

Functions which are solely exercisable by the Mayor of a Mayoral Strategic Authority

Function	Clauses in the English Devolution and Community Empowerment Bill
<p>A Power to Convene and a Duty to Respond</p> <p>This will enable Mayors to convene local partners to address local challenges. It will also place a duty on local partners to respond to a Mayor's request when they make use of the power to convene. The specific local partners covered will be set out in subsequent secondary legislation.</p>	<p>Clause 21 of the English Devolution and Community Empowerment Bill</p>
<p>A Duty to Collaborate</p> <p>This will ensure that Mayors of neighbouring Strategic Authorities have a formal process by which they can enter into collaboration with one another.</p>	<p>Clause 22 of the English Devolution and Community Empowerment Bill</p>
<p>Certain Local Transport Authority functions</p> <p>Functions relating to Local Transport Plans and the decision on whether to make a proposed franchising scheme are exercisable only by the Mayor.</p> <p>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.</p>	<p>Clause 29 and Schedule 9 of the English Devolution and Community Empowerment Bill</p>
<p>Key Route Network Power of Direction</p> <p>Mayoral Strategic Authorities will have a duty to set up and coordinate a Key Route Network. This will allow the most important local roads to be strategically managed.</p> <p>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 to support delivery of the Mayor's agreed Local Transport Plan. This means Mayors can direct councils with responsibilities for roads in their area to use their powers in a certain way; for example, to create a bus gate.</p>	<p>Clause 27 and Part 1 of Schedule 8 of the English Devolution and Community Empowerment Bill</p>

<p>This function is exercisable only by the Mayor, on behalf of the Strategic Authority. However, final agreement of which roads are included in the Key Route Network will be subject to a simple majority vote where the Mayor must be in the majority.</p>	
<p>Spatial Development Strategy</p> <p>All 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.</p> <p>(Note: This duty will also be mirrored for all principal local authorities in areas without Strategic Authorities, where authorities will be required to collaborate via Strategic Planning Boards where necessary.)</p> <p>This function is exercised by the Mayor on behalf of the Strategic Authority. However, approval of the strategy requires a simple majority vote of the Mayor and constituent members. The Mayor must be included in the majority for a vote to be carried. If the vote is tied, the Mayor gets an additional casting vote.</p>	<p>To be introduced through clause 52 of the Planning and Infrastructure Bill: Part 1A of the Planning and Compulsory Purchase Act 2004</p>
<p>Powers to acquire land using the compulsory purchase powers previously solely held by Homes England.</p> <p>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. These functions are exercised concurrently with Homes England.</p>	<p>Clause 34 and Part 1 of Schedule 15 (Acquisition and development of land) in the English Devolution and Community Empowerment Bill</p>
<p>Housing and Land Powers, concurrent with Local Authorities</p> <p>Compulsory purchase powers under the Housing Act 1985 are only exercisable by the Mayor. Whereas all other powers, including compulsory purchase powers under the Town and Country Planning Act 1990, are exercised by the Strategic Authority.</p> <p>Before exercising their compulsory purchase powers, Mayors and Mayoral Strategic Authorities (depending on who is exercising the function) must consult the local planning authority where the power is to be exercised.</p>	<p>Clause 34 (Acquisition and development of land); Clause 35 (Housing accommodation); Part 2 of Schedule 15; and Schedule 16 of the English Devolution and Community Empowerment Bill</p>

These functions are exercised concurrently with local authorities.	
<p>Mayoral Development Corporations</p> <p>These powers enable Mayors of Strategic Authorities to designate a Mayoral Development Area and subsequently establish a Mayoral Development Corporation (MDC) for that area. MDCs are statutory corporate bodies which can take broad planning and land assembly powers, have the ability to attract inward investment, and are well placed to harness private sector expertise to drive forward development.</p> <p>These functions are exercisable only by the Mayor on behalf of the Strategic Authority. This means that the Mayor is responsible for establishing and overseeing a Mayoral Development Corporation. The overview and scrutiny committee of the Strategic Authority will in turn scrutinise the Mayor's decisions regarding the MDC. However, the designation of a Mayoral Development Area will be subject to a simple majority of voting members of the Strategic Authority where the Mayor must be in the majority.</p>	<p>Clause 36 and Schedule 17 of the English Devolution and Community Empowerment Bill.</p>
<p>Strategic Development Management Powers</p> <p>These powers enable Mayors of Strategic Authorities to intervene in planning applications of potential strategic importance (e.g. especially large or prominent developments). These include the ability to 'call in' these applications (and determine them instead of local planning authorities), or direct the local planning authority to refuse the application.</p> <p>These functions are exercisable only by the Mayor on behalf of the Strategic Authority.</p>	<p>Clause 31 and Schedule 11 of the English Devolution and Community Empowerment Bill</p>
<p>Mayoral Development Orders</p> <p>These powers give Mayors of Strategic Authorities the ability to prepare Mayoral Development Orders (MDOs). MDOs allow them to grant planning permission for a particular development instead of relying on an application to be submitted.</p> <p>These functions are exercisable only by the Mayor on behalf of the Strategic Authority. 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.</p>	<p>Clause 32 and Schedule 12 of the English Devolution and Community Empowerment Bill.</p>

<p>Mayoral Community Infrastructure Levy</p> <p>These powers enable Mayors of Strategic Authorities 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.</p> <p>These functions are exercisable only by the Mayor on behalf of the Strategic Authority. This means that the Mayor is responsible for developing and applying the Mayoral Community Infrastructure Levy. However, the approval of a charging schedule for the levy is subject to a simple majority vote of the voting members of the Strategic Authority.</p>	<p>Clause 33 and Schedule 14 of the English Devolution and Community Empowerment Bill.</p>
<p>Mayoral Council Tax Precept</p> <p>The changes to this provision will allow Mayors to issue a precept to generate revenue across all Mayoral and CA/CCA functions. Previously, a Mayor could precept only for Mayoral functions, and not CA/CCA functions.</p> <p>Voting and governance arrangements will vary, depending on whether the precept is on Mayoral functions, or wider C(C)A functions:</p> <ul style="list-style-type: none"> • Mayors will continue to be subject to voting rules set out in previous legislation on precepts raised against Mayoral functions, which is commonly 2/3 of constituent authorities can vote against or to amend a precept. • A Mayor wanting to raise a precept on wider C(C)A functions would be subject to the standard voting arrangements of a simple majority including the Mayor. 	<p>Clause 11 of the English Devolution and Community Empowerment Bill</p>
<p>Power to pay grant to a constituent authority</p> <p>This power enables Mayors to pay grants to their constituent councils. This is most commonly used to pass funding for maintaining local roads to councils. This function is exercisable only by the Mayor on behalf of the Strategic Authority.</p>	<p>Clause 39 of the English Devolution and Community Empowerment Bill</p>
<p>Police and Crime Commissioner Functions</p> <p>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. The Secretary</p>	<p>Clause 44, 45 and 47 of the English Devolution and Community Empowerment Bill</p>

<p>of State may by order transfer PCC functions to the elected mayor of a CA or CCA where there are coterminous boundaries. The Secretary of State, at the same time, may alter the boundary of the police area (or areas) to which the transfer relates to achieve coterminosity.</p> <p>This function is exercisable only by the Mayor. 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).</p>	
<p>Fire and Rescue Authority Functions</p> <p>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. The Secretary of State may by order transfer FRA functions to a CA or CCA where there are coterminous boundaries. The Secretary of State, at the same time may alter the boundary of the FRA area (or areas) to which the transfer relates to achieve coterminosity.</p> <p>Mayors will have the option to delegate FRA responsibilities to a Deputy Mayor for Policing, Fire and Crime, or a Public Safety Commissioner.</p>	<p>Clause 46 and 47 of the English Devolution and Community Empowerment Bill</p>