

The framework below sets out the statutory functions of **Non-Mayoral Foundation Strategic Authorities** as set out in the English Devolution and Community Empowerment Bill and other legislation. As set out in the Devolution Framework in the English Devolution White Paper, different categories of Strategic Authorities are also guaranteed access to other non-statutory offers, including partnership and funding arrangements.

### **General Power**

| <b>Statutory Function</b>   | <b>Governance</b>  | <b>Related Clauses</b>   |
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| <p><b>General Power of Competence</b></p> <p>This extends local authorities' general power of competence to combined and combined county authorities. This lets them do anything that an individual could do.</p> | <p>Can only be exercised for the purpose of economic development and regeneration.</p> | <p>Clause 20 and Schedule 4 of the English Devolution and Community Empowerment Bill</p> |

## Area of Competence: Transport and Infrastructure

| <p style="text-align: center;"><b>Statutory Function</b></p>   | <p><b>Governance</b> – where “Standard” means:</p> <ul style="list-style-type: none"> <li>• Voting is a simple majority</li> <li>• Exercised solely by the SA</li> </ul>                   | <p style="text-align: center;"><b>Related Clauses</b></p>  |
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| <p><b>Local Transport Authority functions</b></p> <p>Strategic Authorities are the Local Transport Authority for their area, with responsibility for preparing and publishing a local transport plan and powers to secure the provision of passenger transport services where not otherwise provided. Strategic Authorities also have powers and duties to prepare a bus strategy for carrying out their bus functions, enter into partnerships with bus operators, enter into franchising schemes, and manage travel concessions.</p> | <p>Standard</p> <p>However, adoption of the Local Transport Plan requires the consent of all constituent councils.</p>   | <p>Clause 29 and Schedule 9 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>Transport Act 2000 – Part 2</p> <p>Transport Act 1985 – Parts 4 and 5</p> |
| <p><b>Transport Levy</b></p> <p>Strategic Authorities can issue levies to their constituent authorities to meet the cost of exercising their transport functions, where otherwise not met.</p>   | <p>Consent of all constituent councils required to agree the total sum.</p> <p>Apportionment between constituent councils is subject to the Transport Levying Bodies Regulations 1992.</p> | <p>Clause 13 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p>   |

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|   |  | Local Government Finance Act 1988 – s.74  |
| <p><b>Agreements between authorities and strategic highways companies</b></p> <p>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.</p>   | <p>Standard, with the exception that:</p> <ul style="list-style-type: none"> <li>• The function is exercised concurrently with local authorities.</li> <li>• Use of these functions requires the consent of the relevant constituent authority where the function would be exercised.</li> </ul> | <p>Clause 24 and Schedule 6 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>Highways Act 1980 – s.6 and 8</p>                            |
| <p><b>Civil enforcement of road traffic contraventions</b></p> <p>These powers 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 SA using them. The SA must follow existing statutory guidelines for charge levels for Fixed Penalty Notices and provide information on appeals processes.</p> | <p>Standard, with the exception that:</p> <ul style="list-style-type: none"> <li>• The function is exercised concurrently with local authorities.</li> <li>• Use of these functions requires the consent of the relevant constituent authority where the function would be exercised.</li> </ul> | <p>Clause 25 and Schedule 7 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>Part 6 and Schedule 8 of the Traffic Management Act 2004</p> |

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| <p><b>Key Route Network</b></p> <p>Foundation Strategic Authorities can set up and coordinate a Key Route Network. This will allow the most important local roads to be strategically managed.</p>  | <p>Standard</p> <p>Roads can only be included in the Key Route Network with the consent of the constituent council where they are located.</p>   | <p>Clause 27 and Part 1 of Schedule 8 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>Local Democracy, Economic Development and Construction Act 2009 – s.107ZA</p> <p>Levelling Up and Regeneration Act 2023 – s.22-24</p> |
| <p><b>Road User Charging</b></p> <p>These powers enable a Strategic Authority to make a joint road user charging scheme (e.g. congestion charging) with relevant constituent councils.</p>  | <p>Standard, with the exception that 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.</p> | <p>Chapter I of Part III of the Transport Act 2000</p>   |
| <p><b>On-Street Micromobility Schemes</b></p> <p>These powers enable Strategic Authorities, in their role as the Local Transport Authority, to license micromobility schemes operating on public roads and pavements. This allows them to have greater control of bike and e-bike rental schemes run by private companies. Other types of shared micromobility impacting on public space could also be included in the framework in the future.</p> | <p>Standard</p>  | <p>Clause 23 and Schedule 5 of the English Devolution and Community Empowerment Bill</p>   |

## Area of Competence: Skills and Employment Support

| Statutory Function   | Governance   | Related Clauses   |
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| <p><b>Adult Education Functions</b></p> <p>Subject to a transition period for new Strategic Authorities, some powers of the Secretary of State relating to education and training of adults will be devolved to Strategic Authorities. These powers support the delivery of devolved adult skills funding.</p> <p>Powers relating to apprenticeships and people subject to adult detention are not devolved.</p> | <p>The relevant functions in section 90 and 100 of the Apprenticeships, Skills, Children and Learning Act 2009 are exercised concurrently with the Secretary of State.</p> | <p>Clause 30 and Schedule 10 of the English Devolution and Community Empowerment Bill.</p> <p>Host legislation:</p> <p>Apprenticeship, Skills, Children and Learning Act 2009 - s.86, s.87, s.88, s.90, s.100(1), s.100(1B)</p> |

## Area of Competence: Housing and Strategic Planning

| Statutory Function  | Governance  | Related Clauses   |
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| <p><b>Spatial Development Strategy</b><br/>           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. <i>(Note: This 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.)</i></p>   | <p>Standard</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><b>Housing and Land Powers, concurrent with Homes England</b><br/>           These additional powers allow Strategic Authorities to acquire housing and land for the specific purposes (set out in the governance arrangements column). 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, (again in line with the objectives set out in the governance arrangements column).</p> | <p>These functions are exercised concurrently with Homes England.</p> <p>In Foundation Strategic Authorities, use of compulsory purchase powers requires the consent of the local planning authority where the power is to be exercised (if different to the authority exercising the power).</p> <p>All of these functions must be exercised for the purposes of, or for purposes incidental to the objectives of:</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>Host legislation:</p> <p>Housing and Regeneration Act 2008 – s.4A; 5-10; 19; Sch.2; Sch.3; Sch.4</p> |

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|   | <ul style="list-style-type: none"> <li>a. Improving the supply and quality of housing in the area;</li> <li>b. Securing the regeneration or development of land or infrastructure in the area;</li> <li>c. Supporting in other ways the creation, regeneration or development of communities in the area or their continued well-being;</li> <li>d. Contributing to the achievement of sustainable development and good design in the area.</li> </ul> |   |
| <p><b>Housing and Land Powers, concurrent with Local Authorities</b></p> <p>These powers enable Strategic Authorities to acquire and develop housing and land as well as provide services in relation to housing.</p> <p>Local authorities in unitary local government areas already have these powers.</p> | <p>For county councils designated as Strategic Authorities, these functions are exercised concurrently with district councils.</p> <p>In Foundation Strategic Authorities, use of compulsory purchase powers requires the consent of the local planning authority where the power is to</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> <p>Host legislation:</p> <p>Housing Act 1985 - s.8, 9, 11, 12, 17, 17A, 18, 56, 57.</p> |

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|  | be exercised (if different to the authority exercising the power). | Town and Country Planning Act 1990 - s.226, 226A, 227, 229, 230, 231, 232, 233, 235, 236, 238, 239, 240, 241, 242, 243, 246, 271, 272, 274, 275, 276, 278, 306, 366. |
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## Area of Competence: Economic Development and Regeneration

| Statutory Function   | Governance   | Related Clauses   |
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| <p><b>Duty to prepare an assessment of economic conditions</b></p> <p>Strategic Authorities must prepare and maintain an assessment of the economic conditions of their area.</p>  | <p>Standard, except that exercise of function is concurrent with local authorities.</p>  | <p>Clause 37 and Schedule 18 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>S.69 of Local Democracy, Economic Development and Construction Act 2009</p> |
| <p><b>Power to pay grant to a constituent authority</b></p> <p>This power enables Strategic Authorities to pay grants to their constituent councils. This is most commonly used to pass funding for maintaining local roads to councils.</p>   | <p>When paying grants for councils' road functions, Strategic Authorities must make sure payments are sufficient for them to exercise their functions.</p> | <p>Clause 39 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>s.32A of the Local Government Act 2003</p>  |
| <p><b>Powers to encourage visitors and provide entertainment</b></p> <p>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</p> | <p>Standard, except that exercise of function is concurrent with local authorities.</p>  | <p>Clause 40 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p><a href="#">s.144</a> and <a href="#">s.145</a> of the Local Government Act 1972.</p>       |

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| <p>these purposes. This includes powers to provide premises, facilities, or publicity for cultural and recreational events.</p>  |   |   |
| <p><b>Power to arrange for publication of information relating to the functions of the Strategic Authority</b></p> <p>These powers enable Strategic Authorities to arrange for the publication of information related to their functions as well as services available in the area. This means that they can collect, compile, and disseminate such information.</p> | <p>Standard, except that exercise of function is concurrent with local authorities.</p>   | <p>Clause 42 and Paragraph 2 of Schedule 20 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:<br/> <a href="#">Local Government Act 1972 – s.142(2)</a></p> |
| <p><b>Power to place staff at the disposal of other authorities</b></p> <p>These powers enable Strategic Authorities to enter agreements with other Strategic Authorities, local authorities, and other organisations like the NHS, to share staff services for their functions.</p>   | <p>Standard, except that the function can be exercised concurrently with other Strategic Authorities, local authorities or other bodies such as NHS England or Natural England.</p> | <p>Clause 42 and Paragraph 1 of Schedule 20 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation: s.113 and 146A of the Local Government Act 1972</p>           |
| <p><b>Power to prosecute and defend legal proceedings</b></p> <p>These powers allow Strategic Authorities to initiate or defend legal proceedings where they consider it expedient for</p>   | <p>Standard, except that exercise of function is concurrent with local authorities.</p>   | <p>Clause 42 and Paragraph 3 of Schedule 20 of the English Devolution and Community Empowerment Bill</p>  |

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| <p>promoting or protecting the interests of the residents of their area. This includes the ability to prosecute, defend, or appear in any legal action and to institute proceedings in their own name to address local concerns.</p>    |   | <p>Host legislation:<br/><a href="#">s. 222 of the Local Government Act 1972.</a></p>  |
| <p><b>Research and collection of information</b></p> <p>These powers enable Strategic Authorities to conduct research and collect information on matters concerning their area to support their functions and share their findings.</p> | <p>Standard, except that exercise of the function is concurrent with local authorities.</p> | <p>Clause 42 and Paragraph 4 of Schedule 20 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:<br/><a href="#">s.88(1)(a) and (1)(b) of the Local Government Act 1985</a></p> |

## **Area of Competence: Environment and Net Zero**

| <b>Statutory Function</b>   | <b>Governance</b> | <b>Related Clauses</b>                         |
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| <p><b>Heat Network Zoning coordination role</b></p> <p>This means that Strategic Authorities will be well placed to take forward heat network zones and create zone coordinators.</p> | Standard          | <a href="#">s228(5) of the Energy Act 2023</a> |

## **Area of Competence: Health, Wellbeing and Public Service Reform**

| <b>Statutory Function</b>   | <b>Governance</b> | <b>Related Clauses</b>   |
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| <p><b>A bespoke statutory health improvement and health inequalities duty</b></p> <p>When considering whether or how to use any of its powers and functions a Strategic Authority 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.</p> | Standard          | Clause 43 of the English Devolution and Community Empowerment Bill |

## Area of Competence: Public Safety

| Statutory Function  | Governance  | Related Clauses  |
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| <p><b>Sharing of information in relation to crime and disorder</b><br/>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).</p> | <p>Standard, except that exercise of the function is concurrent with local authorities.</p> | <p>Clause 48 of the English Devolution and Community Empowerment Bill</p> <p>Host legislation:</p> <p>s.17A and s.115 of the Crime and Disorder Act 1998</p> |