

Report to:	Cabinet
Date of meeting:	21 October 2025
By:	Chief Executive
Title:	Devolution and establishment of the Mayoral Combined County Authority (MCCA)
Purpose:	To provide an update on the progress of devolution in Sussex, and to seek consent to the establishment of the Sussex and Brighton Combined County Authority.

RECOMMENDATIONS:

Cabinet is recommended to:

- 1) Approve and consent to the establishment of the Sussex and Brighton Combined County Authority;**
 - 2) Delegate authority to the Chief Executive, in consultation with the Leader, to agree the contents of, and consent to, the making of the Sussex and Brighton Combined Authority Order 2026 establishing the Combined County Authority; and**
 - 3) Delegate authority to the Chief Executive to take such action as necessary to give effect to the above recommendations and to facilitate the establishment of the MCCA.**
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1. Background

1.1 In December 2024, Government published its English Devolution White Paper which set out its ambitions for devolution and the eventual creation of Mayoral Strategic Authorities (MSAs) covering all areas of England. In February, East Sussex County Council (ESCC), jointly with Brighton & Hove City Council (BHCC) and West Sussex County Council (WSCC), was accepted on to the Devolution Priority Programme for the establishment of a Mayoral Combined County Authority (MCCA) for Sussex, with the three councils as Constituent Authorities. A public consultation was launched by the Ministry of Housing, Communities and Local Government (MHCLG), and on 17 July 2025 Government published the responses to the consultation and confirmed that the relevant statutory tests had been met to proceed with the MCCA's establishment.

1.2 On 10 July 2025, Government published the English Devolution and Community Empowerment Bill outlining the legislation necessary to implement the White Paper's proposals for expanding devolution and clarifying the powers of Strategic Authorities. The Bill aims to establish the automatic transfer of powers in the Devolution Framework to Strategic Authorities, with certain powers devolving from Government and others moving from constituent authorities.

1.3 Before the Bill is enacted, establishing a new MCCA will necessitate the introduction of secondary legislation in the form of a Statutory Instrument (SI). The Government plans to introduce an SI in Autumn 2025 to establish a new MCCA for Sussex. All proposed Constituent Authorities must agree to the SI before creating a Strategic Authority. The next step in establishing the Sussex MCCA is for the three Constituent Authorities to formally approve the laying of the Statutory Instrument (SI) in Parliament to begin the legislative process.

1.4 This report sets out the implications of the SI, and the related provisions within the Devolution Bill, for the Sussex MCCA and ESCC, together with proposed next steps in local implementation of devolution.

2. Enabling legislation

2.1. The Statutory Instrument (SI), which will be called the Sussex & Brighton Combined County Authority Regulations 2026, is the piece of secondary legislation by which the Sussex MCCA will be legally established. Under parliamentary procedure for the introduction of legislation, the full and final text of the SI would be made public at the point it is laid in Parliament. We do not currently have a date for this. While it is not anticipated that there will be material changes to the draft that has been produced (and summarised below) it is recommended that authority be delegated to the Chief Executive in consultation to the Leader to agree the SI so that any changes can be considered and agreement given in a timely way. To help Cabinet assess the proposed SI and its implications, a summary of its provisions and practical impacts is provided in Appendix 1.

2.2. The SI confers on the Combined County Authority (CCA) a fairly limited set of functions, due to the fact that the majority of functions will be transferred via the English Devolution Bill (further detail at paragraph 3.1). An overview of the provisions of the SI are set out below, with further detail in the appendix:

2.3. **Establishment of Combined County Authority (CCA)** - Establishes the CCA for the local government areas of East Sussex County Council, Brighton and Hove City Council, and West Sussex County Council and names it as the Sussex and Brighton Combined County Authority. The CCA will have the functions set out in SI although further functions may be conferred in the future through further regulations.

2.4. **Commencement date** – the SI will come into force and the CCA would be created the day after it is agreed by Parliament. Mayoral Functions will come into force on 11 May 2026, after the inaugural Mayoral election on 7 May 2026.

2.5. **Name** – the Mayoral Strategic Authority will be called the Sussex & Brighton Combined County Authority.

2.6. **Election of Mayor** – Sets out how Mayors will be elected every fourth year as well as how terms will begin and end. Sets out that the Mayor will be able to employ a single political advisor, who will be an employee of the CCA. The position will be a politically restricted post that is tied to the mayor who appoints them.

2.7. **Transport** – sets out the functions which the SI will transfer to the CCA from the Constituent Authorities. These relate to the requirement to produce a Local Transport Plan (LTP), and associated statutory requirements and guidance for producing and publishing a LTP. These functions will only be exercisable by the Mayor. There will be a transition period ending 31 March 2027 during which the powers will be held concurrently by the CCA and Constituent Authorities.

2.8. **Power to pay grant** – the mayor, on behalf of the CCA, may pay a grant to constituent authorities towards expenditure incurred or to be incurred by a constituent council. This power is exercisable only by the mayor. In determining the amount to be paid to a constituent council in relation to that council's highway functions, the CCA must have regard to the desirability of ensuring that the council has sufficient funds to exercise its highways function and decisions must take into account other sources of funding.

2.9. **Funding** – Constituent authorities must ensure the reasonable costs of the CCA and Mayor exercising their functions are met (to the extent that the Mayor has decided not to use other funds available to the CCA to meet these costs). Where this is the case, the Mayor must agree with the CCA, prior to incurring any costs. The "Mayor's budget" is the total expenditure of the exercise of the Mayor's functions and will be separate from the CCA's budget, which covers the costs of non-mayoral functions. The costs to the Constituent Authorities must be apportioned either through a mechanism of their own agreement, or if no agreement is in place, based on the population of each

Constituent Authority as a proportion of the population of the entire CCA area. For ESCC the voting rights (1/3rd) and the liability of (circa 31.9%) roughly align. Following Local Government Reorganisation the MCCA would become a Mayoral Combined Authority and the membership, apportionment of voting rights and allocation of any liability arising from an overspend would need to be reviewed to reflect any changes to the make up of local government across the region. The Mayor will be able to generate revenue for the delivery of all Mayoral and CCA functions through issuing a Council Tax precept.

2.10. **Constitution** - the constitution of the CCA will be included as a Schedule of the SI and includes the following provisions:

- **Membership and substitution** – each constituent authority must appoint two members to join the CCA, and two substitute members, either of whom may substitute for either member.
- **Chair** – A Chair and Vice Chair will be appointed from the CCA members for the period before the mayoral election. Once elected, the Mayor will act as Chair and the Office of Vice Chair will be abolished. Strategic Authority Mayors are already required to appoint a member of the CCA to be the Mayor's Deputy and act for the Mayor if they are unable.
- **Non-constituent & associate members** – The CCA may have a maximum of six non-constituent and associate members in total, and each of these must nominate a substitute. Associate members may not vote; non-constituent members do not have voting rights unless the CCA resolves to give them voting rights.
- **Quorum** – before the first Mayor's term, quoracy will require the Chair or Vice Chair be present as well as 3 of the members appointed by the Constituent Authorities. After the Mayor is elected, quoracy requires the Mayor (or Deputy Mayor acting as Chair) and four Constituent Authority members be present.
- **Voting** – Ahead of the Mayor being elected the normal rule is that any decision of the CCA is by a simple majority (but must include the Chair (or Vice Chair)) and three constituent members. Once the Mayor is elected such a majority must include the Mayor (or the Deputy Mayor acting in place of the Mayor) and with 4 constituent members present. Each member of the CCA has one vote and there is no casting vote. The SI sets out 2 exceptions to the normal rule:
 - A two thirds majority vote is needed to veto the Mayor's budget
 - In the event of a tie, the Mayor has a casting vote on the Local Transport Plan
- **Remuneration** – Ordinary members of the CCA will not be remunerated except for travel and expenses. Remuneration will be allowed for the Mayor and the Deputy Mayor, provided they are not also a Leader of a Constituent Authority. Remuneration will also be allowed for members appointed to the Overview & Scrutiny Committee or Audit Committee of the CCA. Remuneration must be informed by the report of an Independent Remuneration Panel to be established by the CCA.

2.11. If all three Constituent Authorities agree to lay the SI, it must then be debated and approved by both Houses of Parliament. Parliament can only approve or reject SIs; it is not possible for them to be amended once they have been laid. Parliament is allowed up to 8 sitting weeks in which to approve the SI, and it is expected that this process would be completed at some point in early 2026, at which point the MCCA would formally come into existence.

3. The English Devolution and Community Empowerment Bill

3.1. Previously, devolution in England has been delivered through individually negotiated deals with specific areas, however the Devolution White Paper set out the Government's intention to move to a 'devolution by default' position based on a published Devolution Framework.

3.2. The English Devolution and Community Empowerment Bill will create in law a new category of authority in England, the 'Strategic Authority.' The government aims to introduce a Strategic Authority for each area in England. Under provision in the Bill, each Strategic Authority will belong to 1 of these levels of devolution:

- **Foundation** – available to those authorities without an elected Mayor, with more limited devolution.
- **Mayoral** – available to areas with an elected Mayor, with greater devolution.
- **Established Mayoral** – available to Mayoral Strategic Authorities who are able to satisfy additional governance requirements. Established Mayoral Strategic Authorities will have access to the broadest range of devolved powers and functions.

3.3. A Strategic Authority can progress through the levels of devolution, but each level is exclusive, meaning a Strategic Authority cannot be in more than one level at any one time.

3.4. The Bill introduces a Devolution Framework which is a standardised set of legal powers, funding commitments, and partnership/collaboration arrangements with Government and sets out what Strategic Authorities are entitled to at each level of devolution. The Bill will confer the legal powers set out in the Devolution Framework automatically on each level of Strategic Authority. The powers conferred on the CCA and/or Mayor by the SI are therefore very limited when compared with the SIs that have established existing MSAs. This reflects the fact that the majority of powers and functions that the MCCA will have will be automatically conferred via the Bill once it comes into force. For the most part, the purpose of the SI is for the legal establishment of the CCA. The Bill is currently before Parliament, having had its second reading on 2 September 2025, and it is the Government's intention that it will receive Royal Assent before the inaugural election of the Sussex Mayor.

3.5. The Bill also permits the Secretary of State to add areas to a combined authority without needing approval of the local authorities affected.

3.6. The powers that will be conferred on MCA once the Bill receives Royal Assent are set out in full in Appendix 2. This also outlines the associated governance arrangements for the discharge of each function and whether the functions are being drawn up from Constituent Authorities or being devolved down from Government. Until the Bill has been approved by Parliament the provisions within it remain subject to amendment.

The Bill includes provision that will enable Strategic Authorities to expand their powers over time:

- Power to expand the Devolution Framework over time using secondary legislation – giving more powers to devolved areas.
- Create the ability for specific Strategic Authorities to pilot devolved powers before the government decides whether to add them to the Devolution Framework and make them available to all Strategic Authorities.
- Empower Established Mayoral Strategic Authorities with a 'right to request' which allows them to propose further powers, funding and partnerships to expand the Devolution Framework. The government will be required to officially respond to these requests.

3.7. The Bill would make provision for the CCA and/or Mayor to have statutory functions in 7 "areas of competence" which are:

- Transport and local infrastructure
- Skills and employment support
- Housing and strategic planning
- Economic development and regeneration
- Environment and net zero
- Health, wellbeing and public service reform
- Public safety

3.8. It is important to note that while some of the powers and functions that will be conferred are held by the CCA, others are held only by the Mayor, and others are held by both the CCA and the Mayor. Appendix 3 sets out which devolved functions will be solely exercisable by the Mayor.

3.9. Should the Constituent Authorities all consent to the SI and the CCA be established, this would have significant and wide-ranging impacts for the Council and a number of its partners. While many of the functions are newly provided for powers devolved down from Government in the English Devolution and Community Empowerment Bill, a significant proportion of the CCA's functions will be drawn up from Constituent Authorities. Where powers are currently held by the Council, these would either transfer fully to the CCA, or the CCA would hold them concurrently with ESCC and other Constituent Authorities and for some of the functions listed, with District and Borough Councils as well.

4. Powers and duties of Strategic Authorities

4.1. A summary of the of the powers and duties of Strategic Authorities outlined in the Devolution Framework is set out below

4.2 **Transport and Local Infrastructure** – The provisions in the Bill that relate to transport are significant and would result in the transfer Local Transport Authority (LTA) functions and powers that are currently held by local authorities.

- **Local Transport Authority Functions** - Strategic Authorities will automatically become the Local Transport Authority (LTA) for their area, with responsibility for preparing and publishing LTPs. These functions will transfer from constituent authorities but will be held concurrently with for a transitional period. As the LTA, Strategic Authorities will have powers and duties to secure the provision of passenger transport services, to prepare a bus strategy, enter into partnerships with bus operators, enter into franchising schemes, and manage travel concessions. Functions relating to LTPs and franchising schemes are exercisable only by the Mayor. However, final approval of a Local Transport Plan is subject to a simple majority vote of constituent members where the Mayor must be in the majority. If the vote is tied, the Mayor has an additional casting vote.
- **Transport Levy** - Power for Strategic Authorities to issue levies to their constituent authorities to meet the cost of exercising their transport functions, where otherwise not met.
- **Agreements between authorities and strategic highways companies** - This allows Strategic Authorities to enter into agreements with local highway authorities (upper-tier local authorities) and/or National Highways to delegate or share the maintenance and improvement of roads. Held concurrently between constituent authorities and Strategic Authorities.
- **Civil enforcement of road traffic contraventions** - Powers to enable Strategic Authorities to enforce parking, bus lane, and moving traffic contraventions through penalty charge notices. This is only possible if the relevant constituent council already has those functions and consents to the Strategic Authorities using them. Held concurrently between constituent authorities and Strategic Authorities.
- **Key Route Network** - Mayoral Strategic Authorities will have a duty to set up and coordinate a Key Route Network. Mayors will also hold a Power of Direction over constituent highway authority exercise of their traffic, permit, street and local highways authority powers on Key Route Network roads. This function is exercisable only by the Mayor.

- **Transfer of duty of principal councils to make reports on Key Route Network roads** - Mayoral Strategic Authorities will be required to prepare reports assessing local road traffic levels and forecasting their growth on their Key Route Network. These reports may include targets and proposals for achieving these targets. Mayoral Strategic Authorities will take over this duty for key route network roads. Constituent authorities will retain this duty for other local roads.
- **Road User Charging** - These powers enable a Strategic Authority to make a joint road user charging scheme (e.g. congestion charging) with relevant constituent councils. This function can only be exercised jointly with the relevant constituent local traffic authority (the upper-tier local authority) where the scheme would take place. Constituent authorities continue to be able to exercise this power independently.
- **On-Street Micromobility Schemes** - These powers enable Strategic Authorities, in their role as the Local Transport Authority, to license micromobility schemes operating on public roads and pavements.

4.3 Skills and employment support - The Bill will transfer adult education functions from central government to Strategic Authorities. This will enable the Department for Education to give Strategic Authorities a grant for adult skills. Strategic Authorities can use this as they see fit to meet the skills needs of adults in their region. Subject to a transition period, the Bill will automatically transfer functions relating to adult education to any new Strategic Authorities.

4.4 Housing and strategic planning

- **Spatial Development Strategies** - Strategic Authorities will have a duty to produce a Spatial Development Strategy. These documents enable them to strategically plan for development across their whole area. This function is exercisable by the Mayor. However, approval of the strategy requires a simple majority vote of the Mayor and constituent members.
- **Housing and Land Powers** - Powers to allow Mayoral Strategic Authorities to acquire housing and land for specific purposes. This includes powers to acquire land using the compulsory purchase powers previously solely held by Homes England. They also include the ability to provide financial assistance to any person. These functions are exercised concurrently with Homes England. Mayors exercise the compulsory purchase function on behalf of the Strategic Authority. Before exercising their compulsory purchase powers, Mayors must consult the local planning authority where the power is to be exercised.
- **Mayoral Development Corporations** - These powers enable Mayors of Strategic Authorities to designate a Mayoral Development Area and subsequently establish a Mayoral Development Corporation (MDC) for that area. These powers are exercisable by the Mayor. This means that the Mayor is responsible for establishing and overseeing a Mayoral Development Corporation. However, the designation of a Mayoral Development Area will be subject to a simple majority of voting members.
- **Strategic Development Management Powers** - These powers enable Mayors to intervene in planning applications of potential strategic importance and the ability to call in these applications.
- **Mayoral Development Orders** - These powers give Mayors the ability to prepare Mayoral Development Orders (MDOs). MDOs allow them to grant pre-emptive planning permission for a particular development instead of relying on an application to be submitted. These functions are exercisable only by the Mayor on behalf of the Strategic Authority. However, Mayors must consult and gain approval of the local planning authority where the order would have effect. Where the local planning authority does

not approve the order, the Mayor can request the Secretary of State approve the order instead.

- **Mayoral Community Infrastructure Levy** - These powers enable Mayors to charge developers a Mayoral Community Infrastructure Levy. This is a charge which can be imposed on new development in their area. It can be used to raise funds to deliver infrastructure needed to support development in their area.

4.5 Economic growth and regeneration – The Bill places a range of powers and duties on Strategic Authorities to support economic growth and regeneration. Central is the duty to produce a Local Growth Plan that will provide a long-term strategic framework for driving economic growth and investment priorities in a region.

- **Power to borrow up to an agreed cap** - This power will automatically confer on Strategic Authorities the power to borrow upon establishment for purposes relevant to their functions. However, Strategic Authorities must obtain consent from the Secretary of State before the first exercise of the power to borrow money for a purpose relevant to a function other than its transport, police or fire and rescue functions. This function is exercised concurrently with constituent authorities.
- **Local Growth Plans** - Mayoral Strategic Authorities will have a duty to produce a Local Growth Plan.
- **Duty to prepare an assessment of economic conditions** - Strategic Authorities must prepare and maintain an assessment of the economic conditions of their area. This is a separate duty from the duty to produce a Local Growth Plan but both duties could be satisfied simultaneously. This function is exercised concurrently with constituent authorities.
- **Powers to encourage visitors and provide entertainment** - These powers enable Strategic Authorities to encourage people to visit their area and provide, support, and/or contribute to the provision of entertainments, such as concerts, plays, or exhibitions, and incur expenditure for these purposes. This includes powers to provide premises, facilities, or publicity for cultural and recreational events. This function is exercised concurrently with constituent authorities.

4.6 Environment and climate change – The Bill provisions related to environment and climate change are limited to Heat Network Zoning coordination role and the role the Strategic Authorities in heat network zones and creating zone coordinators.

4.7 Health, wellbeing and public service reform – The Bill introduced ‘health in all policies’ duty to ensure that when a Mayor or Strategic Authority is considering whether or how to use any of its powers and functions they will have a duty to have regard to the need to improve the health of people in the Strategic Authority area and the need to reduce health inequalities in the local area.

4.8 Public safety – The Bill provides for the transfer of Policing and Crime Commission and Fire and Rescue Authority functions as well as duties to share information relating to crime and disorder:

- **Sharing of information in relation to crime and disorder** - These powers both enable and place a duty on Strategic Authorities to disclose information relating to the reduction of crime and disorder, including anti-social behaviour, to other relevant authorities (such as local authorities, social landlords and the police). This function is exercised concurrently with constituent authorities.

- **Police and Crime Commissioner Functions** - Mayors will be, by default, accountable for the exercise of Police and Crime Commissioner (PCC) functions where mayoral boundaries align with police force boundaries, or with two police force boundaries when taken together. Transfers will be subject to secondary legislation and we understand that the functions will transfer in 2027. These functions will be exercisable by the Mayors, but Mayors will have to delegate PCC responsibilities to a Deputy Mayor (for Policing, Fire and Crime for each police force area for which they have PCC functions).
- **Fire and Rescue Authority Functions** - Mayors will be, by default, accountable for the exercise of Fire and Rescue Authority (FRA) functions where FRA and mayoral boundaries align, subject to secondary legislation. These functions will be exercisable by the Mayors, but Mayors will have the option to delegate FRA responsibilities to a Deputy Mayor for Policing, Fire and Crime, or a Public Safety Commissioner. We understand that these functions will transfer in 2027.

4.9 Mayoral Powers of Competence - The Bill will also give Mayors of Strategic Authorities new powers known as ‘the Mayoral Powers of Competence.’ These powers will strengthen the role of a mayor, by giving them the means to drive growth, collaboration and improvements within their areas. The Mayoral Powers of Competence are made up of:

- the General Power of Competence – a broad general power enabling Mayoral Strategic Authorities, and their Mayors, to do anything an individual can legally do
- a power to convene – enabling Mayors to convene local partners to address local challenges
- a duty to respond – placing a duty on local partners to respond to a mayor’s request when they make use of the power to convene
- a duty to collaborate – ensuring that Mayors have a formal process by which they can collaborate with neighbouring Mayors to deliver projects and strategies together

4.10 Detailed work is underway to understand the precise impacts that the SI and the Bill would have for County Council functions and services, including the implications for staff, funding streams and contracts where the MCCA would fulfil functions currently held by ESCC.

4.11 Once the effects are more fully understood, ESCC, BHCC, and WSCC will look to agree a single interpretation of the functions of the CCA to ensure that, where this impacts on the current delivery and responsibilities of councils, a cohesive approach is taken to transition arrangements as required.

5. Financial implications

5.1. The establishment of the Sussex MCCA would have significant ongoing financial implications for the County Council. Government has indicated that funding for functions for which the MCCA will have responsibility will transfer, and we await details of what funding will transfer but understand that it will likely include funding for LTP and highway maintenance. Further clarity is being sought and an assessment is being undertaken on the implications of this where those functions will continue to be performed by the local authority on behalf of the CCA/Mayor. The Mayor will have the discretionary power to reimburse the authority by way of a grant.

5.2. The creation of a 30 year investment fund - A long-term investment fund for the area has been a key incentive from Government for areas to pursue devolution, and this remains a core part of the offer to devolved areas. The annual amount that MCCA would receive is £38m. This figure has been calculated on a per capita basis to ensure consistency and fairness across areas in the Devolution Priority Programme. The letter from Government sets out that this would initially be paid in 26/27, following the election of the Mayor in May 2026, and would be split 50/50 between capital and revenue. Beyond that split, the new MCCA will have complete flexibility to spend this funding on the priorities for the area as identified by it.

5.3. **Cost of establishing the new MCCA** - In order to meet the costs of establishing the MCCA, Government has confirmed that once the SI has been laid, mayoral capacity funding of £1m for 2025/26 across Sussex, will be made available to support the set-up of the MCCA. Government has indicated that further capacity funding will be provided in 2026/27 and 2027/28 to support the ongoing development of the CCA.

5.4. **Transport** – As a new MCCA takes on Local Transport Authority functions it anticipated that relevant funding currently provided by government will transfer. This could include the transfer of funding for Bus Services Improvement Plans (BSIP), the Integrated Transport Block and Local highway maintenance. In 2025/26 the combined funding allocated to ESCC under these three schemes was £34.3 million.

5.5. **Power to issue levies** - new MCCAs will also have the power to issue levies to their constituent authorities to meet the cost of exercising their transport functions.

5.6. **Power to make a grant** - Mayors will also have the power to make grants to constituent authorities to carry out functions on behalf of the MCCA, which is commonly used by existing mayors to pass funding for maintaining local roads to councils.

5.7. **Travel Concessions** - Responsibility for managing travel concessions will transfer from constituent authorities to a new MCCA. Currently there is no specific funding to ESCC for travel concessions (concessionary fares and supported bus routes). In 2025/26 the cost of providing concessionary travel in ESCC is estimated to be £5.7 million and the net (of BSIP) cost of supported bus routes is £2.3m. In the future, concessionary travel could be funded by a new MCCA through a transport levy on constituent authorities.

5.8. **Adult skills** – From April 2027, functions relating to the delivery of adult education and training will transfer to a new MCCA and it is anticipated that at this point adult skills funding will also transfer. Currently, this funding is paid directly to providers, including many local authorities. In 2025/26 ESCC received circa £0.2 million from the Adult Skills Fund. In the future the distribution of this funding will be devolved to a new MCCA.

5.9. **The power to issue a precept** – The Mayor will have the power issue a precept to generate revenue across all Mayoral and MCCA functions.

5.10. **The cost of running the Mayoral election** - The election of the mayor will be administered by the Returning Officers at district level with the respective authority incurring cost which must then be reimbursed by the MCCA. Draft Maximum Recoverable Amounts based on the Police and Crime Commissioner Elections (Local Returning Officers' and Police Area Returning Officers' Charges) Order 2024 estimate that delivery of the election will cost £4.337 million across the region if no other polls take place on the same day. At the election, the Combined County Authority Returning Officer (CCARO) is also required to post a mayoral booklet containing manifestos to each elector in the area. It is estimated this will cost a further £1.1 million and must be recovered from the MCCA.

6. Consultation and engagement

6.1. The government conducted an 8-week public consultation from 17 February to 13 April 2025 to seek views from various stakeholders in the region. Activities included issuing press notices at the beginning and end of the consultation for local and regional media, running a social media advertising campaign, and distributing flyers, posters, and printed consultation documents. Officials from the Ministry of Housing, Communities and Local Government ran an in-person event on 31 March in Sussex and attended a range of stakeholder meetings.

6.2. ESCC promoted the government consultation to our residents through local media, on social media, on the council website, and through partners.

6.3. The County Council's response was considered by Cabinet at its meeting on 20 March 2025.

6.4. Overall, the consultation resulted in 6,122 responses from individuals and organisations including: 5,959 from members of the public and 163 from a range of organisations including the prospective constituent and other local councils, businesses, the voluntary and community sectors and academic institutions. A full summary of the consultation responses was published by the government (Appendix 4)

6.5. As a public body receiving public funds the new MCCA will be subject to an Equality Duty under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity, and foster good relations between people who share protected characteristics (like age, disability, race, religion, sex, and sexual orientation) and those who don't. The new MCCA must "have due regard" to these needs in their day-to-day work, considering the impact of their policies, decisions, and services on people with protected characteristics.

6.6. As a public body receiving public funds, the new MCCA will be subject to the Public Sector Equality Duty under the Equality Act 2010 in relation to the legally protected characteristics (age, disability, gender reassignment, pregnancy/maternity, race, religion/belief, sex, sexual orientation and marriage/civil partnership) to eliminate discrimination, advance equality of opportunity, and foster good relations between people who share protected characteristics and those who don't. The new MCCA must have "due regard" to these duties in their day-to-day work, considering the impact of their policies, decisions, and services on people sharing protected characteristics.

6.7. The process of creating a MCCA is not expected to disproportionately affect any specific group sharing any of the legally protected characteristics. Its aim is to move decision making closer to those affected, which should help people sharing protected characteristics access services and economic opportunities more fairly than if decisions remained at the central government level.

6.8. The MCCA could play a key role in improving health and wellbeing, underpinned by a new bespoke duty in relation to health improvement and health inequalities. This would mean that the Mayoral Combined Authority would need to have regard to the need to improve health, and reduce health inequalities, in the exercise of its functions. Combined with an expectation that the mayor would be appointed to one or more of the relevant Integrated Care Partnerships in the area. By establishing a tailored health obligation, the MCCA would be formally recognising the importance of addressing health disparities within the community. A "health in all policies" approach could lead to dedicated policies and programmes aimed at tackling broad determinants of health, such as housing, employment, skills and access to healthcare services. In practice, the mayor's involvement with Integrated Care Boards or Integrated Care Partnerships, or equivalent, could foster collaboration among various stakeholders—such as NHS organisations, local councils, voluntary sector groups, and community leaders—enabling the alignment of strategies and resources. This coordinated effort could help ensure a more cohesive response with investment directed towards the most pressing local health challenges. Through these initiatives, the MCCA has the potential to contribute towards helping to improve overall population health and bridge the gap between different social groups.

7. Implementation

7.1. Should the Constituent Authorities all consent to the laying of the SI, work will continue to prepare for the establishment of the CCA in early 2026. An informal Partnership Board has been established and met on the 10 October 2025. A wider Stakeholder Forum will also meet to ensure wider engagement from interested bodies and organisations. Both the informal Partnership Board and the Stakeholder Forum will inform decisions relating to the establishment of the CCA to be taken by the individual Constituent Authorities, including ESCC.

7.2. Using the capacity funding provided by MHCLG an interim Chief Officer for the MCA has been appointed through WSCC. The interim Chief Officer will offer strategic guidance, governance

oversight, programme management, organisational design, and stakeholder engagement support to ensure the MCA is legally constituted, operates efficiently, and is poised for sustained success. The role reports to three council Chief Executives and leads the programme across East Sussex, Brighton & Hove, and West Sussex councils. It involves working with central government, district and borough councils, and key stakeholders, including Police, Fire and Rescue Services, Health, representatives from further and higher education, and local businesses to ensure a smooth transition and establish the MCA.

7.3. It will be necessary to prepare a draft of the Local Assurance Framework (LAF) which incorporates the requirements of the English Devolution Accountability Framework. The Local Assurance Framework outlines the structures and processes established to ensure effective management of public funds. It encompasses governance, accountability, and transparency measures, as well as the strategies Strategic Authorities employ to achieve local objectives while delivering value for money. This will need to include details around:

- the Governance Structure,
- the checks and balances,
- transparency public accountability and engagement,
- scrutiny and oversight
- Value for money and delivery assurance

7.4. The Framework will need to be submitted to Government by the end of October 2025 and assessed and approved by Government by February 2026.

7.5. The inaugural meeting of the MCCA would be held shortly after the SI coming into force, where the constitution would need to be agreed and officers appointed. A notice of election for the Mayor of Sussex must be published no later than 30 March 2026.

8. Conclusion and reasons for recommendations

8.1. Devolution and the establishment of Mayoral Combined County Authority has the potential to present significant benefits to the region. The Government has confirmed that a £38m a year investment fund over 30 years (£1.14bn) to spend on agreed regional priorities. The funding will potentially boost economic growth, support jobs, and enhance local services. The Bill also devolves new transport, housing, and adult skills powers for more local decision-making. The cross Place and People Scrutiny Committees' Member Reference Group (MRG) met on 11 September 2025 and Scrutiny Reference Group and their comments are set out in Appendix 5.

8.2. Some powers now held by ESCC will transfer to the new MCCA, enabling strategic collaboration on key regional issues like infrastructure and skills. While in some areas there are fewer statutory duties, such as environment and climate change, the MCCA can still support and enhance cross-Sussex partnerships.

8.3. It is recommended that authority be delegated to the Chief Executive, in consultation with the Leader, to agree to the SI so that consent can be given in a timely manner and within the timescales set by Government. It is also proposed to delegate authority to take any action needed to enact the recommendations and facilitate the establishment of the MCCA.

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