 

# Devolution of power to the Mayor of London and Greater London Authority

#### **Summary:**

Since the establishment of the Greater London Authority, additional powers and duties have been devolved to the Mayor in various areas. This paper sets out the powers that have been devolved to date, and discusses the calls that have been made for further devolution. It compares the GLA devolution arrangements in other areas of England, particularly the mayoral combined authorities in large English cities.



**Authors:** Kate Firth, Viktorija Kiselyte and Richard Berry

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# **About the Research Unit**

The London Assembly Research Unit provides an impartial research and information service. We undertake research and analysis on key issues in London to inform the Assembly's work. Our publications are made available for all Londoners.

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# 1 Introduction

Devolution is the term used to describe transfer of powers, responsibilities, and funding from the centre (the national Government) to the UK's nations, regions and localities.

In recent years the UK Government has devolved powers to the governments of Northern Ireland, Scotland and Wales, and it has also devolved some powers to local government in England. The benefits of devolution may be considered to include greater democratic accountability at a local level, increased public engagement and public services that can be more responsive to local needs. The Local Government Association states: "We believe [devolution] is important because it ensures that decisions are made closer to the local people, communities and businesses they affect".1

This briefing provides an overview of the powers that have been devolved to the Mayor of London and the Greater London Authority (GLA) since their establishment in 2000.<sup>2</sup> London has a unique governance structure, which is unlike any other area in the UK. The briefing explains other examples of devolution in local government in England, including the creation of directly-elected mayoralties in other regions of the UK.

There have been numerous calls since the establishment of the GLA for it to have additional devolved powers and this briefing provides an overview of these calls. These are separated into two main sections: calls for enhanced fiscal devolution in London, and calls for enhanced devolution in other policy areas.

This paper also includes a summary of the powers granted to the London Assembly, calls for its powers to be enhanced, and a comparison with the powers of the scrutiny bodies for other devolved institutions.

# 2 Devolution to the Mayor and GLA

# 2.1 Overview of GLA powers and functions

This section summarises key aspects of the Mayor and GLA's powers and functions. The London Assembly Research Unit has produced a background paper on this topic, which provides further detail.

The GLA, which comprises of the Mayor of London and the London Assembly, is a democratically elected strategic authority for London. It was formally established in 2000, following a referendum in 1998 and the passing of the <u>GLA Act 1999</u>. Additional powers

<sup>&</sup>lt;sup>1</sup> Local Government Association, <u>Devolution explained</u>

<sup>&</sup>lt;sup>2</sup> Broadly, powers were devolved to the GLA as an authority in the GLA Act 1999. In some cases, further reforms have specified that powers are being devolved to the Mayor as an individual office-holder. In practice, the executive power of the GLA is vested in the Mayor, so the Mayor exercises powers devolved to the GLA, although there are instances where the Assembly has a specified role in this process.

have been granted to the Mayor or the GLA by subsequent legislation, including the <u>GLA Act</u> 2007, <u>Localism Act 2011</u>, <u>Police Reform and Social Responsibility Act 2011</u>, <u>Policing and Crime Act 2017</u>, and the <u>Environment Act 2021</u>.

The GLA Act 1999 granted the GLA the power to do anything that furthers its core purposes. These are:

- economic development and wealth creation
- promoting social development
- the improvement of the environment.<sup>3</sup>

The Mayor and GLA's power to do anything furthering these purposes can be described as a 'functional power of competence', in contrast to wider powers available to local authorities.<sup>4</sup> Section 1 of the <u>Localism Act 2011</u> provided local authorities with a 'general power of competence'. This means that local authorities have the power to do anything an individual can do. Previously, local authorities only had the power to do things that are set out in legislation.

The Mayor is required to provide services in the areas of transport, fire and rescue, and policing. The Mayor controls three functional bodies to exercise these duties: Transport for London (TfL), the Mayor's Office for Policing and Crime (MOPAC), and the London Fire Commissioner (LFC). Two other functional bodies have been established to further regeneration in specific areas: the Old Oak and Park Royal Development Corporation (OPDC) and the London Legacy Development Corporation (LLDC). Together, these bodies form the GLA Group.

The Mayor is required to publish seven statutory strategies: transport; economic development; housing; environment; culture; health inequalities; and spatial development (the London Plan). The Mayor is also responsible for approving the MOPAC's police and crime plan, and LFC's community risk management plan, both of which are statutory requirements.

The Mayor and GLA's powers to deliver these strategies, and any related priorities, differ between policy areas. Powers typically include the appointment of senior leaders and powers of direction over functional bodies. More broadly, the Mayor decides how the money available to the GLA will be allocated to meet its priorities, in line with statutory and other requirements placed on the GLA's expenditure.

The GLA's core sources of income are:

- the Mayor's Council Tax precept
- retained business rates revenue
- commercial income (for example transport fares received by TfL)
- transport levies (for example the congestion and Ultra Low Emission Zone charges),
   the Mayoral Commercial Infrastructure Levy

<sup>&</sup>lt;sup>3</sup> GLA Act 1999, section 30

<sup>&</sup>lt;sup>4</sup> London Assembly Research Unit. The Greater London Authority: powers and functions, July 2024

- Crossrail business rates supplement
- specific revenue and capital grants from the Government (for example the Home Office Police Grant).

# 2.2 History of devolution to the Mayor and GLA

Devolution of powers to the Mayor and GLA has occurred at a number of different points, in different policy areas. The table below highlights key powers devolved in the GLA Acts of 1999 and 2007 and the Localism Act 2011, as well as selected other legislation relating to specific areas.

Table 1: Summary of key powers and duties devolved to the GLA by legislation

GLA Act 1999	GLA Act 2007	Localism Act 2011	Other legislation		
Transport					
Creation of TfL, with Mayor to chair and/or appoint the Board, set budget and a general power of direction.	Power to appoint political party representatives to the TfL board.				
Power to impose congestion charge, emissions charge and workplace parking levy.					
Duty to publish a transport strategy.					
Economic development					
Creation of London Development Agency (LDA), with Mayor to		LDA abolished and functions transferred to the GLA.			
appoint Board of LDA.  Duty to support tourism and advise Tourist Boards and Ministers if required.		Duty to publish economic development strategy.			
Environment					
Duty to publish	Duty to publish	Duty to publish an	Environment Act 2021:		
strategies on ambient noise, air quality, biodiversity, and waste.	statutory strategies on climate change mitigation and energy, and climate change adaption.	environment strategy, this replaced the six previous environment- related statutory strategies.	Mayor is the 'responsible authority' for producing a Local Nature Recovery Strategy.		
	Power to direct authorities to have		Power to issue directions to boroughs to take action		

Housing	regard for the Mayor's waste strategy.  London Waste and Recycling Board established as statutory body. Mayor may chair or appoint chair.		to address local air pollution.
	Duty to publish a housing strategy.  Power to intervene in boroughs' housing plans if they do not conform with the housing strategy.	Power to compulsorily purchase land for housing and regeneration purposes, provided that the Secretary of State authorises it.  Budget and functions of Homes and Communities Agency for London passed to Mayor.	
Policing			
Mayor appoints and sets the budget for the Metropolitan Police Authority (MPA).	Mayor may chair the MPA.		Police Reform and Social Responsibility Act 2011:  MPA abolished. MOPAC created. Mayor is the Police and Crime Commissioner for London. Power to appoint a Deputy Mayor for Policing and Crime  Duty for MOPAC to publish a Police and Crime Plan within the financial year of an election.
Fire			-
Creation of London Fire and Emergency Planning Authority (LFEPA). Power to appoint board and set budget.	Power of direction over LFEPA.		Policing and Crime Act 2017:  LFEPA disestablished and LFC established.  Power to appoint LFC, and a general power of direction.
Skills			

	London Skills and Employment Board created, chaired by the Mayor. This was abolished in 2010.		
Culture			
Duty to publish a Culture Strategy.	Power to appoint Chair of Arts Council England London Area Council.  Power to appoint 8 Board Members to the Museum of London.		
Planning			
Duty to publish a spatial development strategy (the London Plan).  Right to be consulted by boroughs on applications of 'strategic importance', and the power to reject such applications.	Power to determine 'applications of strategic importance'.  Power to direct boroughs to change their local plans to harmonise with the London Plan.	Power to establish Mayoral Development Corporations for specified areas.	Duty to consider the biodiversity net gain in planning proposals (Town and Country Planning Act 1990, as amended by the Environment Act 2021)
Health			
Duty to consider and promote health of Londoners in exercising GLA powers.	Duty to publish health inequalities strategy.  Duty to appoint health advisor.		

Other reforms that may be considered to be devolution have also been implemented, but do not include the formal transfer of legal powers and duties via legislation. Examples of this include:

- The Adult Education Budget (AEB), which has been delegated to the Mayor to distribute in London since.<sup>5</sup>
- The North London Railways rail franchise was transferred to the control of TfL from 2007, with these routes now forming part of the London Overground network.

<sup>&</sup>lt;sup>5</sup> The name of the Adult Education Budget (will change to the Adult Skills Fund in the 2024-25 academic year. A separate paper on the Adult Education Paper by the London Assembly Research Unit provides further information it.

# 3 Key devolution developments in England

To date, London has had a more advanced devolution arrangement than other areas of England. However, this is a developing area.

The <u>Local Democracy</u>, <u>Economic Development and Construction Act 2009</u> allowed for the creation of Combined Authorities; legal bodies that bring together two or more local authorities to work jointly across their areas. <sup>6</sup> Combined authorities do not replace the local authorities they are made up of and local authorities continue to provide services to their areas. The <u>Cities and Local Government Devolution Act 2016</u> allowed for Combined Authorities to have directly elected mayors.<sup>7</sup>

The Government made its first devolution deal with a combined authority with the Greater Manchester Combined Authority (GMCA) in 2014.8 The deal included provision for a directly elected Mayor of the GMCA; and the first mayoral election took place in 2017. Six subsequent devolution deals have been made with the GMCA since 2014, each devolving further powers to the GMCA.

The Government also invited proposals for devolution deals as part of the 2015 Spending Review, and received 34 proposals. 11 Of these, 12 were brought forward initially for negotiation and 11 areas signed devolution deals. The Government stated in January 2024 that deals providing powers to local leaders now covered nearly 34 million people in England, including nine of England's 10 largest cities. 12 It stated that devolution deals cover more than 60 per cent of the English population – up from 41 per cent since the Levelling Up plan was announced in 2022 (see section 3.2), including 90 per cent of the north of England.

# 3.1 Mayoral devolution arrangements in England

As of June 2024, there are twelve areas with elected mayoral devolution in England: Greater London, West Midlands, East Midlands, Greater Manchester, Liverpool City Region, West Yorkshire, South Yorkshire, York and North Yorkshire, Cambridgeshire and Peterborough,

<sup>&</sup>lt;sup>6</sup> Local Democracy, Economic Development and Construction Act 2009, section 103

<sup>&</sup>lt;sup>7</sup> Cities and Local Government Devolution Act 2016, <u>section 2</u>, This inserted section 107 into the Local Democracy, Economic Development and Construction Act 2009.

<sup>&</sup>lt;sup>8</sup> In this section and elsewhere in this paper, the term 'Government' refers to the government of the time. For instance, for events in 2014 this refers to the Conservative and Liberal Democrat Coalition government of May 2010 to May 2015. From May 2015 to July 2024, the term refers to the Conservative governments elected after General Elections in 2015, 2017 and 2019. Where a distinction needs to be drawn, for clarity, between governments of differing political compositions this will be stated in the text.

<sup>&</sup>lt;sup>9</sup> Institute for Government, Mayor of Greater Manchester, accessed 3 July 2024

<sup>&</sup>lt;sup>10</sup> GMCA, Who we are - devolution, accessed 3 July 2024

<sup>&</sup>lt;sup>11</sup> Local Government Association, <u>Devolution explained</u>, accessed 15 July 2024

<sup>&</sup>lt;sup>12</sup> DLUHC, 60 per cent of England now covered by historic devolution deals, 26 January 2024

Tees Valley, West of England, and the North East. Four further Mayoral deals and three non-Mayoral deals had been agreed with the Government at the time of writing.<sup>13</sup>

These deals are all structured as combined authorities, except for Greater London. They are commonly referred to as mayoral combined authorities (MCAs) and are made up of constituent local authorities. The elected Mayors and the Mayor of London are known as the metro mayors and are responsible for significant powers and budgets.

# MCA powers

The powers of each metro mayor are set out in the devolution deal for their area, with the types and degrees of their powers varying. Their powers are distinct from the powers exercised by local authority mayors, which are derived from the local authorities' powers.<sup>14</sup>

The powers of metro mayors are also distinct from the powers of the Mayor of London. In the devolution deals made to date, the metro mayor chairs the MCA's cabinet, which is made up of the leaders of the constituent local authorities. Metro mayors must consult the cabinet on their strategies, which the cabinet can reject with a two-thirds majority, and their budgets, which the cabinet can amend with a two-thirds majority. Some metro mayors have the power to create a spatial development strategy, and this must be unanimously approved by the cabinet.<sup>15</sup>

Metro mayors are responsible for setting out and delivering strategies for growing the economy in their area and have certain powers over issues such as housing, transport and skills. As the deals were negotiated with each area on a case-by-case basis, there are variations between the mayors on their powers.

The Mayor of London has held powers over policing in London since the role was established in 2000, in particular powers of appointment to the former Metropolitan Police Authority. This pre-dated the creation of police and crime commissioners, which were introduced by the Police Reform and Social Responsibility Act 2011. Mayor of London has held the powers and duties of a PCC in London since this time; in recent years this principle has spread to other elected mayoralties. The functions of PCCs were transferred to mayors of Greater Manchester in 2017 and West Yorkshire in 2021, when their roles were established. PCC powers were also merged with the existing role of mayor of South Yorkshire and the new post of mayor of North Yorkshire in 2024.

<sup>&</sup>lt;sup>13</sup> The four deals with mayoral powers are with Hull and East Riding, Greater Lincolnshire, Norfolk and Suffolk (the latter two will have 'directly elected leaders' rather than mayors), which were due to come into force in 2025. The non-mayoral deals are with Cornwall, Lancashire, and Devon and Torbay. Three further non-mayoral devolution framework agreements were announced for Surrey, Buckinghamshire and Warwickshire in the 2024 Spring Budget. The statutory instruments for these deals were not laid before parliament was dissolved.

<sup>&</sup>lt;sup>14</sup> House of Commons Library, <u>The 2024 Metro-Mayor Elections</u>, 19 March 2024. London has a number of local authority mayors, including in the boroughs of Hackney, Lewisham and Tower Hamlets.

<sup>&</sup>lt;sup>15</sup> The Liverpool City Region Combined Authority (Functions and Amendment) Order 2017, <u>article 3</u>, The Greater Manchester Combined Authority (Functions and Amendment) Order 2016, <u>article 3</u>

<sup>&</sup>lt;sup>16</sup> GLA Act 1999, <u>Schedule 26</u>, as originally enacted. This schedule has since been repealed.

<sup>&</sup>lt;sup>17</sup> Institute for Government, <u>Police and crime commissioners</u>, accessed 3 July 2024

<sup>&</sup>lt;sup>18</sup> Institute for Government, Police and crime commissioners, accessed 3 July 2024

The Mayor of London has had wide-ranging powers over transport since the creation of the role in 2000, principally through control of TfL, which runs or oversees the London Underground, light rail, the bus network, major roads and other services and infrastructure. Mayors for other areas have not had comparable powers over transport, although recent developments have altered this situation, particularly in relation to buses. In 2023, Greater Manchester became the first area outside London to take local control of bus services, launching a new franchising system, similar to that operated by TfL in London. <sup>19</sup> Liverpool City Region and South and West Yorkshire Combined Authorities are following in the footsteps of Greater Manchester by taking the decision to franchise their bus networks. <sup>20</sup>

# MCA funding

MCAs receive funding via a range of grants. The grants that an MCA receives depends on its devolution deal. Examples of grants that MCAs are provided include the Work and Health Programme, Free Courses for Jobs and Adult Education Budget.<sup>21</sup>

Some MCAs also receive funding from retained business rates. Most MCAs have the power to raise a precept on council tax bills but according to Institute for Government Research in 2023, only a minority of MCAs have chosen to do this.<sup>22</sup>

# 3.2 Government Levelling-up programme on devolution

The December 2019 Queen's Speech included a pledge from the UK Government to publish a White Paper setting out its proposals for English devolution. <sup>23</sup> In 2021, the then Prime Minister, Boris Johnson, made a speech on levelling up in which he said: "We must now take a more flexible approach to devolution". <sup>24</sup>

The Government published its <u>Levelling Up the United Kingdom White Paper</u> in February 2022. The paper sets out how the Government will "spread opportunity more equally across the UK". <sup>25</sup> It commits to providing every part of England the opportunity for a devolution deal, and to make devolution more transparent and formalised through a Devolution Framework. It sets out 12 missions, including:

"By 2030, every part of England that wants one will have a devolution deal with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement" <sup>26</sup>

The White Paper also set out the Government's rationale for devolution:

"Mayors have already shown how strong local leadership can enhance economic and other opportunities in urban areas, and we will ensure that the model is strengthened,

<sup>&</sup>lt;sup>19</sup> GMCA, <u>Greater Manchester retakes control of buses with relaunch of historic Bee Network</u>, 25 September 2023

<sup>&</sup>lt;sup>20</sup> https://www.centreforcities.org/blog/why-metro-mayors-should-lead-on-transport-policy/

<sup>&</sup>lt;sup>21</sup> DLUHC, Annual report on devolution 2022 to 2023, 26 March 2024

<sup>&</sup>lt;sup>22</sup> Institute for Government, The art of the devolution deal, July 2023, p48

<sup>&</sup>lt;sup>23</sup> Prime Minister's Office, Queen's Speech 2019, 19 December 2019, p109

<sup>&</sup>lt;sup>24</sup> The Prime Minister's Levelling Up Speech, 15 July 2021

<sup>&</sup>lt;sup>25</sup> DLUHC, Levelling Up White Paper, 2 February 2022, p23

<sup>&</sup>lt;sup>26</sup> DLUHC, Levelling Up White Paper, 2 February 2022, p121

extended and adopted more widely. With a direct mandate, fixed term, convening power, a clear incentive to demonstrate economic improvement and accountability for extending opportunity, mayors work for their communities. And meaningful devolution of power and responsibility for economic growth to an accountable local leader has been proven to help once declining areas to recover."<sup>27</sup>

The White Paper did not directly address whether the devolution arrangements for Greater London could be enhanced. However, it states: "there will be scope to negotiate further powers on a case-by-case basis." <sup>28</sup>

### **Devolution Framework**

The Devolution Framework, published in the White Paper, introduced three different levels of devolution deals.<sup>29</sup>

- Level 1 deals offer only a limited "strategic role in delivering services".
- Level 2 deals can be concluded with county councils or combined authorities that are not led by a directly elected mayor. They offer control over the adult education budget, LEP functions, and the UK shared prosperity fund.<sup>31</sup>
- Level 3 deals offer more expansive powers and require the adoption of a mayor –
  either as directly-elected leader of a county council, or as chair of a combined
  authority. In addition to level 2 powers, they offer expanded powers over
  transport, local roads, urban regeneration and 30-year investment funds that
  combined authorities can allocate flexibly to support economic growth.<sup>32</sup>

The 2014 Greater Manchester Combined Authority deal, and other mayoral devolution deals agreed since 2017, are level 3 deals.

The Devolution Framework is based on four principles which are intended to guide future devolution deals: effective leadership, sensible geography, flexibility, and appropriate accountability.<sup>33</sup>

In October 2023, the <u>Levelling Up and Regeneration Act 2023 was</u> passed. This expands on the Devolution Framework set out in the Levelling Up White Paper. The Act also enables the creation of a new type of combined authority, County Combined Authority (CCA), through new devolution deals.<sup>34</sup> CCAs are designed for areas with two tiers of local government and can only be formed between upper-tier councils.

In November 2023, the Government introduced a 'level 4' devolution deal which offered expanded powers.<sup>35</sup> Level four deals offer extra powers in areas such as skills, careers and

<sup>&</sup>lt;sup>27</sup> DLUHC, Levelling Up White Paper, 2 February 2022, page xxvii

<sup>&</sup>lt;sup>28</sup> DLUHC, <u>Levelling Up White Paper</u>, 2 February 2022, p139

<sup>&</sup>lt;sup>29</sup> DLUHC, <u>Levelling Up White Paper</u>, 2 February 2022, p136

<sup>&</sup>lt;sup>30</sup> DLUHC, Levelling Up White Paper, 2 February 2022, p140

<sup>&</sup>lt;sup>31</sup> DLUHC, <u>Levelling Up White Paper</u>, 2 February 2022, p140

<sup>&</sup>lt;sup>32</sup> DLUHC, Levelling Up White Paper, 2 February 2022, p140

<sup>&</sup>lt;sup>33</sup> DLUHC, <u>Levelling Up White Paper</u>, 2 February 2022, pp136-139

<sup>&</sup>lt;sup>34</sup> Levelling Up and Regeneration Act, Part Two, Chapter One

<sup>&</sup>lt;sup>35</sup> DLUHC, Technical paper on Level 4 devolution framework, 22 November 2023

transport functions, as well as a role in local energy planning. They also offer flexible 'consolidated pot' funding in two areas: local growth and place, and housing and regeneration.

In March 2024, at Convention of the North, the Secretary of State announced that Level 4 devolution would be extended to West Yorkshire, South Yorkshire and Liverpool City Region.<sup>36</sup>

# 3.3 2023 and 2024 announcements of 'trailblazer' devolution deals

In March 2023, the Government published new 'trailblazer' devolution deals that would be made available to the mayors in Greater Manchester and the West Midlands.<sup>37</sup>

The trailblazer deals committed to providing the GMCA and WMCA with additional housing, transport, skills, net zero, and retrofitting powers. The deals also committed to a multi-year single funding settlement for each area, to begin alongside the next Spending Review in 2025 and cover the whole spending review period.<sup>38</sup>

The single settlement would provide funding for five core themes: "local growth and place; local transport; housing and regeneration; adult skills; and retrofitting buildings". <sup>39</sup> The deals would allow the GMCA and WMCA to choose how to use the single settlement.

The trailblazer deals are distinct from Level 4 deals set out in the Devolution Framework, as Level 4 deals do not allow access to the single funding settlement offered in the trailblazer deals.<sup>40</sup>

For metro mayors that already have or have agreed trailblazer deals, there is no formal pathway set out for the next stage of devolution. Giving mayors greater control over local taxation may be the next step; the concept of fiscal devolution is explored later in this paper (see section 4).

#### North East Trailblazer deal

In March 2024, the Government announced a trailblazer deal with the <u>North East Mayoral Combined Authority (NEMCA)</u>. The deal set out to provide NEMCA with expanded powers over housing, transport and skills. It is distinct from the GMCA and WMCA deals in that it offers a "consolidated single pot" for housing and regeneration funding, as opposed to a

<sup>&</sup>lt;sup>36</sup> Convention of the North: Secretary of State's speech - GOV.UK (www.gov.uk)

<sup>&</sup>lt;sup>37</sup> DLUHC, <u>Greater Manchester Combined Authority Trailblazer deeper devolution deal</u>, 15 March 2023; DLUHC, <u>West Midlands Combined Authority Trailblazer deeper devolution deal</u>, 15 March 2023

<sup>&</sup>lt;sup>38</sup> At the time of writing, it is not clear how the change in government after the 4 July 2024 General Election will affect plans set out in trailblazer deals.

<sup>&</sup>lt;sup>39</sup> HM Government and GMCA, <u>GMCA Trailblazer deeper devolution deal</u>, 15 March 2023; HM Government and WMCA <u>WMCA Trailblazer deeper devolution deal</u>, 15 March 2023

<sup>&</sup>lt;sup>40</sup> House of Commons Library, <u>Devolution to Local Government in England</u>, 8 March 2024, p11

single funding settlement. The deal states that the single pot funding is a "stepping stone to a full single department-style funding settlement."

The deal would require NEMCA to convene a scrutiny committee of local MPs, similar to the GMCA and WMCA arrangements.<sup>42</sup>

# The impact of devolution to mayoral combined authorities

There is evidence that metro mayors have pursued innovation in services. In Greater Manchester, data from GMCA indicates that franchised bus services on the Bee Network are outperforming non-franchised ones and displays steady patronage growth. <sup>43</sup> In the West Midlands, the WMCA is expanding the local tram and rapid bus network <sup>44</sup> and the Mayor of Liverpool City Region has pioneered a UCAS-style system for apprenticeships. <sup>45</sup>

A <u>report</u> by the Institute for Government in 2022 found metro mayors have "improved coordination and provided a strong voice for their regions". <sup>46</sup> Examples of lobbying by metro mayors include efforts to improve the railway network, such as calling for the transfer of TransPennine Express rail franchise into the Operator of Last Resort, <sup>47</sup> campaigning to safeguard the High Speed 2 rail project, <sup>48</sup> and calling for increased railway investment in Northern Powerhouse Rail. <sup>49</sup>

The Government published an evaluation of devolved institutions in May 2021 which stated:

"Views on directly elected metro mayors and their role in devolution are, on the whole, positive in the localities where a metro-mayor is present, with the main benefits perceived to be higher visibility of the area and clearer accountability in comparison to the previous arrangements." <sup>50</sup>

Similarly, research from Centre for Cities has found that mayors are much more recognisable than other prominent local politicians and that there is much support for policy power to be held at the local level, suggesting that devolution is succeeding in creating more visible and identifiable politicians.<sup>51</sup>

However, this does not necessarily translate into high levels of public understanding of the role of metro mayors. Ahead of the 2024 Mayoral Elections, Centre for Cities polled people in nine of the mayoralties going to the ballot box to understand public awareness of the

<sup>&</sup>lt;sup>41</sup> North East Mayoral Combined Authority deeper devolution deal, p5

<sup>&</sup>lt;sup>42</sup> North East Mayoral Combined Authority deeper devolution deal, p8

<sup>&</sup>lt;sup>43</sup> GMCA Bee Network Committee, Greater Manchester Transport Network Performance, 14 December 2023

<sup>&</sup>lt;sup>44</sup> WMCA, £6.1 billion investment is delivering a green transport revolution to regenerate the West Midlands, 11 March 2024

<sup>&</sup>lt;sup>45</sup> Centre for Cities, Everything you need to know about metro mayors, 29 February 2024

<sup>&</sup>lt;sup>46</sup> Institute for Government, How metro mayors can help level up England, June 2022

<sup>&</sup>lt;sup>47</sup> WYCA, Northern mayors call for action on TPE, 17 April 2023

<sup>&</sup>lt;sup>48</sup> Evening Standard, <u>Five Labour mayors across UK join forces to urge Rishi Sunak to stay on track with HS2</u>, 27 September 2023

<sup>&</sup>lt;sup>49</sup> BBC News, Rail services worse after Northern Powerhouse plan – mayor, 6 February 2024

<sup>&</sup>lt;sup>50</sup> Department for Business, Energy and Industrial Strategy, <u>Evaluation of devolved institutions final report</u>, May 2021, p7

<sup>&</sup>lt;sup>51</sup> Centre for Cities, Place over politics, 25 March 2024

mayoral institution and policies. Most people were unable to name a specific mayoral policy in their area, but when they could it was most likely transport related.<sup>52</sup>

### Priorities of the new Government

Shortly after the 4 July 2024 General Election the new Prime Minister, Sir Keir Starmer, convened a meeting of metro mayors, including the Mayor of London.<sup>53</sup> The Prime Minister indicated that the Government wanted to introduce further devolution.

The meeting's purpose was described by the Government as to "begin the process of shifting power out of Westminster through a major programme of devolution that will power up all corners of the country." The Prime Minister stated:<sup>54</sup>

"By resetting these crucial relationships and putting more power in the hands of local leaders, I'm determined to make sure they have the support they need to play their part in delivering economic growth in every part of the country."

Media reports after the meeting with mayors that the Government would be establishing a 'council of the regions and nations', to enable regular engagement between the Government and local leaders.<sup>55</sup>

In the King's Speech of 17 July 2024, it was announced that the Government would be introducing an English Devolution Bill, "to give new powers to metro mayors and combined authorities." Further details of proposed measures have not yet been announced.<sup>56</sup>

# 3.4 Comparing Greater London and Greater Manchester

The current state of devolution to English cities is subject to change, particularly after the election of a new Government in July 2024.

Nevertheless, it is helpful to compare how London's existing arrangements compare, broadly, to those in Greater Manchester. While for much of the period since 2000, London may have been considered to have more significantly devolved powers than other cities, recent developments suggest this is changing. As Table 2 shows, the GMCA now has a similar range of powers to the GLA, and in some cases may be considered to have powers exceeding those of the GLA.

Table 2: Comparison of the GLA and GMCA's devolved powers, funding and delegated programmes<sup>57</sup>

<sup>&</sup>lt;sup>52</sup> Centre for Cities, Place over politics, 25 March 2024

<sup>&</sup>lt;sup>53</sup> DLUHC, Devolution delivery for first mayoral meeting, 9 July 2024

<sup>&</sup>lt;sup>54</sup> DLUHC, <u>Devolution delivery for first mayoral meeting</u>, 9 July 2024

<sup>&</sup>lt;sup>55</sup> Local Government Lawyer, <u>Government to establish Council of Regions and Nations in plan to "reset" relations</u> with local government, 9 July 2024

<sup>&</sup>lt;sup>56</sup> HM Government, <u>The King's Speech 2024</u>, 17 July 2024

<sup>&</sup>lt;sup>57</sup> HM Government and GMCA, GMCA Trailblazer deeper devolution deal, 15 March 2023

Policy area	GLA and Mayor powers and	GMCA and Mayor powers and funding
	funding	(Powers and funding that were devolved in the in the trailblazer agreement are in italics)
Transport	Control of TfL which is responsible for tube, trams, buses, trunk roads, taxi regulation and river services.  The Mayor appoints the Chair (can	Control of Transport for Greater Manchester (TfGM) which is responsible for buses, and trams and management of Key Route Network roads.
	appoint themselves), Deputy Chair of TfL and Board of TfL.	The Mayor can appoint the Director-General and Board of TfGM.
	Power to impose congestion charge, emissions charge, workplace parking	Power to impose congestion charge, emissions charge, workplace parking levy.
	Duty to publish a transport strategy.	Duty to publish a Local Transport Plan (this must be approved by at least seven GMCA members and is subject to Parliamentary approval)
		A partnership with Great British Railways to support the delivery of the Bee Network (described as a London-style transport system) which will include an integrated, multi-modal fares system with Bee Network branding and powers for the GMCA to sponsor infrastructure and service engagement schemes. This is supported by a £1070 million City Region Sustainable Transport Settlement until 2027.
Housing	The GLA delivers the Affordable Housing Programme and London Land Fund.  Power to compulsorily purchase land for housing and regeneration purposes, provided the Secretary of State authorises it.  Duty to publish a housing strategy.	Strategic direction of the Affordable Housing Programme.  Power to compulsorily purchase land for housing and regeneration purposes, provided the Secretary of State authorises it.  £150 million of brownfield funding.
Policing	The Mayor is the occupant of MOPAC.  The Mayor must publish a Police and Crime Plan within the financial year they are elected.  MOPAC must secure the maintenance of the Metropolitan Police.  The Mayor may appoint a Deputy Mayor for Policing and Crime and delegate most of their policing functions to them.	The Mayor is responsible for the governance, strategic direction and financial management of the Greater Manchester Police.  The Mayor must approve an annual Police and Crime Plan.  The Mayor may appoint a Deputy Mayor for Policing, Crime, Criminal Justice and Fire and delegate most of their policing functions to them.

Fire and rescue	The Mayor appoints the LFC and can issue directions to the LFC.  The appointment of the LFC is subject to a non-binding Confirmation Hearing by the London Assembly's Fire Committee.  The Mayor can appoint a Deputy Mayor for Fire and delegate some functions to them.	The Mayor is responsible for the governance, strategic direction and financial management of the Greater Manchester Fire and Rescue Service.  The Mayor can appoint a Chief Fire Officer. This appointment is subject to a Confirmation Hearing by the Greater Manchester Police, Fire and Crime Panel and the Panel has the power to veto this appointment.  The Mayor can delegate some fire functions to the Deputy Mayor for Policing, Crime, Criminal Justice and Fire.
Planning	Duty to publish a spatial development strategy (the London Plan).	Duty to publish a spatial development strategy.
	Power to designate areas as mayoral development areas.  The Mayor has power to determine applications of strategic importance and power to direct boroughs to change local plans in conformity with the London Plan.	Power to designate areas as mayoral development areas.
Environment	The Mayor has the power to chair the London Waste and Recycling Board or appoint a representative to chair on their behalf. In addition, the Mayor can appoint one member of the Board.  Power to direct boroughs to have regard to waste element of Mayor's	The GMCA is responsible for the management and disposal of municipal waste in Greater Manchester. Each of the Greater Manchester authorities are responsible for collecting household waste and the GMCA collects a levy from nine of the authorities to pay for the disposal of household waste.
	environment strategy.  Duty to publish an environment strategy.	GMCA has established a Waste and Recycling Committee.  Funding for net zero, including building retrofitting as part of single settlement.
Health	Duty to consider and promote health of Londoners in exercising GLA powers.  Duty to publish a health inequalities strategy.	In 2016, responsibility for Greater Manchester's £6 billion Health and Social Care budget was devolved to the region. The devolution agreement is between the ten Greater Manchester local authorities (not with the GMCA as an organisation itself) and local NHS bodies. The Mayor is on the board of the Greater Manchester Integrated Care Partnership.
Funding	Council tax precept, including policing precept	Council tax precept, including policing precept

37 per cent business rates retention

Business rates supplement

Road user charging (Congestion Charge, LEZ, ULEZ)

Transport fare income

Mayoral community infrastructure levy.

Specific revenue and capital grants, including the Home Office Policing Grant

100 per cent business rates retention

Business rates supplement

Road user charging

Transport fare income

Mayoral community infrastructure levy

Single financial settlement with funding for local growth and place, transport, housing and regeneration, adult skills, retrofitting buildings.

# 4 Calls for enhanced fiscal devolution to the Mayor and GLA

# 4.1 The GLA's powers to raise revenue

The Mayor sets the annual budget for the GLA (including the London Assembly) and its five functional bodies (together known as the GLA Group). In 2024-25, the Mayor was responsible for a combined revenue and capital budget of £21.9 billion.<sup>58</sup> It is up to the Mayor to decide how much funding to allocate to TfL, fire and rescue, economic development, and how much should be allocated to the GLA's other priorities.

The GLA's core sources of income are explained below.

#### Council tax precept

The Mayor has the power to set a precept on council tax bills. The Mayor does not have control over any other elements of the council tax system. A portion of the council tax precept is also collected to help fund policing and is ring-fenced.

#### **Business rates supplement**

The <u>Business Rates Supplement Act 2009</u> granted the Mayor the power to introduce a business rates supplement. In April 2010, the then Mayor Boris Johnson introduced a two pence (2p) business rates supplement on larger non-domestic properties in London. From 1 April 2023 until at least 31 March 2026 (including 2024-25), this will only apply to business and non-domestic premises in London with a rateable value of above £75,000.<sup>59</sup> This has helped to pay for the Elizabeth Line (formerly Crossrail).

#### **Business rates retention**

In the Spring Budget 2017 the London Devolution Memorandum of Understanding included a commitment by the Government to support the voluntary pooling of business rates in London. The Government confirmed in the 2017 Budget that it had accepted the proposal for a 100% business rates retention pilot for the 2018-19 financial year. The proposal was submitted by London Councils and the Mayor of London covering the GLA and the 33 London local authorities. The pilot allowed London to retain 100% of the growth in business rates income in 2018-19 excluding revaluation growth. The Mayor approved the GLA's participation in December 2017.<sup>60</sup>

<sup>&</sup>lt;sup>58</sup> The Greater London Authority Consolidated Budget and Component Budgets 2024-2025, March 2024, p6

<sup>&</sup>lt;sup>59</sup> GLA, Paying for Crossrail: business rates supplement, accessed 15 July 2024

<sup>60</sup> GLA, Mayoral Decision 2217: 100% Business Rates Retention Pilot, December 2017

The government confirmed in the 2019-20 provisional local government finance settlement on 13 December that it would continue the London pilot for a further year, albeit at a lower retention rate of 75 per cent.<sup>61</sup>

When the 75 per cent pilot stopped, the GLA and 33 London boroughs decided to continue with the business rates pool. Due to the uncertainties over business rates income as a result of the pandemic, London boroughs and the Mayor agreed not to continue the business rates pool in 2021-22.<sup>62</sup>

The GLA continues to receive a higher level of business rates retention despite discontinuing the business rates pool and continues to retain 37 per cent of its business rates. <sup>63</sup> The London Assembly has called for London's business rate retention to be moved back to the 100 per cent level, as per the pilot. <sup>64</sup>

#### Levies

The Mayor has the power to impose some levies, including the Congestion and Ultra Low Emission Zone charges and the Mayoral Commercial Infrastructure Levy, which was used to fund Crossrail.<sup>65</sup>

#### Specific revenue and capital grants

The Mayor receives both revenue and capital grant funding from the UK Government for a small number of delegated programmes. Examples include the Adult Education Budget, the UK Shared Prosperity Fund and the Affordable Housing Programme.

Another type of grant that the GLA may receive is a 'section 31 grant'. The Government has a general power to give funding to any local authority for any reason, in section 31 of the Local Government Act 2003. Section 31 grants can be general, un-ringfenced grants or have conditions specified in a grant letter.<sup>66</sup>

Like other local authorities, the GLA is permitted to borrow money.<sup>67</sup>

# 4.2 Calls for enhanced fiscal devolution

In July 2012, the then Mayor Boris Johnson, established the London Finance Commission to investigate potential additional sources of revenue for the GLA. In May 2013, the Commission published its report Raising the Capital, which recommended that property

<sup>&</sup>lt;sup>61</sup> GLA, Mayoral Decision 2407: <u>75% Business Rates Retention Pilot</u>, January 2019

<sup>62</sup> London Councils, Business Rates Update, 7 June 2021

<sup>63</sup> London Councils, Business Rates Update, 7 June 2021

<sup>&</sup>lt;sup>64</sup> London Assembly GLA Oversight Committee, Devolution in London, December 2023

<sup>&</sup>lt;sup>65</sup> London Assembly Research Unit. The Greater London Authority: powers and functions, July 2024

<sup>66</sup> London Assembly Research Unit. The Greater London Authority: powers and functions, July 2024

<sup>&</sup>lt;sup>67</sup> GLA, Mayoral Decision 3231: <u>Treasury Management Strategy Statement, GLA investment matters and</u> additional financial support for Transport for London for 2024-25, February 2024

taxation in London should be devolved to the GLA.<sup>68</sup> This included stamp duty, council tax, business rates, annual tax on enveloped dwellings and capital gains tax.

The Commission was reconvened in July 2016 by the Mayor Sadiq Khan to consider ways to devolve more powers to the GLA. The Commission has been described by the GLA as: "a group of cross-party political and business leaders." <sup>69</sup>

The Commission published its second report <u>Devolution: A Capital Idea</u> in January 2017, recommending a range of options for devolution of national taxes, local taxes and levies, and devolution of services. The recommendations included devolution of stamp duty, air passenger duty, vehicle excise duty, share of income tax and VAT revenue, and a tourism tax.<sup>70</sup>

The Mayor endorsed the proposals made in this report and stated:

"London has the same population as Wales, Scotland and Northern Ireland combined, but we have far less control over how our economy and public services are run."

To date, none of these recommendations have been implemented.<sup>72</sup> In a February 2020 Mayor's Question Time, the Mayor was asked to provide an update on the progress of the 2017 Commission report. The Mayor replied that he would "continue to engage with the government, particularly on the Devolution White Paper".<sup>73</sup>

In 2023, the London Assembly GLA Oversight Committee held an investigation into devolution in London and published its report <u>Devolution in London</u> in December 2023. The report made a number of recommendations including the following:<sup>74</sup>

- The Committee reiterates its support for the devolution of property-based taxes to the capital; and calls on the Mayor and London Councils to continue to make the case for fiscal devolution for London.
- The Mayor, together with the M10 group, must continue to lobby Government for both the reform of business rates and council tax; and, moreover, demonstrate that devolving powers in these areas to mayors and combined authorities could actually make reform more effective."
- The Mayor should have the same powers and responsibilities as the Scottish and Welsh devolved administrations in relation to business rates, including: the ability to determine the timing of revaluations; the setting of the non-domestic rating multiplier; relief and discount policies; and the ability to use locally raised revenues in a targeted way to deliver infrastructure, housing and transport investment."

<sup>&</sup>lt;sup>68</sup> London Finance Commission, Raising the Capital, May 2013, p70

<sup>69</sup> Mayor of London, Mayor endorses major new proposals for London devolution, 29 January 2017

<sup>&</sup>lt;sup>70</sup> London Finance Commission, <u>Devolution: a capital idea</u> January 2017

<sup>&</sup>lt;sup>71</sup> Mayor of London, Mayor endorses major new proposals for London devolution, 29 January 2017

<sup>&</sup>lt;sup>72</sup> London Assembly GLA Oversight Committee, <u>Devolution in London</u>, December 2023, p23

<sup>&</sup>lt;sup>73</sup> Questions to the Mayor, <u>Devolution: A Capital Idea</u>, Reference 2020/0636, 24 February 2020

<sup>&</sup>lt;sup>74</sup> London Assembly GLA Oversight Committee, <u>Devolution in London</u>, December 2023, pp7-9

 The Committee continues to support the London Finance Commission's recommendation that London should be assigned 'a proportion of income tax and VAT yields', and urges the Government to explore how this could work in the city and combined-authority models."

In July 2024, the Centre for London published a report on devolution in London. The summary of the report stated that devolving property tax to London, with the power to changes these methods of taxation, was one of its three immediate priorities for new forms of devolution in London.<sup>75</sup>

### **Tourism levy**

In 2017, the GLA published a <u>report</u> by the London Finance Commission analysing different options for how a tourism levy could work in London and the arguments for and against it. The report stated that a tourism levy in London could raise between £77 million and £240 million a year.<sup>76</sup>

There is now relevant precedent from other cities. The Manchester Hoteliers Association, in collaboration with key stakeholders and relevant local authorities, has established the <u>Manchester Accommodation Business Improvement District</u> (BID). The BID is funded by a mandatory levy on hotels and short-stay serviced apartments in Manchester's regional centre that have a rateable value of £75,000 or more.<sup>77</sup> Businesses then raise funds for the levy through a 'city visitor charge', a supplementary charge of £1 per room per night. The funds raised are used for marketing, street cleanliness and securing conferences and festivals. In 2024, the BID announced it has raised £2.8 million in 2023-24.<sup>78</sup>

In 2023, the London Assembly GLA Oversight Committee recommended:79

- "The Mayor should revisit the GLA's work from 2017, which looked into options for a
  potential tourism levy; and collaborate with other key cities in this area of work,
  including taking early learnings from Manchester's approach."
- "The Government should consider the implementation of a tourism levy within the Levelling-up and Regeneration Bill as a way to raise money for local infrastructure; and carefully consider the impact of schemes in Manchester and Wales."

# Possible implications of the trailblazer devolution deals for London

The GMCA and WMCA deals state:

"The government and [the combined authority] recognise that the current system of funding for mayoral combined authorities is fragmented, overly reliant on centrally

<sup>&</sup>lt;sup>75</sup> Centre for London, <u>Devolution in London: the unfinished story</u>, 3 July 2024

<sup>&</sup>lt;sup>76</sup> GLA, Options for a tourism levy in London A publication for the London Finance Commission, January 2017, p3

<sup>77</sup> Manchester Accommodation BID, <u>The Manchester ABID Zone</u>

<sup>&</sup>lt;sup>78</sup> BBC, Manchester's tourist tax raises £2.8 million after first year, 7 April 2024

<sup>&</sup>lt;sup>79</sup> London Assembly GLA Oversight Committee, <u>Devolution in London</u>, December 2023

administered funds, and lacks clear, lean and proportionate accountability structures."80

The GMCA has said that its trailblazer deal will increase its "autonomy, ability to prioritise decisions locally, and ability to reprioritise across its own budgets". The WMCA has said that the single financial settlement will "give local leaders unparalleled control over spending on devolved areas, marking a seismic shift in power and influence from Whitehall to the West Midlands". 82

The establishment of the trailblazer deals could increase the opportunity for the GLA to successfully negotiate a 'single financial settlement' with the Government. However, the impact on the GLA would likely be less transformative than for the GMCA and WMCA, which are more dependent on Government grant funding than the GLA. The GLA raises more income via its council tax precept, retained business rates, transport levies and investment income than the GMCA and WMCA.

The issue of single financial settlements was considered as part of the London Assembly GLA Oversight Committee's 2022-23 investigation into devolution in London. The Committee's report said:

"The Committee eagerly awaits the outcome of these pilot schemes, [trailblazer devolution deal single financial settlements] and hopes that this will set strong foundations for London to also pursue the opportunity of a single mayoral settlement."83

# 5 Calls for devolution to the Mayor and GLA in other policy areas

# 5.1 Transport

The Mayor has a general duty to develop and apply policies to promote and encourage "safe, integrated and efficient transport facilities and services to, from and within London".<sup>84</sup> This is primarily done via TfL; there is also a transport unit within the GLA.

TfL is a functional body of the GLA and is controlled by the Mayor of London. The Mayor appoints the board of TfL. TfL has always been chaired by successive mayors since the GLA was established in 2000, although this is not a legal requirement. The Mayor can issue directions to TfL as to how it exercises its functions, with which TfL must comply.<sup>85</sup>

<sup>&</sup>lt;sup>80</sup> HM Government and GMCA, <u>GMCA Trailblazer deeper devolution deal</u>, 15 March 2023, p16; HM Government and WMCA <u>WMCA Trailblazer deeper devolution deal</u>, 15 March 2023, p21

<sup>&</sup>lt;sup>81</sup> GMCA, <u>Press release: Greater Manchester strikes trailblazing new devolution deal – "New era for English devolution",</u>

<sup>82</sup> HM Government and WMCA WMCA Trailblazer deeper devolution deal, 15 March 2023

<sup>83</sup> London Assembly GLA Oversight Committee, <u>Devolution in London</u>, December 2023, p29

<sup>84</sup> GLA Act 1999, section 141

<sup>85</sup> GLA Act 1999, section 155

The Mayor must produce a <u>transport strategy</u>, which must include their policies to discharge his general duty.<sup>86</sup> The boroughs, and any body with statutory functions in respect of London, must "have regard" to the transport strategy.<sup>87</sup>

The Mayor, TfL and the London Assembly have long called for expanded devolution of rail services to TfL. 88 In 2013, the Department for Transport (the DfT) devolved responsibility to TfL for rail services running between Liverpool Street Station, Enfield Town, Cheshunt (via Seven Sisters) and Chingford. TfL became responsible for 23 of the 25 stations on this route. 89

In 2016, the Secretary of State for Transport rejected a proposal from TfL to take over Southeastern train services. The London Assembly called on the government to reconsider this decision.<sup>90</sup> There have been further London Assembly motions supporting expanded devolution of rail services in 2019<sup>91</sup>, 2021<sup>92</sup>, and 2023.<sup>93</sup>

In May 2021, the DfT published the <u>Great British Railways: Williams-Shapps plan for rail</u>. This report was the Government's blueprint for how it intends to reform the UK's rail industry, bringing the network under a single national leadership of a proposed new public body, Great British Railways. The London Assembly's Transport Committee's response to this report, published in February 2022, reiterated its long-standing recommendation that suburban rail services in London should be devolved to London.<sup>94</sup>

The then TfL Commissioner spoke to the Transport Committee about this report in 2022, stating that until its funding situation has more certainty, his priority is to "maintain a state of good repair of the existing system" and ensure it is properly funded. He has also stated that TfL would need to fully consider what taking over certain sections of railway services would involve, and what support it would be given to bring it up to TfL standard.<sup>95</sup>

In July 2024, <u>the Centre for London published a report</u> on devolution in London. The summary of this report stated that devolving south London's National Rail routes to Transport for London was one of its three immediate priorities for new forms of devolution in London. <sup>96</sup>

<sup>86</sup> GLA Act 1999, section 142

<sup>87</sup> GLA Act 1999, section 144

<sup>&</sup>lt;sup>88</sup> London Assembly Transport Committee, <u>Devolving rail services to London</u>, October 2015; GLA, <u>The Mayor's plans for rail devolution</u>, accessed 15 July 2024; TfL, <u>Strategic Case for Metroisation in south and south east London</u>, March 2019

<sup>89</sup> TfL, TfL to take over key commuter rail routes out of Liverpool Street Station, 2 July 2013

<sup>90</sup> London Assembly, Assembly demands rethink of rail devolution decision, 7 December 2016

<sup>&</sup>lt;sup>91</sup> London Assembly, <u>Devolution of train franchises</u>, September 2019

<sup>92</sup> London Assembly, William- Shapps Plan for Rail, June 2021

<sup>93</sup> London Assembly, Suburban rail services should be devolved to TfL, 16 March 2023

<sup>&</sup>lt;sup>94</sup> London Assembly Transport Committee, <u>Williams-Shapps: The Committee's response to the Plan for Rail</u> February 2022. This position was not supported by the Conservative group due to the uncertainty around TfL's financial situation.

<sup>95</sup> London Assembly, Question and Answer Session, 14 March 2022

<sup>96</sup> Centre for London, Devolution in London: the unfinished story, 3 July 2024, pp23-24

### 5.2 Health

The Mayor has no power to control or direct the provision of health services in London. <sup>97</sup> Services are primarily managed by the NHS via London's five sub-regional Integrated Care Systems. <sup>98</sup>

The Mayor chairs the <u>London Health Board</u>. This is made up of mayoral appointees and representatives from health and local government. The Mayor is also responsible for publishing a health inequalities strategy, as well as for considering health inequalities in all his strategies.<sup>99</sup> The current <u>health inequalities strategy 2018-2028</u> was published in September 2018.

In 2017, the Mayor signed a <u>Memorandum of Understanding</u> with central Government, London boroughs, NHS Improvement, the then Public Health England and other partners, securing a devolution deal for health and care across the city. The deal commits partners to working towards:

- improving the utilisation of the health service estate
- new payment mechanisms
- place-based approaches to provider regulation
- integration of health and care budgets
- city-level action on the wider determinants of health, including through the Work and Health programme.

The GLA published a document in November 2017 setting out its intentions under health devolution in London. <sup>100</sup> These included:

- establishing a London Estates Board, to involve local government and other bodies in strategic NHS estates decisions. This will also mean that proceeds from land sales can be reinvested in the healthcare system
- ensuring funds from the 'sugar levy' are used to tackle obesity in London
- Greater local design of health-related employment support services
- A London Workforce Board, to co-ordinate training between health and social care staff, promoting more integrated roles to support an integrated model of care.

A 2019 report from the Mayor and NHS London, the <u>London Health and Care Vision</u>, set out a number of joint priorities.

<sup>97</sup> London Assembly Research Unit. The Greater London Authority: powers and functions, July 2024

<sup>&</sup>lt;sup>98</sup> For background to the ICSs and an assessment of current challenges, see Anna Charles, Chris Naylor and Richard Murray, <u>Integrated care systems in London: challenges and opportunities ahead</u>, King's Fund, February 2021

<sup>&</sup>lt;sup>99</sup> GLA Act 1999, section 41 (4)

<sup>&</sup>lt;sup>100</sup> GLA, Health and Care Devolution: What it Means for London, November 2017

The Mayor has previously rejected calls for further devolution to London of any NHS services. In response to a Mayor's Question in 2021, he said:

"I remain unpersuaded...that devolving responsibility for NHS services to my office would be the right approach for London; instead, I will continue to champion, challenge and collaborate with the NHS to deliver the high-quality services Londoners deserve". 101

The London Assembly called for the creation of a London Health Commissioner, with a dedicated budget, in its 2015 report on devolution, <u>A New Agreement for London</u>. <sup>102</sup> It repeated this call to the LUHC Committee's inquiry into devolution in 2019. <sup>103</sup>

It also argued that the London Ambulance Services should be looked at, stating:

"The establishment of this role [London Health Commissioner] could finally provide the impetus for a detailed discussion about the merits of integrating the London Ambulance Service (LAS) with the fire and police services, which the Mayor already manages, to create a modern and efficient first responder service. This type of strategic work would for the first time be done at City Hall, bringing greater transparency and accountability to long-term health care planning." 104

## **Comparison of Greater London and Greater Manchester health devolution**

In 2016, a group of local authority bodies and NHS bodies in Greater Manchester were devolved responsibility over the £6 billion spent on health and social health in the ten boroughs of Greater Manchester and was given £450 million extra to transform services. <sup>105</sup> This involved the transfer of powers and responsibilities from national government to all 37 NHS and local authorities in Greater Manchester. Partners in this agreement include NHS England, 12 NHS Clinical Commissioning Groups, 15 NHS providers, 10 local authorities and the Mayor of Greater Manchester. <sup>106</sup>

Research led by the Health Foundation into how the devolution arrangement has impacted health in Manchester found: "a modest improvement in life expectancy in Greater Manchester compared with the control group during the period of devolution". 107

In a 2016 GLA <u>publication</u> on London Health and Care Devolution, it explains the difference between Greater Manchester and London's health and social care devolution:

"London's population is more diverse, significantly larger and has more pronounced inequalities than in Manchester. London also has a complex health and care landscape with almost three times the number of health and care commissioners and

<sup>&</sup>lt;sup>101</sup> Questions to the Mayor, NHS powers devolution (1), Reference 2021/4311, 14 October 2021

<sup>&</sup>lt;sup>102</sup> London Assembly, <u>A New Agreement for London</u>, September 2015, p8

<sup>&</sup>lt;sup>103</sup> Levelling Up, Housing and Communities Committee, Inquiry into Progress on devolution in England, <u>Written</u> evidence submitted by the London Assembly, August 2019, p2

<sup>&</sup>lt;sup>104</sup> Levelling Up, Housing and Communities Committee, Inquiry into Progress on devolution in England, <u>Written evidence submitted by the London Assembly</u>, August 2019, p2

<sup>&</sup>lt;sup>105</sup>GMCA, What we do

<sup>&</sup>lt;sup>106</sup> GMCA, Taking Charge of Our Health and Social Care, December 2015

<sup>&</sup>lt;sup>107</sup> Health Foundation, <u>Understanding the impact of devolution in Greater Manchester on health,</u> 5 September 2022

providers as Greater Manchester. London is a pioneering city for new drugs, techniques and technologies and trains a significant proportion of the NHS workforce. London also comprises some of our most specialist tertiary referral centres where some of the most complex cases in the country are treated. This means that the London model of devolution needs to address the needs of a significantly more complex system, reflecting London's particular challenges and opportunities." <sup>108</sup>

# 5.3 Skills and training

In 2017, the All-Party Parliamentary Group (APPG) for London published a report calling for a London-specific devolution deal that would provide the Mayor with powers over a number of areas, including all education and training for 16-18 year-olds. 109

In 2019-20, the Government devolved £306 million in Adult Education Budget (AEB) funding to the GLA. This made the GLA responsible for commissioning AEB-funded services to Greater London. The AEB funding is for education and training for Londoners aged 19 and above.

Provisions in the GLA Act 1999 enabled the Government to delegate the AEB to the Mayor. This differs from the six MCAs that have also been devolved AEB funding, which were granted their powers by means of statutory instruments under the <u>Apprenticeships</u>, <u>Skills</u>, <u>Children and Learning Act 2009</u>.

The Mayor has called on the Government to further devolve education and training policy to the GLA. In response to a Mayor's Question in March 2019, the Mayor said:

"While devolution of the Adult Education Budget is an important and welcome first step, the Government must go further. We need a bespoke devolution deal that is responsive to London's economy considering our scale, the impact of Brexit on the supply of talent, and other skills challenges, particularly the technological challenge. I am going to carry on lobbying the Government to devolve further powers to London including 16-18 provision, career services, Apprenticeship Levy funds and the UK Shared Prosperity Fund, the domestic successor to the European Structural and Investment Funds." 112

The Mayor and London Councils have described the AEB funding as "piecemeal devolution" and "insufficient to deliver London's vision for skills and employment". <sup>113</sup> In 2019, the Mayor and London Councils jointly published <u>Skills for Londoners: A Call for Action.</u> This report called for:

 Full devolution of the adult education budget, restored to at least pre-austerity levels.

<sup>&</sup>lt;sup>108</sup> GLA, London health and care devolution: frequently asked questions, June 2016, p3

<sup>&</sup>lt;sup>109</sup> Local Government Chronicle, <u>Cities need skills devolution to cope with Brexit</u>, 31 August 2017

<sup>&</sup>lt;sup>110</sup> GLA, Mayor urges Government to devolve more adult education funding, 27 October 2020

<sup>&</sup>lt;sup>111</sup> London Assembly Research Unit, Adult Education Budget, July 2024

<sup>&</sup>lt;sup>112</sup> Questions to the Mayor, <u>Adult Education Budget</u>, (Reference 2019/6201), 21 March 2019

<sup>&</sup>lt;sup>113</sup> Mayor of London and London Councils, Skills for Londoners: A Call for Action, September 2019, p13

- Devolution of careers advice services to establish a fully integrated London Careers Service.
- Devolution of the capital's non-levy allocation, ability to use the funds flexibly, responsibility and funding for promoting apprenticeships.
- Devolution of powers and resources to support more Londoners to learn emergent skills.
- Continued devolution of capital funding to invest in new facilities and technologies.
- Devolution of funding for 16-18 year olds
- Devolution of traineeships
- Commitment from government to establish a 'local first' approach to employment support services.
- Full devolution of London's share of the UK Shared Prosperity Fund.
- Devolution of London's share of the funding raised by the Immigration Skills Charge.<sup>114</sup>

Since then, the Mayor has campaigned for the devolution of further AEB funding. In a press release in 2020, the Mayor stated that the Government should "urgently commit to devolving further funding to the capital – or risk undermining London's long-term recovery from Covid-19" and called for the restoration of AEB funding to 2008 levels.<sup>115</sup>

In 2020, the GLA commissioned an <u>independent process evaluation</u> following the delegation of the AEB, which found that the legislative basis for delegation of the AEB puts the GLA at a disadvantage compared to the MCAs.<sup>116</sup> It makes the case for a London-specific devolution deal, granting the Mayor additional powers.

In July 2024, the Centre for London published a report on devolution in London. The summary of this report stated that devolving the Apprenticeship Levy in full was one of its three immediate priorities for new forms of devolution in London.<sup>117</sup>

# 5.4 Housing

The <u>GLA Act 2007</u> introduced a duty for the Mayor to produce a housing strategy. <sup>118</sup> Under the <u>Localism Act 2011</u>, the GLA took on the full range of land acquisition and social housing powers of the Homes and Communities Agency (HCA), including receiving grant funding from central government for housing purposes and the power to establish Mayoral Development Corporations for specified areas. <sup>119</sup>

<sup>&</sup>lt;sup>114</sup> Mayor of London and London Councils, Skills for Londoners: A Call for Action, September 2019, p9

<sup>&</sup>lt;sup>115</sup> Mayor of London, Mayor urges Government to devolve more adult education funding, 27 October 2020

<sup>&</sup>lt;sup>116</sup> Warwick Economics & Development, <u>AEB Process Evaluation Final Report</u>, July 2020 [published by GLA]

<sup>117</sup> Centre for London, Devolution in London: the unfinished story, 3 July 2024

<sup>&</sup>lt;sup>118</sup> GLA Act 2007, section 28 [amending the GLA Act 1999]

<sup>&</sup>lt;sup>119</sup> Localism Act 2011, part 8 [amending the GLA Act 1999]

The GLA has the power to compulsorily purchase land for housing and regeneration purposes, provided that the Secretary of State authorises it.<sup>120</sup> It has been conferred concurrent powers to Homes England with regard to rights of way, burial grounds and statutory undertakers.<sup>121</sup>

#### **Private renting**

In July 2019, the Mayor published a <u>proposal for reforming the Private Rented Sector</u>. The proposal called for the devolution of powers to the Mayor to allow him to implement rent controls on private renting. The proposal called for powers to:

- Establish a universal register of landlords
- Establish a London Private Rent Commission
- Incentivise continued investment in rental supply
- Implement interim measures such as caps on rent increases, while a long-term solutions are designed. 122

In response to a Mayor's question in 2021, the Mayor said that he is continuing to call on the Government to give him the powers to move forward with these proposals. <sup>123</sup> In March 2022, the Mayor renewed calls on Government to devolve powers to him to control private rents in London amid rising living costs. <sup>124</sup>

# 5.5 Parks and open spaces

The Mayor has some responsibilities in relation to parks and open spaces. The GLA manages Trafalgar Square and Parliament Square Garden. 125

In January 2011, the Department for Culture, Media and Sport published a proposal to transfer management of the Royal Parks to the GLA. The proposal included that the Crown would retain ownership of the Royal Parks. It stated: "Managing the Royal Parks would also fit well with the Mayor's existing responsibility for tourism in London as well as his strategic responsibilities for the environment in London."

In July 2011, the Parliamentary Under-Secretary of State for Culture, Olympics, Media and Sport published a statement withdrawing this proposal and confirming that the Royal Parks would continue to be managed by the Royal Parks Agency (TRA) and this would remain an executive agency of the DCMS.<sup>127</sup> The statement announced plans to create a board,

<sup>&</sup>lt;sup>120</sup> GLA Act 1999, section 333ZA, introduced by GLA Act 2007

<sup>&</sup>lt;sup>121</sup> Schedules 3 and 4 of the <u>Housing and Regeneration Act 2008</u>. 'Concurrent' powers are available to more than one public authority and may be exercised independently by either authority.

<sup>&</sup>lt;sup>122</sup> Mayor of London, <u>Reforming Private Renting: The Mayor of London's Blueprint</u> July 2019, p9

<sup>&</sup>lt;sup>123</sup> Questions to the Mayor, <u>Rent Controls Commission</u>, Reference: 2021/4280, 14 October 2021 <u>MQT</u>, <u>October 2021</u>,

<sup>&</sup>lt;sup>124</sup> Mayor of London, <u>Press release: Mayor's longstanding call for rent controls more urgent than ever as private rents in London forecast to surpass £2,700 per month next year, 3 August 2023</u>

<sup>125</sup> London Assembly Research Unit. The Greater London Authority: powers and functions, July 2024

<sup>&</sup>lt;sup>126</sup> DCMS, <u>Transfer of the Royal Parks Statement</u>, January 2011

<sup>127</sup> DCMS, Written Ministerial Statement on the Royal Parks Agency, 18 July 2022

governing the agency, that the Mayor would be responsible for appointing the chair and trustees to.

The Royal Parks Agency was disestablished in 2017, and the charitable public corporation <u>The Royal Parks</u>, established in its place. <sup>128</sup> The Mayor is responsible for appointing up to six board members at The Royal Parks.

# 5.6 Criminal justice

The Mayor has called for the devolution of more powers around criminal justice. In March 2018, MOPAC, London Councils and the Ministry of Justice jointly published a memorandum of understanding, Working Towards Justice Devolution to London. This set out a joint intention "to provide a starting point and framework for future programmes of work delivering collaboration and devolution in the criminal justice system in London." As of April 2024, no criminal justice powers have been devolved to the Mayor or the GLA.

# 6 Devolution and scrutiny

# 6.1 Scrutiny of the Mayor and the GLA

The London Assembly (the Assembly) is responsible for holding the Mayor to account and scrutinising his decisions and the work of the GLA and its functional bodies. It is made up of 25 elected members. There are 14 Members representing Assembly constituencies, which are mostly made up by combining two or three London boroughs, and 11 Londonwide Members.

The Assembly scrutinises the work of the Mayor via its cross-party committees, plenary sessions and Mayor's Question Time meetings (which take place ten times per year). It holds the power to:

- Reject and amend certain figures in the Mayor's budget with a two-thirds majority. 130
- Reject a draft strategy on a two-thirds majority of London Assembly members voting.
   The Mayor may not publish a strategy that the Assembly rejects.<sup>131</sup>
- Hold confirmation hearings for some Mayoral appointments, however it only has veto powers for two appointments (the Deputy Mayor for Policing and Crime and the Deputy Mayor for Fire).<sup>132</sup>

<sup>&</sup>lt;sup>128</sup> The Royal Parks, <u>The History of the Royal Parks</u>, accessed 16 July 2024

<sup>&</sup>lt;sup>129</sup> MOPAC, London Councils, Ministry of Justice, Working Towards Justice Devolution to London, March 2018

<sup>&</sup>lt;sup>130</sup> GLA Act 1999, <u>schedule 6</u>

<sup>131</sup> GLA Act 1999, section 42B

<sup>132</sup> GLA Act 1999, section 60A and Schedule 4A to the GLA Act 1999 (as amended)

 Summons certain people (including any member of staff of the GLA and its functional bodies) to attend a meeting and/or to provide documentation to the London Assembly.<sup>133</sup>

The Assembly does not have the power to 'call in' Mayoral decisions. 134 This is a key distinction between the Assembly and Overview and Scrutiny Committees of combined and local authorities. Another key distinction is that the Mayor is not required to provide the Assembly with a forward plan of upcoming key decisions.

The Mayor is required to provide a written report to the Assembly about recent decisions and activities ahead of each Mayor's Question Time session. <sup>135</sup> The Mayor must also respond to questions submitted for a written response by Assembly members.

# Policing and fire scrutiny

The Assembly is required by statute to have a police and crime panel. This is known as the <u>Police and Crime Committee</u>. <sup>136</sup> It has the power to scrutinise and report on the police and crime plan, and require MOPAC staff to provide documents, attend Committee meetings, and answer questions. <sup>137</sup>

The Assembly is also required by statute to have a 'fire and emergency committee'. <sup>138</sup> This is known as the Fire Committee.

# London Assembly calls for enhanced powers

The London Assembly Devolution Working Group's 2015 report <u>A New Agreement for London</u> argued that any further devolution to London must be balanced by "effective and appropriate scrutiny arrangements".<sup>139</sup>

The Committee's 2023 report on <u>Devolution in London</u> considered what scrutiny arrangements would be needed if the Mayor's powers were enhanced. The report includes the recommendation:

"The Committee reiterates its position that the Government should ensure that the enhanced scrutiny powers and accompanying remuneration contained within the Levelling-up and Regeneration Bill are extended to the GLA (the Mayor and the London Assembly)". 140

<sup>&</sup>lt;sup>133</sup> GLA Act 1999, section 61

<sup>&</sup>lt;sup>134</sup> The Centre for Governance and Scrutiny (previously Centre for Public Scrutiny) has defined 'call in' powers in scrutiny as "the right for councillors sitting on scrutiny committees to delay the implementation of a decision which has been made (but has not yet been implemented) to allow a committee to consider the decision". Centre for Governance and Scrutiny, Key decisions and powers of call-in, June 2014.

<sup>&</sup>lt;sup>135</sup> GLA Act 1999, section 45

<sup>&</sup>lt;sup>136</sup> Police Reform and Social Responsibility Act 2011 Act, section 32

<sup>&</sup>lt;sup>137</sup> Police Reform and Social Responsibility Act 2011 Act, section 33

<sup>&</sup>lt;sup>138</sup> GLA Act 1999, section 327H. The current arrangements were introduced by schedule 2 of the Policing and Crime Act 2017.

<sup>139</sup> London Assembly Devolution Working Group, A New Agreement for London, September 2015, p9

<sup>&</sup>lt;sup>140</sup> London Assembly GLA Oversight Committee, <u>Devolution in London</u>, December 2023, p8

The Levelling Up, Housing and Communities (LUHC) Committee<sup>141</sup> held an inquiry into progress on devolution in England from 2019 to 2021. The London Assembly submitted evidence to the inquiry and set out several key asks: 143

- To receive an annual forward plan of upcoming decisions from the Mayor
- Reviewing whether the Assembly required further call-in powers for Mayoral decisions
- To be able to scrutinise other aspects of London governance beyond those overseen by the Mayoral administration.

The LUHC Committee published its <u>report</u> in October 2021, accepting the first two recommendations in full. With regard to scrutinising other aspects London's governance, it recommended that the Government examine the case for this.<sup>144</sup>

The Government published its response to the report in February 2022.<sup>145</sup> It did not accept the recommendations relating to the London Assembly, stating:

"Whilst requiring the mayor to publish a forward plan and providing the Assembly with further call-in powers...could strengthen the scrutiny of the Assembly, they also introduce additional bureaucracy and have to be balanced against the benefits of the strong mayoral model in London". 146

# 6.2 Scrutiny arrangements in other devolved institutions

### **Combined Authorities**

All Combined Authorities are required by statute to have an Overview and Scrutiny Committee, which scrutinises and holds both the Mayor and the Combined Authority to account. 147

A Combined Authority's Overview and Scrutiny Committee membership includes members from its constituent local authorities. It can also include non-voting members from non-constituent local authorities, and non-voting members that are not part of a local authority that have been co-opted for their skills and expertise. 148

<sup>&</sup>lt;sup>141</sup> This was originally called the Housing, Communities and Local Government Committee.

<sup>&</sup>lt;sup>142</sup> House of Commons, Housing, Communities and Local Government Committee, <u>Progress on devolution in</u> England, October 2021

<sup>&</sup>lt;sup>143</sup> Levelling Up, Housing and Communities Committee, Inquiry into Progress on devolution in England, <u>Written evidence submitted by the London Assembly</u>, August 2019

<sup>&</sup>lt;sup>144</sup> House of Commons, Housing, Communities and Local Government Committee, <u>Progress on devolution in England</u>, October 2021, p59

<sup>&</sup>lt;sup>145</sup> DLUHC, <u>Policy Paper Government response to the Levelling Up, Housing and Communities Select Committee report on Progress on Devolution in England</u>, 25 February 2022

<sup>&</sup>lt;sup>146</sup> DLUHC, <u>Policy Paper Government response to the Levelling Up</u>, <u>Housing and Communities Select Committee report on Progress on Devolution in England</u>, 25 February 2022

<sup>&</sup>lt;sup>147</sup> Cities and Local Government Devolution Act 2016, section 8

<sup>&</sup>lt;sup>148</sup> Combined Authorities (Overview and Scrutiny, Access to Information and Audit Committees) Order 2017, Article 3

Legislation provides that the Overview and Scrutiny Committee of a Combined Authority:

- May require an officer or member of the authority to attend meetings to answer questions. This includes the Mayor or Deputy Mayor. <sup>149</sup> The London Assembly also holds this power.
- Has enhanced rights to access information held by the authority. 150 The London Assembly also holds this power.
- May call in any decision of the Mayor and Combined Authority which has been made but not implemented.<sup>151</sup> The London Assembly does not hold this power.

The GMCA and WMCA are required to hold Mayor's Question Time meetings with the public, under the 2023 trailblazer deals. <sup>152</sup> The Mayor of the GMCA holds this quarterly. <sup>153</sup> The West Yorkshire Combined Authority and South Yorkshire Combined Authority have also chosen to implement Mayoral Question Time meetings. <sup>154</sup>

In its evidence to the LUHC Committee's inquiry into progress on devolution, the London Assembly argued:

"In Combined Authorities, scrutiny members are sourced from constituent authorities. The elected members, even when in 'scrutiny mode', will inevitably be concerned with how Mayoral policy affects their area. There are therefore risks that the scrutiny arrangements are not adequately divorced from local interests and that those scrutinising the Mayor have dual roles and, potentially, confused democratic mandates."

In London, Assembly Members represent large constituencies or are list Members with a London-wide remit. This combination means that Assembly Members take a more strategic approach to holding the Mayor to account and assessing how decisions might benefit the capital as a whole."<sup>155</sup>

The LUHC Committee's report on progress on devolution concluded: "there is no consensus on the optimum structure for scrutiny in a devolved authority, including as to whether the London Assembly is superior to the existing combined authority structures." <sup>156</sup>

<sup>&</sup>lt;sup>149</sup> Local Democracy, Economic Development and Construction Act 2009, <u>Sections 1 and 2, Schedule 5A</u>, as amended

<sup>&</sup>lt;sup>150</sup> Combined Authorities (Overview and Scrutiny, Access to Information and Audit Committees) Order 2017, Article 10

Local Democracy, Economic Development and Construction Act 2009, <u>Schedule 5A</u>, as amended
 DLUHC, <u>Greater Manchester Combined Authority Trailblazer deeper devolution deal</u>, 15 March 2023;
 DLUHC, West Midlands Combined Authority Trailblazer deeper devolution deal, 15 March 2023

<sup>&</sup>lt;sup>153</sup> GMCA, <u>The Mayor</u>, accessed 16 July 2024

<sup>&</sup>lt;sup>154</sup> WYCA, <u>West Yorkshire Mayor's Question Time</u>, accessed 16 July 2024; SYCA, <u>South Yorkshire's Mayor's Question Time</u>, accessed 16 July 2024

<sup>&</sup>lt;sup>155</sup> Levelling Up, Housing and Communities Committee, Inquiry into Progress on devolution in England, <u>Written evidence submitted by the London Assembly</u>, August 2019, p4

<sup>&</sup>lt;sup>156</sup> Housing, Communities and Local Government Committee, <u>Progress on devolution in England</u>, 1 October 2021, p59

### **Local Authorities**

Local authorities with an executive governance structure (a leader and cabinet) are required to have an overview and scrutiny committee. <sup>157</sup> The membership of the committee must reflect the political proportions of the local authorities' elected membership. Forward plans of key decisions must be submitted to the overview and scrutiny committee 28 days in advance and the committee can call-in these decisions. <sup>158</sup>

The executive must respond to recommendations made by the overview and scrutiny committee within two months. 159

Local authorities with a committee governance structure are not required to have a separate overview and scrutiny committee. All committees are instead expected to undertake scrutiny functions. <sup>160</sup>

Table 4: Comparison of scrutiny powers of Overview and Scrutiny Committees of local authorities, combined authorities, the London Assembly

	Combined Authority Overview and Scrutiny Committee	Local Authority Overview and Scrutiny Committee	London Assembly
Power to require an officer of member of the authority to attend meetings to answer questions, including the Mayor or Deputy Mayor.	<b>✓</b>	<b>✓</b>	<b>✓</b>
Power to access information held by the authority.	<b>✓</b>	<b>✓</b>	✓
Power to call-in any decision of the Mayor and Combined Authority which has been made but not implemented	✓	✓	×
Power to make recommendations which the Mayor or council executive must respond to.	✓	✓	✓

<sup>&</sup>lt;sup>157</sup> Local Government Act 2000, section 9F

<sup>&</sup>lt;sup>158</sup> Centre for Governance and Scrutiny, <u>The use of call-in for English authorities</u>, 17 April 2023

<sup>&</sup>lt;sup>159</sup> Local Government Act 2000, section 21B

<sup>&</sup>lt;sup>160</sup> Local Government Association, A councillors workbook on scrutiny, 26 September 2023

Power to scrutinise Forward	$\checkmark$	✓	×
Plan of upcoming key			
decisions.			

Note: GMCA and WMCA are required to hold MQTs. Some Mayors of MCAs have also chosen to hold MQTs and the non-statutory Scrutiny Protocol has directed that all MCAs hold MQTS.

# 2023 English Devolution Accountability Framework

In March 2023, the Department for Levelling Up, Housing and Communities published the <u>English Devolution Accountability Framework</u> (the EDAF). It applies to all English institutions with devolved powers, including the GLA.

The EDAF sets out how devolved institutions will be held to account. It is structured around three forms of accountability: 161

- local scrutiny and checks and balances.
- · accountability to the public.
- accountability to the UK government. 162

The EDAF announced the arrival of a <u>Scrutiny Protocol</u> for devolved institutions in England, which was then published in November 2023. The Scrutiny Protocol is non-statutory guidance and states that it should be seen as "supplementary to statutory guidance and relevant legislation.<sup>163</sup>

It does not apply to the GLA, although advises that "where applicable, the GLA and Assembly should look to implement the guidance identified in this Protocol." <sup>164</sup>

The Scrutiny Protocol includes 18 key principles that local scrutiny processes should adhere too. These include training for scrutiny members, the power to call-in Mayoral decisions, annual reporting, inviting technical expertise and good stakeholder relationships.<sup>165</sup>

The Scrutiny Protocol states: "the government considers the Scrutiny Protocol a key factor in implementing Level 4 and single department-style funding settlements." <sup>166</sup> It includes a direction that all directly elected mayors should appear in a Mayor's Question Time at least quarterly. <sup>167</sup>

<sup>&</sup>lt;sup>161</sup> DLUHC, <u>English Devolution Accountability Framework</u>, 16 March 2023. This Department has now been renamed the Ministry of Housing, Communities & Local Government

<sup>&</sup>lt;sup>162</sup> DLUHC, English Devolution Accountability Framework, 16 March 2023

<sup>&</sup>lt;sup>163</sup> DLUHC, Scrutiny Protocol, November 2023, para 1.13

<sup>&</sup>lt;sup>164</sup> DLUHC, <u>Scrutiny Protocol</u>, November 2023, para 1.12

<sup>&</sup>lt;sup>165</sup> DLUHC, Scrutiny Protocol, November 2023, Chapter 2

<sup>&</sup>lt;sup>166</sup> DLUHC, Scrutiny Protocol, November 2023, para 1.7

<sup>&</sup>lt;sup>167</sup> DLUHC, Scrutiny Protocol, November 2023, para 3.2

# 6.3 Scrutiny arrangements in the 2023 and 2024 trailblazer deals

The trailblazer devolution deals announced in 2023 for the GMCA and WMCA and described in section 3.3, include a commitment to providing more resources to MCA overview and scrutiny and audit committees. This includes funding to pay members of these bodies.

Both deals included a specific commitment for the authority to establish a committee of all local MPs to meet quarterly to scrutinise the Mayor. <sup>168</sup> These meetings are to be open and broadcast to the public.

<sup>&</sup>lt;sup>168</sup> DLUHC, <u>Greater Manchester Combined Authority Trailblazer deeper devolution deal</u>, 15 March 2023, p12; DLUHC, <u>West Midlands Combined Authority Trailblazer deeper devolution deal</u>, 15 March 2023 p13

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#### Hindi

यदि आपको इस दस्तावेज का सारांश अपनी भाषा में चाहिए तो उपर दिये हुए नंबर पर फोन करें या उपर दिये गये डाक पते या ई मेल पते पर हम से संपर्क करें।

#### Bengali

আপনি যদি এই দলিলের একটা সারাংশ নিজের ভাষায় পেতে চান, তাহলে দয়া করে ফো করবেন অথবা উল্লেখিত ডাক ঠিকানায় বা ই-মেইল ঠিকানায় আমাদের সাথে যোগাযোগ করবেন।

#### Urdu

اگر آپ کو اس دستاویز کا خلاصہ اپنی زبان میں درکار ہو تو، براہ کرم نمبر پر فون کریں یا مذکورہ بالا ڈاک کے پتے یا ای میل پتے پر ہم سے رابطہ کریں۔

#### Arabic

الحصول على ملخص ل هذا المستند بل غتك، فرجاء الاستصال برقم الهاسف أو الاستصال على العنوان البريدي العادي أو عنوان البريد الإلكتروني أغلاه.

#### Gujarati

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