

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Second Delegated Legislation Committee

DRAFT WEST YORKSHIRE COMBINED
AUTHORITY (ELECTION OF MAYOR AND
FUNCTIONS) ORDER 2021

Wednesday 20 January 2021

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Sunday 24 January 2021

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The Committee consisted of the following Members:

Chair: MR PHILIP HOLLOBONE

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|---|---|
| Andrew, Stuart (<i>Treasurer of Her Majesty's Household</i>) | Jones, Mr Marcus (<i>Vice-Chamberlain of Her Majesty's Household</i>) |
| Bell, Aaron (<i>Newcastle-under-Lyme</i>) (Con) | Mayhew, Jerome (<i>Broadland</i>) (Con) |
| Bryant, Chris (<i>Rhondda</i>) (Lab) | Mishra, Navendu (<i>Stockport</i>) (Lab) |
| † Caulfield, Maria (<i>Lewes</i>) (Con) | † Pursglove, Tom (<i>Corby</i>) (Con) |
| † Charalambous, Bambos (<i>Enfield, Southgate</i>) (Lab) | † Reed, Steve (<i>Croydon North</i>) (Lab/Co-op) |
| Davies, David T. C. (<i>Parliamentary Under-Secretary of State for Wales</i>) | Whitley, Mick (<i>Birkenhead</i>) (Lab) |
| Davies, Geraint (<i>Swansea West</i>) (Lab/Co-op) | Young, Jacob (<i>Redcar</i>) (Con) |
| Efford, Clive (<i>Eltham</i>) (Lab) | Seb Newman, <i>Committee Clerk</i> |
| Fell, Simon (<i>Barrow and Furness</i>) (Con) | |
| † Hall, Luke (<i>Minister for Regional Growth and Local Government</i>) | † attended the Committee |

The following also attended (Standing Order No. 118(2)):

Wragg, Mr William (*Hazel Grove*) (Con)

Second Delegated Legislation Committee

Wednesday 20 January 2021

[MR PHILIP HOLLOBONE *in the Chair*]

Draft West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021

9.25 am

The Chair: Before we begin, I would like to remind hon. Members to observe social distancing and sit only in places that are clearly marked. *Hansard* colleagues would be most grateful if Members sent their speaking notes to hansardnotes@parliament.uk.

The Minister for Regional Growth and Local Government (Luke Hall): I beg to move,

That the Committee has considered the draft West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021.

It is a pleasure to serve under your chairmanship, Mr Hollobone. Laid before the House on 17 December 2020, the draft order, if approved and made, will implement the devolution deal agreed between the Government and the West Yorkshire Combined Authority announced by my right hon. Friend the Chancellor of the Exchequer in the Budget on 11 March 2020. Therefore, the order will establish the office of Mayor of West Yorkshire, with the first election taking place on 6 May 2021. The Mayor will be chair of the West Yorkshire Combined Authority, which comprises the constituent councils of Bradford, Calderdale, Kirklees, Leeds and Wakefield. The order transfers police and crime commissioner functions for West Yorkshire to the combined authority, to be exercised by the Mayor. In addition to the PCC functions, the order confers significant other powers on the Mayor and combined authority, as envisaged in the devolution deal, which relate to education and skills, regeneration, a mayoral development corporation and transport. It also amends certain of the combined authority's governance arrangements in order to reflect those powers and the role of the Mayor.

Most importantly, the making of the order opens a way to providing the very considerable funding for this area, as set out in the deal. That includes £38 million of annual investment funding for West Yorkshire for the next 30 years, comprising in total more than £1.1 billion, to be invested by West Yorkshire to drive—

Mr William Wragg (Hazel Grove) (Con): Was the money mentioned by my hon. Friend the Minister conditional on acceptance of this mayoral model, and might it not be considered somewhat as a municipal bribe?

Luke Hall: The transport funding set out in the Budget previously was conditional on expansion of the mayoral combined authority. I think it is right to say that all parties who have entered into this deal did so willingly and in good faith and have made positive arguments for the extra accountability and benefits that it will bring to the region. The £1.1 billion can be invested in tackling the priorities of West Yorkshire. It

includes £317 million from the transforming cities fund, with flexibilities on spend, as well as control of the annual adult education budget.

All this will help the Mayor and local leaders to drive the area's economic and social recovery from the pandemic. At this point, I place on record my thanks to all the local government leaders, councillors and officers in West Yorkshire for their hard work, not just in securing and agreeing the details of this deal, but in their response to the pandemic, which has been diligent and remarkable.

The order will be made, if Parliament approves, under the Local Democracy, Economic Development and Construction Act 2009, as amended by the Cities and Local Government Devolution Act 2016. As required by that legislation, we have laid, along with this order, an S105B report, which provides details about the public authority functions that we are devolving to the combined authority, some of which will be exercisable by the Mayor.

The statutory origin of the order is in a governance review and scheme adopted in April 2020 by the combined authority, with its five constituent councils, in accordance with the requirement of the 2009 Act. The scheme proposed additional functions to be conferred on the combined authority, as envisaged in the devolution deal, specifying which would be exercised by the Mayor and certain amendments to governance arrangements.

As provided for by the 2009 Act, the combined authority and the councils consulted on the proposals in their scheme, promoting the consultation through regional and local media, social media and posters at public buildings. Responses were accepted through the combined authority website, as well as email, letter and a hard copy form. The consultation ran from 25 May to 20 July 2020, and in total 4,413 people responded to the consultation through a variety of platforms. As statute requires, the combined authority provided the Secretary of State with a summary of the responses to the consultation, on 14 September, and the results show that the proposals are strongly supported by the public and stakeholders.

Mr Wragg: I am grateful to my hon. Friend; he is being very generous and is probably somewhat taken aback by my secondment to this Committee this morning. I thank him for his forbearance. In the summary of responses, did he receive a single positive response from a Conservative Member of Parliament?

Luke Hall: I thank my hon. Friend for his question. We have had extensive engagement with Members of Parliament in West Yorkshire throughout the process and have met on numerous occasions. Of the eight questions posed in the consultation, all received clear majority support in the consultation responses that have been received. In laying this draft order before Parliament, the Secretary of State is satisfied that the statutory tests in the 2009 Act are met—that no further consultation is necessary and that conferring the proposed powers would likely improve the exercise of statutory functions in the combined authority area—and are appropriate, having regard to the need to reflect the identities and interests of local communities and to secure effective local government. Where the functions are local authority functions, they can be appropriately exercised by the combined authority. Furthermore, as required by statute, the combined authority and the five constituent councils consented to the making of this order.

If the draft order is approved, it will give effect to the provisions of the devolution deal. PCC functions will be transferred. The order is clear that the Mayor's role as the holder of PCC functions is carved out, and that decisions around police property, rights and liabilities are the Mayor's responsibility, and there remains a distinct precept. All money relating to policing must be paid into and out of the police fund, and that money can be spent only on policing and matters related to the Mayor's PCC functions.

A new police and crime panel is to be created, which will exercise broadly the same functions as the police and crime panel under the PCC model. The financial year of the PCC and chief constable for West Yorkshire is to be extended from 31 March to 9 May 2021 to rationalise accounting processes and avoid preparing additional accounts for the one-month interim period. Any receipts will be paid to the police fund to ensure that police funding is protected, and a new police and crime panel is to be created to exercise the same functions as those under the PCC model.

To improve the supply and quality of housing to facilitate the regeneration of West Yorkshire, the combined authority will be conferred regeneration powers and land acquisition and disposal powers. Those will be exercised concurrently with Homes England, enabling the combined authority, working closely with Homes England, to promote regeneration.

The compulsory purchase of land will be a mayoral function, and any decisions will require consent from the West Yorkshire combined authority member whose local government area contains any parts of the proposed land. The order also includes constitutional provisions reflecting the powers conferred and the role of the Mayor. There is provision regarding voting arrangements, so that any decision of the combined authority about its new powers conferred through this order must include the Mayor and the majority of members in favour of that decision. The order also provides for the establishment of an independent remuneration panel to recommend the allowances of the Mayor and deputy Mayor.

This order, which is supported locally, is a significant step forward for West Yorkshire's businesses and communities. It is key to the city region's economic recovery, and I commend it to the Committee.

The Chair: Members will be delighted to know that the debate can last until five minutes to 11. I call Steve Reed.

9.33 am

Steve Reed (Croydon North) (Lab/Co-op): Thank you, Mr Hollobone; I might not avail myself of all the time that you have generously allocated to us.

I am grateful for the Minister's comments. I suspect this will not be the most ferociously divisive and controversial matter to come before us in current times. Labour Members support the creation of the combined authority and Mayor for West Yorkshire. In fact, we would like to see the Government go further and faster. The pandemic has taught us many things, and one of them is about the limitations of over-centralisation and the benefits of opening up power more widely across the country. In that context, the leader of the Labour party is establishing a constitutional commission, which I hope will be able to work across parties, and certainly with civil society and the public, to try to find more

ways to open up power and decision making to people across all parts of the United Kingdom and into every community that makes up our country.

I am not going to challenge the Minister on the proposals but I have a few questions to ask, in the spirit of looking for the Government to go further and faster. Will the combined authority and the Mayor of West Yorkshire play a role in decisions about the allocation of funds through the levelling-up fund and the UK shared prosperity fund? Are the Government considering the devolution of further powers to the combined authority or, indeed, to Mayors and combined authorities in other parts of the country, as part of the deepening of devolution? There have been some delays in the publication of the devolution White Paper. Can the Minister tell us yet when we might expect to see that White Paper and be able to engage in the debate that will follow about the most appropriate way to move forward with a devolution agenda, particularly as we build back after the pandemic?

9.36 am

Mr Wragg: It is a pleasure to serve under your chairmanship this morning, Mr Hollobone, on this delegated legislation Committee and to witness the forensic scrutiny to which Her Majesty's Government are subjected on these occasions. It is truly inspiring.

I want, if I may, to draw on the remarks of my hon. Friend the Minister, who gave a slightly curtailed exposition of the measure before us today. I speak with a degree of experience and, noting the preponderance of Whips on the Committee, I am reminded the occasion when, as a junior Member—I still am, compared with many, although I may not sound it at times—I was subjected to a threat, if I can call it that; perhaps I can say “a friendly threat”. It was made by a then member of the Government Whips Office, when, for mildly questioning the Government's devolution policy at the time, particularly with respect to Greater Manchester, I was threatened with “serious consequences”.

When I inquired of that member of the Government Whips Office why my impertinence would meet with such a reaction, he was unable to elaborate on the nature of those serious consequences. However, I imagine one of the reasons why I am in my place today—and, if I may be so bold, perhaps why you are in yours, Mr Hollobone, and the Minister and the Whips are in theirs—is that I have perhaps found out those particular serious consequences after all, because it hindered my progression up the greasy pole. However, that does not particularly bother me.

My reason for wanting to speak briefly about the draft order is that I think the Government are at risk of persisting with what is frankly an Osborne hangover. A number of us felt that we had dismissed the legacy of the ancien régime in our party, but we seem to be making exactly the same mistakes again. I draw to the Committee's attention the recent issues in Greater Manchester, in particular the combination of the police and crime commissioner role with that of the Mayor, and the complete lack of accountability for what has been a tragedy for 80,000 victims of crime who were unable to register those crimes.

I mention that because, as we amalgamate and create new structures, we are in danger of forgetting what powers of scrutiny there may be. A cursory glance at the

[Mr Wragg]

draft order shows that the Mayor has the ability to appoint deputies who are themselves entirely unaccountable to the electorate.

I also note my hon. Friend the Minister's brief mention of constitutional matters, particularly the voting arrangements. I thought that the Conservative party was the party of first past the post. Yet, again, on this occasion we are creating an elected office with a frankly rather mixed system, which does not reflect the advantages of first past the post.

Recently, or not so recently now—in 2019—we were able to secure a number of seats in the north of England that we, as the Conservative party, have not held for many years. Yet with the constant march of creating these bodies, I fear we are at risk of once again subjecting areas to the rule of socialists—areas that we have hitherto sought to liberate from that burden.

9.40 am

Luke Hall: I thank my hon. Friend the Member for Hazel Grove (Mr Wragg) and the hon. Member for Croydon North for their remarks, and the Committee for its consideration today.

My hon. Friend the Member for Hazel Grove raised his concerns and objections to the deal. I think it presents not a serious threat, but rather a serious opportunity for West Yorkshire, with the extra funding and investment that we are putting into this deal. It will allow regeneration opportunities to open up and bring investment into a community that has supported the deal through individual councils. This is a positive step forward for West Yorkshire, which is why it has received support from local leaders.

My hon. Friend also talked about devolving powers locally. We think that it is the right course of action. Devolving power is the best mechanism to secure the most possible local support and involvement in decision making, which we think is a positive step forward.

My hon. Friend also referenced the deputy Mayor and the lack of accountability. The deputy Mayor is appointed by the Mayor, and is accountable directly to the public through the Mayor themselves, so we think that is a positive step forward. It is supported widely locally. All the questions that were raised were broadly supported by the responses received during the consultation process.

The hon. Member for Croydon North asked a number of questions. I am grateful for his and his party's support on this matter. He asked questions about the Mayor's role in the levelling-up fund and the UK shared prosperity fund, and he is right to do so. We will make sure that those questions are answered in the new prospectus, when it is published shortly. I note his questions and we will make sure that they are answered through the proper channel.

The hon. Gentleman also asked about the devolution of further powers as part of this process. It is right that the planning powers were not committed as part of this deal, and we will look to have those conversations once the wider planning reforms are agreed. We will take those conversations forward with the Mayor, once they are elected. The hon. Gentleman also made some general comments about the local response to the pandemic, and the amazing work of mayors, councillors and local administrations around the country. I join him in that.

I believe that this order and the deal that it implements will make a significant contribution to the future of West Yorkshire. It brings power closer to communities, and it will play an important part in the economic recovery and the response to the pandemic. I commend the order to the Committee.

Question put and agreed to.

9.43 am

Committee rose.