

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Eleventh Delegated Legislation Committee

## DRAFT GREATER MANCHESTER COMBINED AUTHORITY (ELECTION OF MAYOR WITH POLICE AND CRIME COMMISSIONER FUNCTIONS) ORDER 2016

*Thursday 3 March 2016*

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**Monday 7 March 2016**

STRICT ADHERENCE TO THIS ARRANGEMENT WILL GREATLY  
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**The Committee consisted of the following Members:**

*Chair:* JOAN RYAN

† Bebb, Guto (*Aberconwy*) (Con)  
 † Churchill, Jo (*Bury St Edmunds*) (Con)  
 Coffey, Ann (*Stockport*) (Lab)  
 † Collins, Damian (*Folkestone and Hythe*) (Con)  
 † Fovargue, Yvonne (*Makerfield*) (Lab)  
 † Garnier, Mark (*Wyre Forest*) (Con)  
 † Heappey, James (*Wells*) (Con)  
 † Henderson, Gordon (*Sittingbourne and Sheppey*)  
 (Con)  
 Kaufman, Sir Gerald (*Manchester, Gorton*) (Lab)  
 † Lewell-Buck, Mrs Emma (*South Shields*) (Lab)

† Morris, Grahame M. (*Easington*) (Lab)  
 † Offord, Dr Matthew (*Hendon*) (Con)  
 Qureshi, Yasmin (*Bolton South East*) (Lab)  
 † Smith, Henry (*Crawley*) (Con)  
 † Smith, Julian (*Skipton and Ripon*) (Con)  
 † Wharton, James (*Parliamentary Under-Secretary of  
 State for Communities and Local Government*)

Alda Barry, *Committee Clerk*

† **attended the Committee**

# Eleventh Delegated Legislation Committee

Thursday 3 March 2016

[JOAN RYAN *in the Chair*]

## Draft Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions) Order 2016

11.30 am

**The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton):** I beg to move,

That the Committee has considered the draft Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions) Order 2016.

It is a pleasure to serve under your chairmanship, Ms Ryan. I welcome the shadow Minister, the hon. Member for South Shields, to the Front Bench. This is our first full outing against, or in conjunction with, one another. I do not agree with much that comes from the Labour Front Bench, but I welcomed her appointment when it was announced not that long ago.

The draft order was laid before the House on 1 February 2016. If approved, it will deliver another significant milestone in fulfilling our manifesto commitments—specifically, our commitment to implement the historic devolution deal between the Government and Greater Manchester. That deal is an agreement that the Government will devolve significant new powers and that, in return, Greater Manchester will have a directly elected mayor for the Greater Manchester area, which will give the strong, transparent and accountable governance across Greater Manchester that the significant new powers require.

In November 2014, we agreed that those powers would include control over transport, housing, planning, skills and employment. We also agreed a reformed earn-back deal worth £30 million a year for 30 years. In July 2015, we agreed that the Mayor would have fire and rescue functions, and planning powers on compulsory purchase and mayoral development corporations. In November 2015, we agreed that the Mayor would be able to implement a community infrastructure levy, and we committed to the joint commissioning of certain employment programmes.

The Manchester deal or, more accurately, the Manchester deals—there can be more—are part of the ongoing process of devolution, allowing areas to control their own destiny and their own growth, thus supporting our commitment to rebalance our economy. The deals are part of building the northern powerhouse, which has huge potential to add an extra £37 billion to our national economy by the end of the next decade.

The draft order is the first under the Cities and Local Government Devolution Act 2016. It will deliver three major steps in devolution for Greater Manchester, which reflect the agreement entered into with Government in the original deal. First, it creates the position of a

directly elected Mayor for Greater Manchester; the first election is to be held in May 2017, under the 2016 Act. The Mayor will both chair the combined authority and exercise individually those powers agreed in the devolution deals.

Secondly, the draft order specifies that the first mayoral term will last three years, with the next election in May 2020, and that subsequent terms will last for four years. That enables Greater Manchester to align the mayoral election with the other local elections in 2020. Finally, the draft order specifies that the Greater Manchester Mayor will exercise the functions of a police and crime commissioner, and extends the term of office of the sitting police and crime commissioner until May 2017, when the Mayor will be elected.

The draft order is an important step on the journey that will implement fully the groundbreaking devolution deals that we have reached with Greater Manchester. We will be introducing further secondary legislation to confer on Greater Manchester and its Mayor the powers agreed in the deals, including the legislation to provide the detailed arrangements as to how the powers, including the police and crime commissioner functions, will be exercised in practice. The secondary legislation, which of course the House will have an opportunity to debate and, if it so chooses, to approve, will include the provisions necessary on the relationship between the Mayor and the other members of the combined authority.

Devolution has the potential to lay the foundations of greater prosperity and to build a more balanced economy. The draft order is an important step in meeting our commitments and in delivering on our side of the Greater Manchester deal, which is similar to deals made with many other areas. I commend the order to the House.

11.34 am

**Mrs Emma Lewell-Buck** (South Shields) (Lab): It is a pleasure to serve under your chairmanship, Ms Ryan, and to be having our first outings in our respective roles. I also thank the Minister for his kind words.

I do not intend to press for a Division, and I will keep my comments brief, but the Opposition have a number of concerns that we would like the Minister to address. Labour has always been a party of devolution. We strongly support the principles of devolution. Absorbing the police and crime commissioner role into the mayoral position certainly has merit when we consider the potential for joined-up services, such as mental health, where there is already close working between the police and local authorities.

While a combined directly elected Mayor and police and crime commissioner will have the opportunity to be more locally responsive and to make joined-up responses on vital areas of governance, it is of paramount importance that a role that commands such power is created through a thoroughly transparent and democratic process. Our greatest concern is that there is little evidence of that.

The significant and worrying lack of public consultation and engagement at all stages of the process, including with today's order, is well recorded. The Centre for Public Scrutiny and the Communities and Local Government Committee have criticised the fact that far too many deals have been rushed and reached behind closed doors, without a proper assessment of how

devolution will improve powers. Not to allow the people of Greater Manchester to assert their democratic right to be involved in a process that will radically change how their region is governed is troubling to say the least. In his response, will the Minister talk about the lack of public consultation?

The present Greater Manchester police and crime commissioner was appointed as an interim Mayor by the combined authority leaders. His tenure was extended to five years. Whatever his merits are, neither that appointment nor the extension were democratic decisions. Turnout in Greater Manchester for the election of the new police and crime commissioner in 2012 stood at just 14%. That shows that the public either did not want a police and crime commissioner or that they were not given enough information to be politically engaged. It is therefore even more important for the Government to ensure that the public are properly included in and informed about the plans we are debating. Will the Minister further explain the basis on which the electoral term was extended from four years to five?

Another concern is whether the public know that a Mayor who is also a police and crime commissioner may also appoint a deputy police and crime commissioner mayor who is separate from the deputy Mayor. That person can take on most of the Mayor's PCC functions—a non-democratically-elected person selected by the Mayor alone can carry out most of those functions. That becomes more worrying when we consider that the Government intend to enable PCCs to take on responsibility for the fire and rescue services in their area. Can the Minister give us assurances that that will not be used as a smokescreen for further cuts to the fire service? I am curious to know how confident he is that police and crime commissioners will have the knowledge to take on responsibility for fire and rescue services. Can he explain how he envisages the Mayor and their self-appointed deputy being held properly to account?

This is a brand new post, involving an individual being responsible for a huge brief with complex divisions of responsibility.

**Yvonne Fovargue** (Makerfield) (Lab): Does my hon. Friend agree that one of the concerns of the residents of the combined authorities is that this is power without money following it? That was demonstrated in the settlement with the extra £300 million. Very little—almost none at all, in fact—went to the northern authorities and towns that needed it.

**Mrs Lewell-Buck:** My hon. Friend raises an important point that I have heard others mention. To exercise power, money is needed. If the Government are going to continue taking money away from local authorities, how can those authorities fully exercise their power?

Finally, the Minister needs to explain how he will take some responsibility for ensuring that the changes are communicated in a clear way to the public. Can he guarantee that we will not hear a repetition of the mantra that that is up to local areas and local areas alone? After all, he surely understands as the Minister in charge that he has a role and responsibility here. I do not wish to detain the Committee further, and I look forward to his response.

11.39 am

**James Wharton:** The shadow Minister raised a number of areas of specific interest on which I will comment. Overall, however, it is right to welcome the broad statement with which she opened. Across the political divide, there is a general consensus that we want to see devolution delivered. We recognise that devolution can bring significant benefits to our communities. We may have differences about how that should be done, but none the less, I think there is agreement on the core principle that devolution is something that we want to pursue. That was demonstrated by the shadow Minister's comments. We may have differences about how that should be done, but none the less there is agreement on the core principle that devolution is something that we want to pursue. That was demonstrated by the shadow Minister's comments.

The shadow Minister raised specific issues. She asked why the police and crime commissioner's term in Greater Manchester is to be extended from four years to five. It is so that we do not have a costly election for a position that will no longer exist only one year later. We have made the change in agreement with local partners, including the police and crime commissioner, the combined authority and local leaders. For similar reasons, the first term of the elected metro Mayor will be set at three years so that future elections will be in line with the local election cycle in Greater Manchester. That will reduce costs and, hopefully, further expand the opportunities for democratic engagement, as other elections are held at the same time.

The shadow Minister asked about the deputy PCC mayor. Of course, police and crime commissioners already have the power to appoint a deputy who can do many of the things that she mentioned, so it is not a departure from the current system. Similarly, on fire and rescue services, we are working to enable local areas to facilitate work across our emergency services to find areas and functions where we can bring together different services and different parts of government, in whatever field they might be, to deliver a better service to the people we represent and the residents we serve. We made it clear in our manifesto that we would enable fire and police services to work together more closely, and that we would develop the role of accountable police and crime commissioners and, in this case, the greater Mayors who take on that role.

A consultation was undertaken in September 2015 on a range of proposals, and there were more than 300 responses. The Government published their response on 26 January 2016. The intention throughout with Greater Manchester, and in those other areas with which we are talking about devolution, is to do things for which those areas ask. Our intention is to do things in conjunction with local representatives, who are best placed to understand the needs of their communities and the opportunities that exist in their local economies, to improve life for the residents they serve. That is reflected both in the content of the deals that have been reached with Greater Manchester and in the way those deals have come about. A number of deals have evolved over time, and we have worked jointly with local representatives to reach broad cross-party agreement on the right way forward.

**Mrs Lewell-Buck:** I hear what the Minister is saying about discussions with local authority leaders, but does he understand that there is a lot of unrest out there? A lot of people are saying that they simply do not know what is happening. The message is not filtering through; it is not being communicated to the very communities that rely on these services, as borne out by a recent Select Committee report and many other reports. What will the Government do about that?

**James Wharton:** I understand the shadow Minister's concern about the extent to which the changes that are taking place are broadly understood by the people in those communities that we hope will benefit. The truth is that, in line with the basic principles of devolution, we have allowed local areas and local authority leaders to consult as they see appropriate before approving devolution deals.

There has been extensive coverage in local media, with debates on both sides of these arguments. There have been many debates in this place, but I recognise that there is—indeed, there always is in democracy—more to be done to continue engaging, to continue explaining and to continue showing why what we are doing is important and why we believe that it will bring benefits.

In part, we are talking about the election of a Greater Manchester metro Mayor in May 2017, and, as we head towards the election, the debate will become more acutely obvious to residents living in Greater Manchester. The candidates, from whatever party and of whatever view,

will want to set out their stalls for that election and explain the powers that the Mayor will have and what they want to do with those powers for the communities that they want to represent. That will be true not only in Greater Manchester but more broadly across those areas that have agreed such deals and that will have Mayors in the first tranche of devolution.

I always want to do more to spread the good word of the great works that the Government are doing. I would welcome the shadow Minister's assistance, wherever possible, in doing that, but I have no doubt that this debate will not only continue but become louder, more obvious and more specific as we head towards the mayoral elections. It is for those reasons that I commend the draft order; I am pleased that the shadow Minister said she does not intend to divide the Committee.

Today marks a significant milestone along the path of delivering the agenda that we are pursuing. It will make a real difference to communities across the UK, particularly in the north of England, where we want to build and deliver on the northern powerhouse and unlock the huge economic potential that we know exists in the economies of the north, in the communities of the north and, most fundamentally, thanks to the people who live in the north of this great country.

*Question put and agreed to.*

11.45 am

*Committee rose.*



