

## English Devolution and Community Empowerment Act 2026

This is a briefing for NHC members, which summarises the English Devolution and Community Empowerment Act 2026. The Act received Royal Assent on 29<sup>th</sup> April 2026.

The below briefing builds on a previous member briefing paper on the English Devolution White Paper, which is available [here](#).

The full English Devolution and Community Empowerment Act 2026 can be viewed [here](#).

### Context and parliamentary passage

The Act delivers the legislative programme set out in the English Devolution White Paper of December 2024. Introduced on 10<sup>th</sup> July 2025 by the Secretary of State for Housing, Communities and Local Government, it completed its parliamentary stages on 28<sup>th</sup> April 2026 following late-stage amendments in areas of importance to NHC members:

- brownfield prioritisation
- retention of committee systems for local authorities

### The Act includes key Mayoral housing and planning powers including:

- **new powers for mayors** to intervene in planning applications of potential strategic importance
- **powers to establish Mayoral Development Orders (MDOs)**, enabling permission to be granted across defined areas and powers to create **Mayoral Development Corporations** for delivery of priority projects
- **continued emphasis on brownfield development in Spatial Development Strategies**
- **Mayors can introduce a Mayoral Community Infrastructure Levy (CIL)** on new developments
- **Mayoral Strategic Authorities are required to produce Local Growth Plans and Spatial Development Strategies**
- **Compulsory Purchase Order powers are extended** to mayors
- **a new duty for mayors and strategic authorities** to ensure they formally consider local health improvement and health inequalities when making policy decisions will be introduced
- **The Act:**
  - **includes a new Community Right to Buy**, aimed at giving local people the first right of refusal for community assets such as shops, sports facilities and community centres when they are put up for sale
  - **establishes Local Scrutiny Committees** for mayoral authorities, which will provide scrutiny of local public spending and decision-making

## Strategic Authorities and the devolution framework

The Act places “strategic authorities” on a statutory footing. The three-tier model previewed in the White Paper is retained, with an **expectation of national coverage**.

Annex 1 of this briefing provides a full breakdown of the powers available to each level of strategic authority. The three levels are:

- Foundation
- Mayoral
- Established

“Strategic authority” is an umbrella term for all authorities covered by the Act which can receive devolved powers. A strategic authority can be a combined authority, a combined county authority (CCA), the Greater London Authority (GLA) or an individual local authority. Annex 3 of this briefing provides a detailed summary of each different type of authority, with examples from the North.

The power of Secretary of State to direct the formation of strategic authorities was removed from the Bill to ensure its passage within the parliamentary session. The Secretary of State will, instead, be granted a ‘backstop power’ to direct the addition of a local government area to an existing strategic authority, but this will not be used for a period of four years following the Act receiving Royal Assent.<sup>1</sup>

The areas of competence for strategic authorities have been expanded to cover:

- Transport and local infrastructure
- Skills and employment support
- Housing and strategic planning
- Economic development and regeneration
- The environment and climate change
- Health, wellbeing and public service reform
- Public safety
- Culture
- Rural affairs and coastal communities

The Act confirms Combined Authorities or Combined County Authorities (CCAs) as the sole local transport authority for their areas, where they exist.

## Future voting system

The Act replaces First Past the Post with the Supplementary Vote system for both directly elected local authority and Strategic Authority mayors, and Police and Crime Commissioners. The change will apply to elections held in 2027 and thereafter. The Supplementary Vote system allows voters to express a first and second preference. If no candidate wins more than half of first preference votes, all but the top two candidates are

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<sup>1</sup> [English Devolution and Community Empowerment Bill: Volume 784 debated on Tuesday 28<sup>th</sup> April 2026](#)

eliminated and the second preference votes of those eliminated are redistributed, with the candidate who accumulates the most votes overall declared the winner.

### Borrowing powers

The Act confirms the power of strategic authorities and CCAs to borrow. For mayoral combined authorities and mayoral CCAs that did not previously have borrowing powers, **Secretary of State consent is required on the first exercise of borrowing** for a function other than transport, police or fire and rescue. Once consent is obtained for any function, no further consent is required for the exercise of borrowing for any other function. New mayoral authorities will need permission from the Secretary of State the first time they borrow money for housing and regeneration.

### Local government reorganisation

The Act makes provision about arrangements for single tiers of local government, supporting the wider programme of reorganisation that runs alongside strategic authority establishment. The Act limits the delay of council elections made for local government reorganisation reasons to no more than 53 weeks beyond the original election date.

## Housing, planning and Spatial Development Strategies

### Spatial Development Strategies

Spatial Development Strategies are **now a mandatory requirement** for all Strategic Authorities. The relationship between the Spatial Development Strategy and constituent local plans, including the timing of plan-making and review, will be set out in forthcoming guidance.

The adoption of a **Spatial Development Strategy** must be agreed by a majority of the strategic authority members, and where an authority has a mayor, the voting majority must include the mayor or deputy mayor acting in their place. In the case of a tied vote, the Mayor or Deputy Mayor acting in their place, will have an additional casting vote to break any deadlock.

### Brownfield prioritisation

The Lords pressed for amendments to the Bill to ensure development on brownfield land was prioritised through Spatial Development Strategies. The final position requires the Secretary of State to use existing regulation-making powers to ensure that strategic planning authorities have regard to the desirability of prioritising development on previously developed land. The Government says that this will put the consideration of brownfield land

on the same legal footing as issues such as promoting sustainable development and the impact on health and health inequalities.

### **Mayoral planning powers**

Mayors are given powers to intervene in planning applications of potential strategic importance, to make **Mayoral Development Orders**, to establish **Mayoral Development Corporations**, and to charge a **Mayoral Community Infrastructure Levy (CIL)** on developers.

The Mayoral CIL is a new infrastructure funding instrument outside London. Charging schedules will be developed by individual authorities and will be subject to consultation. In lower-value Northern markets, the interaction between Mayoral CIL, local CIL and section 106 contributions will be a matter for local viability assessment.

Mayors may designate Mayoral Development Areas within the strategic authority area and establish Mayoral Development Corporations (MDCs) to deliver regeneration within them. The MDC has been the principal vehicle for delivering large-scale regeneration, including in Salford in Greater Manchester, and is now available to all mayoral authorities in the North for major regeneration sites.

### **Strategic Authority land acquisition and development functions**

The Act confers on Strategic Authorities **powers to provide housing and other land, to secure regeneration, development or effective use of land within their areas**. The functions may only be exercised for the purposes of improving the supply and quality of housing, securing regeneration or development, supporting community renewal, or contributing to sustainable development and good design.

The Act also confers a compulsory acquisition function on Strategic Authorities. In mayoral authorities, the CPO function is exercisable only by the mayor on behalf of the authority, following consultation with constituent councils, any National Park authority and the Broads Authority, as is relevant. In non-mayoral combined authorities, non-mayoral CCAs and county councils that are strategic authorities, the function requires the consent of constituent councils.

**Strategic Authorities now have the statutory toolkit for land acquisition, assembly and disposal that has historically been available principally to Homes England outside of the North.**

When a mayor does use compulsory purchase powers, however, the requirement for Secretary of State approval remains.

### **Strategic Authority housing accommodation functions**

The Act extends the Housing Act 1985 functions to combined authorities, CCAs and two-tier county councils that are strategic authorities.

These include the duty to consider housing conditions and the need for further housing accommodation, the power to provide housing accommodation, the power to provide ancillary facilities, and the power to acquire land for housing purposes.

### Local Growth Plans

The Act mandates Local Growth Plans for Mayoral Strategic Authorities. Constituent councils retain delivery and implementation roles for economic development. Guidance on developing Local Growth Plans is available [here](#).

### LGPS investment cooperation

The Act imposes a duty on combined authorities, CCAs and the GLA to cooperate with Local Government Pension Scheme managers, including through LGPS asset pool companies, to identify and develop investment opportunities appropriate to the pension fund.

The duty creates a statutory framework for the use of LGPS investment in local economic opportunities, potentially including housing and regeneration.

### Public service reform and the health duty

The Act introduces a statutory duty on Mayors and Strategic Authorities to have regard to the need to improve health outcomes and reduce health inequalities when exercising their functions and making policy decisions, reinforcing the importance of housing quality, design and living conditions as key determinants of health.

The duty is framed as a **"have regard to"** obligation. The duty applies to the full range of Strategic Authority policy decisions, including those on housing, planning and regeneration.

### Neighbourhood governance

The Act imposes a duty on local authorities in England to make appropriate arrangements to secure the **effective governance of neighbourhood areas** within their area.

The form of those arrangements is to be specified in regulations made by the Secretary of State.

Regulations may require the establishment of organisational structures for neighbourhood governance and may specify their number, membership, funding, review and functions.

### Community Right to Buy

The Act introduces a Community Right to Buy **giving local people the first right of refusal** for valued community assets. Local authorities are required to maintain a list of land and buildings in its area that is deemed "land of community value", with communities able to

nominate additions to the list. The owner of land of community value must give the relevant local authority written notice of their intention to sell or dispose of the land, and community groups will be given the first right of refusal to purchase.

Existing Asset of Community Value lists can be reused, while sporting assets are given added protection through the Act.

### Governance, scrutiny and accountability

Leader and cabinet executive remains the principal type of executive arrangements for local authorities and the Government's preferred option. Councils currently operating the committee system that are not otherwise protected **must move to the leader and cabinet model** within one year of commencement of the Act. The Act also provides the Secretary of State with a power to extend the standard period by up to one further year when considered appropriate, such as when an authority has made a request for a boundary change or merger. The provision avoids requiring authorities on a clear path to local government reorganisation or boundary change, to undertake significant governance change.

### Implications for the North

Strategic Authority competence over housing, regeneration, transport, skills, health and the wider list of strategic functions is **now consolidated at a single sub-regional tier**, with mandatory Spatial Development Strategies, Local Growth Plans and the new Mayoral CIL aligned at that level. This provides an integrated institutional basis for **new housing supply and housing-led regeneration** at the sub-regional scale.

The institutional capacity for housing-led regeneration in the North has been materially expanded. Strategic Authorities outside London **now have powers of land acquisition, regeneration and development**, including compulsory acquisition exercisable by mayors in mayoral authorities.

Mayors of mayoral combined authorities and mayoral CCAs can establish **Mayoral Development Corporations** for **major regeneration sites**. Combined authorities, CCAs and two-tier county councils that are strategic authorities can directly **acquire land** for housing purposes. The duty on combined authorities to cooperate with LGPS managers on investment opportunities provides a statutory framework for potentially unlocking pension fund investment in regeneration.

The legislation also **expands the influence of elected mayors**, particularly in relation to large or strategically important development proposals.

**Intervention in Planning Applications** - Mayors will have **new powers to become directly involved in certain planning applications**, alongside enhanced abilities to bring forward development through mechanisms such as **Mayoral Development Orders and Mayoral Development Corporations**. The intention is to enable faster delivery of large housing sites and regeneration areas. In practice, this is likely to increase the political

dimension of decision-making on major sites and infrastructure-led schemes and reduce local level autonomy on major schemes.

**Infrastructure Levy** - mayors will be able to introduce a **mayoral-level infrastructure levy**, once a strategic spatial plan is in place.

**Brownfield Land** - the final Act includes a requirement for strategic planning authorities to give weight to the desirability of prioritising **previously developed land**. This reinforces the Government's long-standing **brownfield-first approach** and is likely to influence how strategic plans identify growth locations.

**New statutory local growth plans** - local growth plans "provide a long-term 10-year strategic framework for growth" for Mayoral Strategic Authorities. They lay out a vision for an area, identify key opportunities and set out how areas will use their devolved powers and funding to increase growth and productivity.

**Health improvement and health inequalities** must be considered when exercising functions, including planning and housing. The impact of this will be to strengthen the policy basis for ensuring **good quality design**.

**Strengthened scrutiny and governance** – there will be mandatory **Local Scrutiny Committees** to hold mayoral authorities to account on spending and other decisions. They will apply to all Established Mayoral Strategic Authorities from April 2027, and all other Mayoral Strategic Authorities from April 2028.

The legislation reinforces the link between **devolution and local government reorganisation**. In the North, Lancashire is currently the only area not operating a unitary model of local government. A consultation on local government reorganisation in Lancashire was held earlier this year, with proposals available to view [here](#).

The Act underpins the **move towards Integrated Settlements for established mayoral areas**, creating a stronger framework for aligning housing, regeneration, transport and skills funding. This presents opportunities in northern regions to support long-term investment strategies that better reflect local economic conditions and infrastructure needs.

The introduction of a **Community Right to Buy** and enhanced protections for community and sporting assets has particular relevance for northern towns and neighbourhoods experiencing decline. These powers could **support community-led regeneration** and asset retention, although delivery will depend on access to funding and local capacity.

### **Implementation and next steps**

The English Devolution and Community Empowerment Act 2026 establishes the legislative framework for reform, but a significant proportion of its practical effect will be **delivered through secondary legislation, statutory guidance and local implementation** over the coming months and years. As a result, the pace and local impact of the Act will vary between places.

Several key provisions of the Act are **subject to further regulation** before they come into force. In particular, the **brownfield prioritisation requirements will be set out through regulations** that are subject to statutory consultation.

**Mayoral Community Infrastructure Levy (CIL) powers introduced by the Act will also be implemented locally.** Each Mayoral Strategic Authority will be responsible for developing its own charging schedule, supported by local viability evidence and formal public consultation. This will require close engagement between mayoral authorities, constituent councils, developers and infrastructure providers to ensure that levy rates remain deliverable while supporting strategic investment.

The Act also provides for **new neighbourhood governance arrangements**, with regulations expected to specify the required form and minimum standards. These regulations will be critical in shaping how neighbourhood involvement operates in practice and how it aligns with existing democratic structures. Local authorities will need to consider how these arrangements are designed to add value without creating duplication or additional complexity.

Alongside the legislative programme, there is a clear expectation that implementation will be accompanied by **place-based delivery and partnership working**. There is a significant opportunity for the sector to work closely with Strategic Authorities, housing partnerships and other local and regional bodies to support implementation in a way that reflects local priorities and capacity.

In particular, the Act aligns closely with the **rollout of the Social and Affordable Homes Programme (SAHP)**, which allows Established Mayoral Strategic Authorities to set regional priorities, and the development of Integrated Settlements, which bring together funding streams for housing, regeneration, infrastructure and public service reform. Effective delivery will depend on strong collaboration between mayoral authorities, councils, housing providers and delivery partners to maximise the benefits of long-term, devolved funding settlements.

Through the sector's existing relationships with strategic authorities and housing partnerships, there is an opportunity to:

- **Support strategic housing and regeneration planning** aligned with Local Growth Plans
- **Help integrate housing delivery into wider economic growth, health and infrastructure agendas**
- **Ensure that new devolution powers translate into tangible outcomes** for communities
- **Influence the development of guidance and implementation models** based on local experience

## Annex 1 – full table of competencies across levels of strategic authority

(\*\*) refers to functions for which funding will be included in Integrated Settlements for Established Mayoral Strategic Authorities

(^ ) refers to functions which apply to Combined and Combined County Authorities only

Detail	Foundation	Mayoral	Established
<b>Funding and investment</b>			
Access to a multi-departmental, long-term integrated funding settlement**			X
Long-term investment fund, with an agreed annual allocation		X	X
Removal of gateway review from investment fund, after Gateway One complete			X
Ability to introduce mayoral precepting on council tax <sup>^</sup>		X	X
Consolidation of local growth and place funding in a single pot**	X	X	X
<b>Strategic leadership</b>			
A statutory duty to produce Local Growth Plans		X	X
Membership of the Council of Nations and Regions		X	X
Membership of the Mayoral Data Council		X	X
<b>Transport and local infrastructure</b>			
Local Transport Authority and public transport functions, including bus franchising and responsibility for an area-wide Local Transport Plan	X	X	X
Simplification and consolidation of local transport funding**	X	X	X
Removal of certain Secretary of State consents, e.g. on lane rental schemes		X	X
Duty to establish a Key Route Network on the most important local roads <sup>^</sup>		X	X

<b>Detail</b>	<b>Foundation</b>	<b>Mayoral</b>	<b>Established</b>
Mayoral Power of Direction over use of constituent authority powers on the Key Route Network <sup>^</sup>		X	X
Priority for strategic rail engagement (including mayoral partnerships) with Great British Railways	X	X	X
Statutory role in governing, managing, planning, and developing the rail network		X	X
An option for greater control over local rail stations		X	X
A 'right to request' further rail devolution			X
Priority for support to deliver multi-modal ticketing			X
A clear, strategic role in the decarbonisation of the local bus fleet	X	X	X
Active Travel England support for constituent authority capability <sup>^</sup>	X	X	X
Formal partnership with National Highways		X	X
<b>Skills and employment support</b>			
Joint ownership of the Local Skills Improvement Plan model, with Employer Representative Bodies	X	X	X
Devolution of the core Adult Skills Fund	X		
Devolution of non-apprenticeship adult skills functions through a consolidated skills funding pot <sup>**</sup>		X	X
Central convening of youth careers provision including greater flexibility for Careers hubs		X	X
A clear role in relation to 16-19 education and training		X	X
Responsibility for developing local Get Britain Working Plans	X	X	X
Devolution of supported employment funding <sup>**</sup>	X	X	X
Co-design of future employment support that is additional to core Jobcentre Plus provision		X	X

Detail	Foundation	Mayoral	Established
Delegated delivery or commissioning of employment support that is additional to core Jobcentre Plus provision			X
Alignment of Jobcentre Plus boundaries with Strategic Authorities			X
<b>Housing and strategic planning</b>			
A duty to produce a Spatial Development Strategy	X	X	X
Strategic development management powers (once the Spatial Development Strategy is in place)		X	X
Ability to raise a Mayoral Community Infrastructure Levy to fund strategic infrastructure (once the Spatial Development Strategy is in place)		X	X
Ability to make Mayoral Development Orders		X	X
Ability to establish Mayoral Development Corporations		X	X
Homes England compulsory purchase powers (held concurrently)	X	X	X
Devolution of wider grant funding to support regeneration and housing delivery**		X	X
Ability to set the strategic direction of any future programme to support affordable housing provision in their area			X
Strategic Place Partnership with Homes England		X	X
Support to establish a public sector land commission			X
<b>Economic development and regeneration</b>			
Partnership working with Department for Science, Industry and Technology and UK Research and Innovation to explore opportunities for closer long-term collaboration in strengthening local research and innovation capacity	X	X	X
Develop joint innovation action plans with Innovate UK to shape long-term strategies and investments		X	X

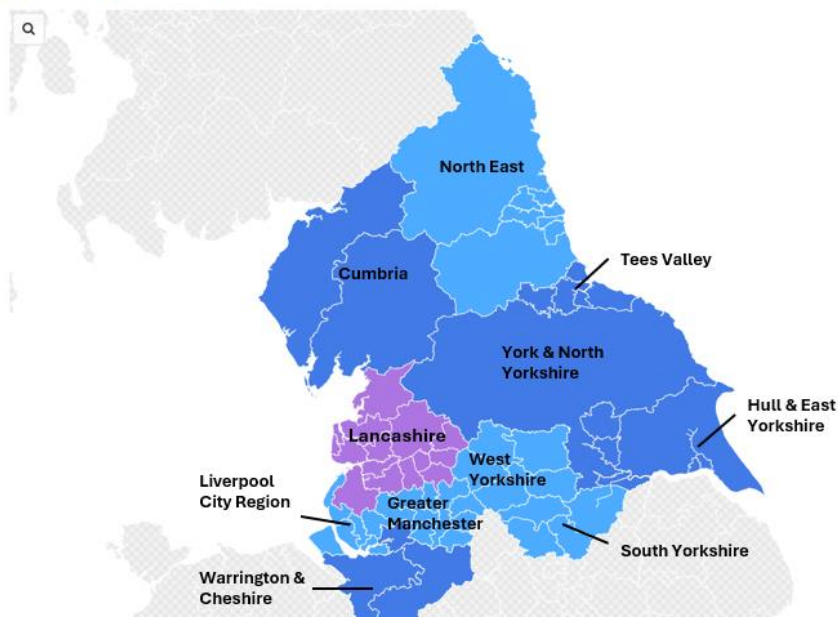
<b>Detail</b>	<b>Foundation</b>	<b>Mayoral</b>	<b>Established</b>
Embed UK Research and Innovation lead points of contact for enhanced collaborative working on innovation with Mayoral Strategic Authorities that are committed to work collaboratively on innovation		X	X
Responsibility as the accountable body for the delivery of Growth Hubs	X	X	X
Devolution of Growth Hubs funding**			X
A Strategic Partnership with the Department for Business and Trade focused on domestic growth, exports, investment, and delivery of local growth priorities.		X	X
Partnership working with Department for Culture, Media and Sport Arm's Length Bodies to maximise culture, heritage, and sport spending in place	X	X	X
<b>Environment and climate change</b>			
Devolution of retrofit funding this parliament subject to a successful transition period (see 3.7)**			X
Heat network zoning coordination role	X	X	X
Coordinating local energy planning to support development of regional network energy infrastructure	X	X	X
Green jobs and skills coordination role	X	X	X
A strategic role on net zero in collaboration with government, including on Great British Energy's Local Power Plan and Warm Homes Plan	X	X	X
Responsibility for coordinating delivery and monitoring of Local Nature Recovery Strategies^	X	X	X
<b>Health, wellbeing and public service reform</b>			
A bespoke statutory health improvement and health inequalities duty^	X	X	X
Mayors engaged during the Integrated Care Boards chair appointment process		X	X

Detail	Foundation	Mayoral	Established
Mayors as members of local Integrated Care Partnerships, and consideration for position of chair or co-chair		X	X
A role in convening partners and driving cross-cutting public service reform, including looking at areas such as multiple disadvantage	X	X	X
<b>Public safety</b>			
Mayors accountable for the exercise of Police and Crime Commissioner functions where police force and mayoral boundaries align^		X	X
Mayors accountable for the exercise of Fire and Rescue Authority functions where fire and rescue service and mayoral boundaries align		X	X
A clear and defined role in local resilience, working with the Local Resilience Forum to embed resilience into broader policy and delivery^	X	X	X

## Annex 2 – Map of strategic authorities in the North

### Strategic authority areas in the North by level of devolution

■ Mayoral ■ Established ■ Foundation



Source: [Office for National Statistics \(Boundaries\)](#), [Simple maps \(Points\)](#)

### Annex 3 - Strategic Authority categories: a guide to terminology

The Act uses a layered terminology that matters because different provisions apply to different categories of authority. The key terms are set out below.

**Strategic Authority** is the umbrella term introduced by the Act. It covers all of the institutional forms that can hold devolved competence under the Act, including the Greater London Authority, combined authorities, combined county authorities, single foundation strategic authorities, and (transitionally) two-tier county councils designated as strategic authorities.

**Combined authority** is a body established under the Local Democracy, Economic Development and Construction Act 2009. Most of the existing institutions in the North are combined authorities, including Greater Manchester, West Yorkshire, Liverpool City Region, North East, South Yorkshire, and Tees Valley.

**Combined county authority (CCA)** is a body established under the Levelling-up and Regeneration Act (LURA) 2023. CCAs are designed for areas where unitary status across the whole geography is not in place. Lancashire is the only Northern example.

**Foundation Strategic Authority** is the lowest tier in the Act's three-tier model. Single foundation strategic authorities are a new category designed for areas with a single upper-tier authority that is to hold strategic competence. They have a narrower range of powers than other authorities and do not have a directly elected mayor e.g. Lancashire Combined County Authority.

**Mayoral combined authority** and **mayoral CCA** are combined authorities and CCAs respectively that have a directly elected mayor. The mayoral status determines access to a number of powers in the Act, including Mayoral Development Corporations, Mayoral Development Orders, the Mayoral Community Infrastructure Levy, mayoral planning intervention, and the mayor-only exercise of the compulsory acquisition function under Schedule 18. Most existing Northern combined authorities are mayoral. E.g. York & North Yorkshire Combined Authority.

**Established Mayoral Strategic authority (EMSA)** is a designation applied to mayoral combined authorities and mayoral CCAs that meet specified criteria. The EMSA designation unlocks an additional layer of devolved powers above the standard mayoral combined authority offer, including access to an Integrated Settlement of consolidated funding. EMSA status is not required to access the principal new powers in the Act such as MDCs or Mayoral CIL, which are available to all mayoral combined authorities and mayoral CCAs. E.g. Greater Manchester Combined Authority.