



<b>Report to:</b>	Corporate Scrutiny Committee
<b>Date:</b>	1 March 2024
<b>Subject:</b>	<b>Level 4 Devolution Update</b>
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## 1. Purpose of this report

- 1.1. To provide an update on the next steps for West Yorkshire accessing the Level 4 Devolution Framework.

## 2. Information

### Background

- 2.1. On 19 January 2024, Corporate Scrutiny Committee considered a report setting out West Yorkshire's position on accessing the Level 4 Devolution Framework. This report provides an update on the current position.
- 2.2. A full outline of the opportunity provided by Level 4 Devolution, including the powers and flexibilities available through the Framework, is set out in the 19 January 2024 Corporate Scrutiny Paper and subsequent paper to the Combined Authority on 1 February 2024. These are provided as background documents for completeness.

### West Yorkshire Level 4 Submission

- 2.3. Since the Government's publication of the Level 4 Devolution Framework in November 2023, the Combined Authority and five local authorities have been working closely, and at pace, to understand and consider the opportunities that the Level 4 Framework presents for West Yorkshire. This includes exploring the opportunities to strengthen partnership working, enhance delivery and use the freedoms and flexibilities available to better work towards our collective objectives for the region, as set out in the West Yorkshire Plan.
- 2.4. Following discussions between the Mayor and Local Authority leaders, and approval from the Finance, Resources and Corporate Committee on 18 January 2024 to proceed, an initial application seeking access to all of the opportunities available through the Framework was submitted to Government.



- 2.5. The initial application took the form of a letter to the Secretary of State for Levelling Up, Housing and Communities. This is attached at Appendix 1 for reference.
- 2.6. This initial submission of a letter of application to the Secretary of State does not constitute an irrevocable step and does not form part of the statutory process. However, it signals an intent to engage with Government and proceed with the Level 4 Framework, subject to further development work between the West Yorkshire partnership and Government. The legislative processes for the different aspects of the application would need to be worked through in progressing this, as part of which all statutory requirements, including the need for individual consents on whether to accept new powers, would take place.
- 2.7. Following submission of the West Yorkshire application letter, the decision lies with the Secretary of State as to whether to progress the West Yorkshire Level 4 application. The Secretary of State will consider the application in the round, including the elements of the Level 4 Framework applied for, considerations of the Combined Authority's previous delivery record and whether outlined readiness conditions have been met. A response will be received via correspondence once a decision has been made on whether to proceed.
- 2.8. One of the key readiness conditions is the implementation of the Scrutiny Protocol, which was published alongside the Level 4 Framework. Work is ongoing to understand the implications of the Scrutiny Protocol on existing Scrutiny arrangements at the Combined Authority, as laid out in Scrutiny Protocol Review Report (item 6), also being discussed at this meeting.

#### Next Steps

- 2.9. The next steps for accessing Level 4 Devolution are as follows:
  - Consideration and ratification of the initial application will be carried out by each Constituent Council.
  - Consideration will be taken by the Secretary of State on whether to accept West Yorkshire's application. If accepted, further discussions will commence with Department of Levelling Up Housing and Communities, and individual government departments to develop detailed proposals for each policy area. In particular, this will include consideration of whether consultation or statutory changes are required to implement individual elements of the Framework.
  - Consider recommendations from the Scrutiny Working Group on implementation of the Scrutiny Protocol (see item 6).

### **3. Tackling the Climate Emergency Implications**

- 3.1. There are no climate emergency implications directly arising from this report, however further flexibilities made available through accessing Level 4 Devolution will support the Combined Authority's 2038 Net-Zero goal and other climate and environment priorities.



#### **4. Inclusive Growth Implications**

- 4.1. There are no inclusive growth implications directly arising from this report, however accessing the opportunities afforded through the Level 4 of the Devolution Framework will enable the Combined Authority to achieve its priorities around inclusive growth.

#### **5. Equality and Diversity Implications**

- 5.1. The EDI implications of Level 4 Devolution will be properly scrutinised, monitored and mitigated as required through the undertaking of an Equality Impact Assessment. This will remain a live document which will be used to closely monitor EDI implications throughout the implementation process.

#### **6. Financial Implications**

- 6.1. There are no financial implications directly arising from this report. If the decision is taken to proceed with Level 4 Devolution, this will result in financial implications for the Combined Authority, including the move towards a Department Levelling Up Housing and Communities single settlement.

#### **7. Legal Implications**

- 7.1. Although there are no direct legal implications at this stage, statutory processes will need to be followed as appropriate to progressing different elements of the framework. This will become clearer upon advice from government as the process progresses.
- 7.2. Officers of the Combined Authority and partner councils are working collaboratively in assessing and taking forward any legal and statutory elements of this process.

#### **8. Staffing Implications**

- 8.1. There are no staffing implications directly arising from this report.

#### **9. External Consultees**

- 9.1. No external consultations have been undertaken.

#### **10. Recommendations**

- 10.1. That the Corporate Scrutiny Committee notes the report and next steps.

#### **11. Background Documents**

11.1.1. [Level 4 Devolution – 01 February 2024 Combined Authority Paper](#)

11.1.2. [Level 4 Devolution - 19 January 2024 Corporate Scrutiny Paper](#)

11.1.3. [Government Technical paper on Level 4 devolution framework](#)

11.1.4. [Scrutiny Protocol](#)

## **12. Appendices**

12.1.1. Appendix 1 – West Yorkshire L4 Devolution Letter to DLUHC