

## Appendix 1 Governance Arrangements

Hull and East Yorkshire intends, through the process set out in the Local Democracy, Economic Development and Construction Act 2009, as amended by the Levelling Up and Regeneration Act 2023 (“the Act”) to adopt the model of a directly elected Mayor over a combined authority across the area of Hull and East Riding of Yorkshire, with the first Mayoral election in May 2025. The new Mayor will be elected by the local government electors for the areas of the constituent councils of the new combined authority – Kingston upon Hull City Council and East Riding of Yorkshire Council. The initial Mayoral term will last four years, with subsequent terms lasting four years.

The Hull and East Yorkshire MCA will comprise the following voting members:

- The Mayor
- Two (2) elected members from each constituent council, one of whom will act as the lead member for their constituent council. Each constituent council must nominate a named substitute for each of their MCA Members.

The MCA will also be able to appoint up to four (4) non-constituent members including:

- One (1) Member appointed by the HEY MCA Business Board
- One (1) Member who will be the Humberside Police and Crime Commissioner (PCC).

Constituent Members of the MCA and the Mayor will have full voting rights. Non-Constituent members will be non-voting unless the MCA resolves to give them a vote on any issue, within the restrictions set out in the Act.

The Humberside PCC will have a valuable role to play in the operation of the MCA and the future prosperity of Hull and East Yorkshire. Safer communities are key to the Government’s Levelling Up Mission, and so the MCA will ensure that it engages appropriately with the PCC as the leader elected to represent public safety in Hull and East Yorkshire. With that in mind, it is expected that the Humberside PCC will be a non-constituent member of the MCA.

### Functions and consent

The Mayor will be required to consult the MCA on their strategies, and this will be subject to the following conditions:

- a. The MCA will be able to amend the Mayor’s budget if three (3) out of the four (4) voting constituent members agree to do so.
- b. The MCA will be able to amend the Mayor’s transport strategy if three (3) of the four voting members agree to do so.

The MCA will explore opportunities for further collaboration with its neighbouring councils, including and especially any future Greater Lincolnshire Combined County Authority through pan-Humber working arrangements, as well as West Yorkshire MCA, Tees Valley MCA, South Yorkshire Mayoral MCA, York and North Yorkshire MCA (once established), and across the whole of Yorkshire through the Yorkshire Leaders Board. The MCA may invite representatives from other partner councils to attend (and speak) at any MCA meeting.

The Mayor and the other MCA members will work together. Specifically:

- a. The Mayor will provide overall leadership and chair MCA meetings;

- b. The Mayor may choose to delegate function(s) to members of the MCA. Where this is the case the member to which a specific Mayoral function has been delegated will exercise that function on behalf of the Mayor;
- c. More generally, members of the MCA may also act to support and advise the Mayor in the exercise of Mayoral functions;
- d. The Mayor may appoint one person as the Mayor's political adviser;
- e. The MCA may establish an independent remuneration panel to recommend allowances payable to the Mayor and any non-constituent council/associate members as appropriate.

Functions will be devolved to the MCA by the Government. Some of these functions will be exercisable by the Mayor and some by the MCA. Where these functions are local authority functions, they will be held concurrently with the local authorities in the area to ensure joined up decision making, other than for transport powers. Arrangements for the concurrent exercise of the functions will be a matter for agreement between the MCA and the constituent councils.

The MCA will be given powers in relation to:

- a. Economic development and regeneration functions;
- b. Adult education and skills functions;
- c. Transport functions, including responsibility for an area-wide Local Transport Plan; and to set up and coordinate a Key Route Network (KRN) on behalf of the Mayor;
- d. Housing supply, regeneration and place-making functions, along with provision of housing and land, land acquisition and disposal and the development and regeneration of land functions;
- e. Finance – power to borrow up to an agreed cap for non-transport functions;
- f. Functional power of competence.
- g. Health improvement

The directly elected Mayor for the Hull and East Yorkshire MCA will autonomously exercise their new functions with personal accountability to the electorate, devolved from central Government and set out in legislation. These functions will be:

- a. Functional power of competence;
- b. Housing and planning;
  - i. Power to designate a Mayoral Development Area and then set up a Mayoral Development Corporation (see consent requirements below);
  - ii. Housing and land acquisition powers (see consent requirements below) to support housing regeneration, infrastructure and community development and wellbeing, unlocking housing opportunities and accelerating business growth;
- c. Finance;
  - i. Power for the Mayor to set a precept on council tax to fund Mayoral functions (resulting from the setting of the Mayoral budget as set out below);
  - ii. Power to charge business rate supplement (subject to ballot);
- d. Transport;
  - i. To draw up a local transport plan and strategies (The Hull and East Yorkshire MCA will be able to amend the Mayor's transport strategy if three constituent members agree to do so)
  - ii. Bus franchising powers;
  - iii. Ability to pay grants to bus service operators;

- iv. Power of direction over the Key Route Network;
- e. Authority to establish Joint Mayoral Committees.

No constituent council functions are being removed from those councils other than transport functions. Where existing functions or resources currently held by the constituent authorities are to be shared with the Mayor and the Hull and East Yorkshire MCA, this must be agreed by the relevant constituent councils. The MCA may exercise functions in relation to its area and may exercise functions outside its area, subject to and in accordance with statutory provisions.

The following decisions will require the consent of the lead member of the relevant constituent member, or substitute members acting in their place, in whose area the decision will apply:

- a. Designation by the Mayor of any area of land as a Mayoral Development Area leading to the establishment (by Order) of a Corporation (the consent of the relevant planning authority in whose area the decision will apply is also required).
- b. Compulsory purchase of land or buildings by the Mayor or the MCA.
- c. In addition, the exercise of Homes England compulsory purchase powers will also require the consent of the relevant planning authority.
- d. Any decision by the Mayor that could lead to a financial liability falling directly upon that constituent council.
- e. Such other matters as may be contained in the MCA constitution and agreed with the Mayor.

### **Voting arrangements**

Proposals for decisions by the MCA may be put forward by the Mayor or any MCA constituent member. The Mayor will have one vote as will other voting members of the MCA. Any decisions to be resolved by the MCA are to be decided by a simple majority of the members present and voting, unless otherwise stated in this document or provided for in legislation and that majority must include the vote of the Mayor.

The non-constituent members appointed by the HEY MCA Business Board and the PCC are non-voting but could individually be given a vote on some or all issues voted upon, subject to unanimous agreement of the voting members.

In addition, for the following decisions the majority of members must include the lead member (or their substitute acting in their place) from each constituent council:

- a. Approving and amending the MCA's budget (excluding decisions which relate to the Mayor's budget)
- b. Setting a levy
- c. Approving and amending the MCA's constitution.

### **Accountability**

The Mayor and the MCA will be scrutinised and held to account by the MCA's Overview and Scrutiny Committee(s) and Audit Committee.

For the Overview and Scrutiny Committee(s) six members will be nominated from each constituent council for each committee.

The chair and vice-chair of each Overview and Scrutiny Committee will be appointed by the MCA, following a proposal put to them by the Overview and Scrutiny Committee in question. The chair shall not be a member of a registered political party of which the Mayor is also a member. The Mayor and the MCA may also seek to enhance scrutiny and develop wider conference with all elected members in Hull and East Yorkshire to engage on key issues.

For the Audit Committee four members will be nominated from each constituent council for each committee. The Audit Committee will also include one independent person.

As a local government institution with devolved powers, the MCA will be subject to the English Devolution Accountability Framework ('the Framework'). The Framework applies to all English institutions with devolved powers. In line with the Framework, the Government, Hull and East Yorkshire and other areas with devolution deals will work together to put in place mechanisms to ensure that local leaders and institutions are transparent and accountable, work closely with local businesses, seek the best value for taxpayers' money, and maintain strong ethical standards.

Hull and East Yorkshire will have regard for the Government's Scrutiny Protocol, which develops the standards and best practice to make sure that scrutiny committees in areas with devolution deals can meet this unique challenge. This is to empower local residents and provide them with the confidence that devolution is leading to improvements in their area.

#### **Role of the LEP**

The Hull and East Yorkshire LEP was established in April 2021 after the closure of the Humber LEP. Both councils have fully supported the LEPs work and have provided resources. Now that the Government has decided that LEP functions should be folded into democratic institutions, the MCA will host the business voice for the area to drive forward Hull and East Yorkshire's priorities for sustainable and inclusive growth.

The legacy of the HEY LEP will be preserved in a new strategic skills hub which will be integrated into the MCA. A new dedicated private sector advisory board will support the MCA. Based on the current LEP's Employment and Skills Board, it will provide the specialist focus needed that is unique to driving forward the skills agenda.