HOUSE OF COMMONS

Public Administration and Constitutional Affairs Committee

Oral evidence: The Evolution of Devolution: English Devolution, HC 825

Tuesday 20 October 2020

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Watch the meeting

Members present: Mr David Jones (Chair); Jackie Doyle-Price; Rachel Hopkins; Navendu Mishra; David Mundell; Tom Randall; Lloyd Russell-Moyle; Karin Smyth; John Stevenson.

Questions 1 - 61

Witnesses

[I]: Professor Michael Kenny, Professor of Politics, University of Cambridge & Director of Bennett Institute for Public Policy; Dr Arianna Giovannini, Associate Professor in Local Politics & Public Policy, De Montfort University; Professor Sarah Ayres, Professor of Public Policy and Governance, University of Bristol; Professor Richard Wyn Jones, Director of Wales Governance and Dean of Public Affairs, Cardiff University.

Examination of witnesses

Witnesses: Professor Michael Kenny, Professor of Politics, University of Cambridge & Director of Bennett Institute for Public Policy; Dr Arianna Giovannini, Associate Professor in Local Politics & Public Policy, De Montfort University; Professor Sarah Ayres, Professor of Public Policy and Governance, University of Bristol; Professor Richard Wyn Jones, Director of Wales Governance and Dean of Public Affairs, Cardiff University.

Q1 **Chair:** Good morning, and welcome to a hybrid public meeting of the Public Administration and Constitutional Affairs Committee. I am in a Committee room in the Palace of Westminster with the small number of staff required to facilitate the meeting, all suitably socially distanced. The witnesses and my other colleagues are in their homes and offices across the country, and indeed in one case outside the country. This evidence session is the first in our inquiry on English devolution and I am very grateful to all the witnesses who have given up their time to be here with us today. Could I please ask you to introduce yourselves?

Professor Ayres: My name is Sarah Ayres. I am Professor of Public Policy and Governance at the University of Bristol.

Dr Giovannini: My name is Arianna Giovannini. I am an Associate Professor in Local Politics and Public Policy, and the Deputy Director of the Local Governance Research Centre at De Montfort University.

Professor Kenny: I am Mike Kenny. I am Director of the Bennett Institute for Public Policy at the University of Cambridge.

Professor Wyn Jones: My name is Richard Wyn Jones. I am, for these purposes, Core Director of the Future of England Survey, which is the most detailed look at attitudes in England towards the way that the country is governed, and author of a book called "Englishness: The Political Force Transforming Britain" jointly written with Ailsa Henderson, coming out next year with Oxford University Press.

Chair: Thank you all. May I now turn to our first question from my colleague, John Stevenson?

Q2 **John Stevenson:** Could I start with Professor Kenny? How would you describe the current position of governance arrangements in England?

Professor Kenny: I would say three things to start with. First of all, highly centralised in character, in that it is one of the most centralised large democracies in the developed world, with a state that is still making decisions and developing policies for many different places, of some of which it has little understanding.

Secondly, I would suggest that the governance of England is in some ways constitutionally increasingly problematic in a Union where devolution has developed for other parts of the kingdom, and by a process of subtraction the UK Government have in some key respects become England's Government. That, it seems to me, stretches or puts a strain on the British constitutional tradition.

Thirdly, I would suggest that the governance of England is increasingly opaque from most citizens' perspective, with local authority structures that sit quite awkwardly alongside some mismatching bodies with overseeing policing, health and other public service powers, and in some places an increasingly complicated layering of different tiers of authority.

Dr Giovannini: I fully agree with the points that Mike raised. It is important to emphasise that due to the reasons that Mike just explained, devolution in England remains unfinished business that lacks a clear framework and direction of travel.

Up until now, it is important to underline that devolution has developed in fits and starts, leaving devolution deals to resemble a patchwork of ad hoc fixes that do not cover the whole country and vary considerably in terms of power, resources, responsibilities that are passed down to local and combined authorities.

The problem there is that, as a result of this, devolution remains a disconnected project that benefits only some areas across England, with a

tendency of privileging metropolitan ones and excluding rural and coastal areas, and is still far from delivering any form of real empowerment and autonomy to all localities.

There is something to be said perhaps also about the fact that devolution can be achieved at the moment only through deals with Central Government. This fosters competition rather than co-operation between local authorities, which is problematic because it means that, while devolution was set with the aim of bridging existing socioeconomic divides, in practice the competitive nature of devolution deal-making leads to the creation of winners and losers of devolution, adding in this way new divides to existing situations.

What has been happening in the north of England is a case in point. There we see that with the exception of the Tees Valley it is the big cities—Sheffield, Manchester, Liverpool, Newcastle and now Leeds soon—that are benefiting from devolution, while areas that are experiencing the highest levels of socioeconomic deprivation, such as Hull or Blackpool, have been left at the margin.

This is something that needs to be changed going forward because, in order to work properly, it is important that devolution really reconciles the different socioeconomic aspects of the country and finds a way to address them and be accessible to all areas and not just a few selected ones.

Professor Wyn Jones: I do not have very much to add to what my two colleagues have just said. It is deeply confusing. English local government is well known to be very weak. That kind of intermediate level is incoherent, confused. There is no underpinning basic consensus as to what that level is meant to be achieving. Frankly, if you spend—as I have done recently—any time looking at the evolution of that intermediate level of governance in England over the last 20-25 years you really do need to wrap a wet towel around your head. I say this as somebody who is used to Welsh devolution, which has its moments, but English regional governance is just incoherent and very, very difficult even for the so-called experts to follow, let alone the citizens. Which returns to the point that Mike made, which I think is very important, that just in terms of the citizens this is very, very difficult to understand.

Q3 **John Stevenson:** Professor Ayres, you have said that the evolution of English devolution has lacked any clear constitutional vision. What do you think a "clear constitutional vision" would look like?

Professor Ayres: I think there are two options for the next phase of devolution at the moment. One is more of the same, what my colleagues have described—this mishmash of top-down, technocratic negotiated deal-making, which might be recognisable for those core élites charged with managing the process: it is an economic productivity agenda. Or there is a different vision—something perhaps a little more radical, something that offers genuine power and control for local people, those people that are affected by decisions.

Patsy Healey does some work on this in Newcastle and she talks about new imaginaries. Her argument is that we are so engrained in the British political tradition of top-down control that it is difficult for us to see beyond that to see what genuine devolution in England could look like, but there is a question whether, post-Brexit, post-Covid, the time is right now for something a little more radical and imaginative.

Q4 **John Stevenson:** Professor Kenny, what would be your vision?

Professor Kenny: I would just add a couple of points to that. Part of the challenge here is that this is a state that lacks a constitutional vision even more widely than England. Obviously we are focusing here today on England, but the question of what is the constitutional vision for a UK that has a lot of different moving parts within it, in terms of devolution and reforms, is one thing, but where England locks into that wider set of changes is a very big question and a tough question, given that the way that devolution has generally been undertaken since the millennium is that it has been about the other parts of the kingdom; England has been very disconnected from the process.

Secondly, I would go to the point about what devolution might mean outside this kind of contractual-deal-making framework, which Sarah rightly points to. I am sure we will discuss aspects of that. It seems to me there may be elements of the model of devolution that we have that we might want to keep and perhaps build from. It seems to me that some aspects of the combined authority/metro mayor model are valuable and important and are creating a new tier of leaders who can claim a mandate to speak for the people they represent. That is important, but their powers are very weak. Their symbolic authority, their soft power, seems fairly strong and we have seen an example of that right at the moment in relation to Greater Manchester. But this is a very constrained model by any international comparison. It has evolved in a very top-down way and there is a question about, "What is the underpinning view of this?"—"What is the consensus," as Richard puts it, "which is going to be shared to some degree across politics to build out devolution?" That is a really important part of that question.

Dr Giovannini: Another point that needs to be emphasised is that, going forward, if we are to develop a functioning long-term constitutional vision, we need to rethink the way in which centre-local relations work, especially within England. This would allow us to tackle both the elements of the so-called English question, so tackling over-centralisation in England while also rebalancing the role and place of England within the Union.

This requires a profound rethinking of the way centre-local relations work and also a cultural shift at the centre too—one that opens up to the principle of subsidiarity and fully embraces the principle of subsidiarity and puts it at the core of a long-term constitutional vision for England and for the UK as a whole.

There is no doubt that this is a very difficult task but it is one that would allow the re-establishment of a stronger relation between the centre and subnational government in England, based on a clear allocation of power, co-operation and also trust.

We should also perhaps try to look at what is happening in other countries, because this is the norm in many other countries, for example, in Western Europe. Research clearly shows that countries with a functioning system of multilevel governance tend to perform better in terms of policy effectiveness and economic outcomes, Germany being the prime example here. However, this requires a form of devolution that is based on clear division of power, fair allocation of funding and a co-operative mechanism of collaboration between and across different levels of government. A long-term constitutional vision for England is very much needed and should reflect on these points going forward.

Q5 **John Stevenson:** Thank you. Professor Jones, just to finish on this point, it is clear that you all think that there are some serious problems with English devolution at present. Is that something that a royal commission should be looking at?

Professor Wyn Jones: That is an interesting suggestion. I do think there are such basic issues where there is no consensus. For example, we have had mention of the wider UK context and devolution to Scotland, Wales and Northern Ireland and what this might mean in England. Of course, there is strong pressure historically from Welsh Labour MPs and Labour MPs from outside England to push for a regional devolution in England to counterbalance Wales, Scotland and Northern Ireland, although there is very little evidence that there is public support in England for such a development. So you have that fundamental tension.

You have also had this problem, going back over the last 20 to 25 years, where because there has been no shared vision between the two largest parties in England, we have had things being set up, removed, new things put in their place, removed. There is a constant churn in this area, and so I think that while traditionally there is a view of royal commissions as being a way of kicking things into the long grass and not dealing with issues, when you have a fundamental lack of consensus between the two largest parties in England there is an argument for some mechanism, I think, where discussions take place. Whether that is in some kind of citizens' assembly or in some kind of commission I do not know, but it seems to me that one of the reasons we have such churn and such incoherence is that there is a lack of basic agreement on even the boundaries of a regional level or an intermediate level in England, let alone what the functions of that level might be. Until we have at least some kind of agreement about that, I suspect there will be meetings like this in 10, 20 years' time saying, "Well, what do we do about English governance? It is a mess."

Q6 **Chair:** I would like to follow up on the point that Professor Wyn Jones just made with Dr Giovannini—the issue of the appetite for devolution in England. As you know, in 2004 the then Labour Government were keen to

set up a number of regional assemblies across England. In the north-east, that was resoundingly defeated by a huge majority. What indication does that give of the then and the current appetite for devolution in England?

Dr Giovannini: Having conducted extensive research on the failed attempt to set up a regional assembly in the north-east of England in 2004, I think that in broad terms it is misleading to think that the 2004 referendum was an example that shows that there is no appetite for devolution among local communities. It would be more accurate to read that episode as a way of saying that people in the north-east did not vote against devolution itself; they voted against that specific form of regional devolution, which, if we look at the details, was very much less than satisfactory.

In fact, what was on offer and put to the vote in 2004 was a very weak form of devolution. It was a form of devolution that did not do much in the way of empowering local communities. The regional assembly had virtually no power and funding and, as such, it would not have been able to bring about any real change in the region or act upon issues such as transport, training, adult education or economic policy that can make a difference for people in their everyday life.

The main issue was that, while the initial proposals for regional assemblies were ambitious, over time the powers that were on offer were increasingly chipped away by the Treasury and the Cabinet at large. Proposals for the regional assemblies were not developed in consultation with local leaders either, and local campaigns were active and sought to lobby Central Government, but they targeted the Office of the Deputy Prime Minister and they did not manage to influence the Cabinet's view in an effective way. Therefore, the result was a regional assembly proposal that was packaged in London and imposed on the north-east, with little consideration of the need to gather support from the grassroots and to win over consensus from local communities. As such, what was on offer resembled more a form of functional top-down regionalisation than any form of real political devolution, so it is unsurprising that people in the north-east voted against the creation of new bodies with no powers. That is not the same as saying that there is no appetite for devolution among the English.

There are a few lessons that can be learned from what happened in 2004. The north-east result really threw into sharp relief the longstanding reluctance on the part of Whitehall to let go of power in England—an attitude that was present back then, in 2004, and pretty much still persists today. But that approach is contradictory because it leads to issues that still exist today. Any Government willing to develop a coherent and functioning system of devolution going beyond party political interest, cannot impose devolution on localities from the top down and expect to control it unilaterally from the centre. Doing devolution properly requires a full commitment on the part of Central Government to relinquish power to and show trust in subnational government.

Another common assumption that emerged from the result in the 2004 referendum, and that needs to be debunked in my view, is the one about

the regional scale. People in the north-east did not vote against the idea of regional devolution per se; they just did not want an empty, powerless regional body. So the regional scale, as a middle level between local government and national Government, should not be discarded a priori in the debate on the form that devolution should take going forward.

There is a lot of research from IPPR North, for example, which was echoed by the reports of the UK2070 Commission on regional inequality. That shows that a regional tier of government that does not suck up power from the local level but is actually empowered from the centre and provides policy direction and co-ordination on strategic policy issues, while working in close contact with and being accountable to local government, could provide the missing link between the centre and the local level that we are currently experiencing in England. So thinking about a regional tier of government should not be dismissed just because the people in the north-east voted against a weak regional body in 2004.

Q7 **Chair:** Of course, the point is that that is the only official poll that we have had on devolution in England so far and, as I said, it was resoundingly rejected. Your thesis is that it was rejected, as I understand it, because it did not go far enough. Have you any polling evidence to show that there is more support now in the north-east for devolution than there clearly was in 2004?

Dr Giovannini: I do not have polling but I can refer back to an example of citizens' assemblies on devolution that were conducted in a different part of England, one being in Sheffield, for example, and one in Southampton. These were pilot citizens' assemblies that asked the people in these two areas what they think about devolution and whether they want devolution for their local areas. The result of that was that, yes, there is a desire for devolution, but for a form of devolution that can really make a difference to people in their day-to-day lives

This goes back to my main point. It depends on what we put on offer to citizens. It is not that people in England do not want devolution per se. I think that what they want is to see more power being passed down, having a local level and perhaps even a city regional level that is empowered enough and has the resources to work on policy that can really make a difference in their everyday life.

Q8 **Chair:** Professor Wyn Jones, I think you wanted to come in.

Professor Wyn Jones: Yes. I am afraid that I want to disagree with my esteemed colleague, inasmuch as I am sorry to say that the evidence is not there to support the contention that if what had been offered in 2004 had been stronger there would have been a different result at the time. The fact of the matter is that those of us who have spent quite a long time looking at attitudes in England towards the governance of England find that there is very little support for regional devolution. In fact, the only thing that has less support than regionalism is city deals.

People who are arguing in favour of an intermediate level of governance in England may well have a very good functional case—England is incredibly centralised by any standard—but I am afraid that you cannot really make the argument on the basis of the public in England demanding something different.

One of the issues, of course, is the boundaries. In 2004, the then Government cherry-picked the north-east as the area where they thought they would find the highest support for a regional elected assembly, and obviously we know the result. Many people have suggested, "Well, the problem is the boundaries. It is that people in England have no sense of effective identification with these particular government regions."

We have also spent time calling on other boundaries—like the north, for example—but we struggle to find any support, public demand, for regional governance in England at any regional level. The major cities, the major conurbations, are different, so London is clearly different in that regard. There may well be very strong arguments for a regional or an intermediate level of governance in England, but I am afraid public attitudes isn't the trump card if you want to win that argument, in my view.

Q9 **Chair:** That is what your studies have indicated. Do you have any polling evidence that you could point to?

Professor Wyn Jones: We have a lot of polling evidence, some of which is published. In fact, in talking to one of your colleagues on the Committee, I did offer, if it was of interest to the Committee, to pull together a short report on the latest polling evidence and survey evidence if that is of—

Q10 **Chair:** Can I take you up on that kind offer, please?

Professor Wyn Jones: You may.

Q11 **Chair:** Thank you. Professor Kenny?

Professor Kenny: Just a couple of observations coming out of that discussion. First, I think we should be a little bit careful about drawing too many hard-and-fast lessons from that particular referendum, if only because was an important political context surrounding it. In some ways I think this was a harbinger of things that have happened since. The campaign to defeat that proposition was an early example of an anti-establishment campaign in a referendum, which gathered pace and targeted what it framed as a very top-down metropolitan way of thinking about an area. I say that not just because Dominic Cummings was involved in that campaign; it really does indicate how far back we can go to think about the process of some traditional Labour-voting communities beginning to become disaffected with Labour's thinking around questions of governance. Also, there was a European dimension to this, an EU dimension, in that the accusation that this was a project that fitted with the EU vision of the Europe of the regions was also a very powerful card.

Secondly—following Richard's points about identity—when bureaucratically we want to draw up lines of division in England, it is important to reflect on questions about whether what may make sense entirely at the functional level, in functional terms, fits with many people's sense of the geographies that matter to them. There are traditions—geographically bounded forms of identity, be it counties, be it cities, be it villages or towns—which run very deeply in England. That is not unique to England, but there are specifically English traditions and dimensions of that; and I think the lesson there to reflect on is that a governance project that does not have that kind of geographical dimension, that does not have some sense of a geography that makes some sort of sense to people with which they can connect, is I think going to be up against it; it is going to be harder to make that fly. That is not an argument against an intermediate layer at all, but in some ways I think it is a pointer towards the sort of geography that, in rough and ready terms, we are moving towards with combined authorities and city region deals.

Q12 **Chair:** Do you have anything to add, Professor Ayres?

Professor Ayres: Just a quick point, picking up on Richard's point about a lack of public support for devolution. One of the key problems is that the narrative, the vision, has not been spelt out. It is hard to buy into a vision that has never been articulated effectively. When the devolution deals came round, for example, lots of research pointed to the fact that there were strong central devolution champions in Westminster in the form of George Osborne and Greg Clark. That was seen as massively important in driving forward the devolution agenda, providing impetus at the centre and providing a vision. But if there is no vision set out, it is difficult for the public to know what they may or may not be buying into, so it has to start at the centre.

Q13 **Chair:** How fair might it be to observe that it is possibly the case that people have got enough politicians already and don't want any more?

Professor Ayres: That is one of the big concerns, by all accounts, and Richard will know the details of that better. Another layer of bureaucracy apparently is the big no-no for local actors. That said, if there is no understanding about what they could offer—

Picking up on Professor Kenny's point about having the right territorial dimension to this, people have an affinity with their cities; they do have an affinity with place. The Covid crisis has brought that into sharp relief, and so has the Brexit crisis. If you get the geography right, if you get the vision right, and there is an offer of the possibility of doing something different, the public will respond.

Q14 **Chair:** But not necessarily positively?

Professor Ayres: Not necessarily. It will be variable in different parts of the country, no doubt.

Q15 **Chair:** Professor Wyn Jones, I think you wanted to come back.

Professor Wyn Jones: May I add one very quick observation? One of the difficulties with the whole debate about that intermediate level of governance in England is that it has very often been pitched as a choice between recognising England as a unit and recognising an intermediate level within England, as if you have to choose between them.

Logically, there is no necessary connection but that is how it has been proposed, in particular by the centre left. Public attitudes in England are very, very clear. You can measure this in all kinds of different ways but you get the same conclusion. If they are forced to choose between regional governance within England and recognising England as a unit, people in England overwhelmingly choose recognising England. One of the problems that those who advocate regional devolution within England have had is that they have tended to pitch that against England and Englishness and recognising England. That is an argument that they simply cannot win.

Q16 **Lloyd Russell-Moyle:** You have raised some interesting questions there, particularly Professor Jones, around Englishness versus regionalisation. How has that played out in places like Cornwall, or maybe even places like Yorkshire, where there is already a relatively strong regional identity? There are regional newspapers in one and, while previously dead, a slightly growing regional language and the understanding of regional identity in Cornwall. Has the problem been that, even in your poll, it is always around trying to create a functional unit first rather than trying to create cultural units that might be very small? Cornwall has the population of Malta, but nobody ever talks seriously about Cornwall being a devolved nation within the UK. Is that the problem—that we have always looked at the function rather than the culture?

Professor Wyn Jones: That is an interesting point. I am afraid that my research continues the tradition that you have just condemned, because we simply do not have a large enough sample in Cornwall. We do our best in England and we have certainly spent a lot of time trying to do samples that are big enough to get us a relatively good understanding of the differences within England—I will come back to those in a moment—but I am afraid that I cannot tell you much about Cornwall specifically because it is simply too small. There is an interesting question there, but I cannot answer it.

Very quickly, in terms of attitudes across England, one of the interesting things is that, with the partial exception of London, there is a great deal of uniformity across England. As Professor Kenny was saying, there are clearly deeply felt identity differences within England, but in terms of their having any political manifestation in terms of the territorial governance of England, England is quite uniform in not being interested in this stuff. As I say, we have tried different units. We have tried the Government official units. We have tried what may be effective units, like the north. We have not found that sense of effective identity that might underpin a different form, or an intermediate level, of governance for England. So it is—

Q17 **Lloyd Russell-Moyle:** Both those units that you mentioned sound deeply

unappealing to me. Cornwall, Yorkshire, even Sussex, sounds much more appealing, but if you suddenly asked me whether I would want a functional unit with Sussex and Kent I would be very much against it. I just wonder if even this is always looking at it the wrong way. A lot of these identities were created in the Victorian era, when a lot of county identities were constructed. I wonder if, rather than trying to look at governance, we need to be looking at constructing cultural units first and then saying to people, "Do you want some governance to come along with that cultural unit that we have now constructed and made you feel empowered about?"

Professor Wyn Jones: As you have probably worked out from my accent—indeed my name—I am not English, so it is not really my— What you say makes emotional sense to me, but if you look at the way this debate has been pitched over the last 25 years, it is different. We have been trying to look at attitudes in England at the kinds of levels that have been spoken about. As I said earlier, you really struggle to find popular support for that kind of devolution, but you also find a lack of popular support for city regions, at least in the abstract sense. Maybe if you spoke about particular localities you would get something different, but that would be a very different kind of survey to the one that we are doing.

Q18 **Chair:** A quick additional contribution from Professor Kenny, please.

Professor Kenny: This is a really important question—how do you relate a place-defined sense of connection or belonging to some new form of governance? This challenge is not unique to England; it is a challenge you can see right across the democratic context in attempts to decentralise and so on.

While I do think that geography is important and cultural tradition matters and can set a limit—and that may be true in the regional governance case—it is also true that sometimes, by developing governance innovations, just making change happen, even if there isn't a massive surge in demand, you build something that works and then people start to connect with it.

Wales is a very interesting case in point. Over time you have seen a very significant shift in people's attitudes towards devolution. It seems to me that there are examples you can build upon, without necessarily waiting for that very clear cultural consensus, because we just do not have it in most parts of England. Yet we know that we need a much more functional model of intermediate devolution.

Chair: Thank you for that. I am going to ask Karin Smyth to ask the next question but, before I do that, could I gently say that we are running rather slowly at the moment, so could we have snappy questions and possibly snappy answers? If witnesses do not feel constrained to put an answer in they need not worry about it.

Q19 **Karin Smyth:** Professor Ayres, I would like to move to you and talk about some devolution deals. Specifically, in 2015, as we know, the Conservative Government launched the devolution deals. I am Bristol based, so we had one of those, didn't we? To what extent do you think these measures are

described as devolution or decentralisation of power and responsibility?

Professor Ayres: In 2015 there were ambitious plans to devolve powers to those localities that were willing to take on an elected mayor. The narrative at the time was that this was a devolution revolution that would lead to a fundamental reconfiguration of powers between the centre and localities.

I did quite a lot of work looking at devolution deals between 2015 and 2018. The upshot of that work was that there is a big rhetoric/reality gap; so the reality of what the devolution deals look like did not quite match up to the rhetoric of a revolution at the time. You have ended up with a very different set of relationships across England. On the one hand you had Greater Manchester Combined Authority, which was seen as the gold standard, the model of devolution that others could follow—although you do wonder whether recent events around Covid will undermine some of those relationships in quite a damaging way for the next phase of devolution!

Then you had a set of devolution deals that were quite hard-won, which were described as "bruising experiences". Some localities felt strong-armed into the mayor approach or the deal that they got. Then you have a set of localities where there is no deal at all. A colleague, Jennings, calls them the forgotten areas—our coastal towns, our rural areas—which are completely sidelined by any possible benefits of devolution. Rather than this narrative of a devolution revolution and a fundamental reconfiguration of powers, we have probably ended up with a piecemeal, very asymmetric set of relationships that perhaps have not quite delivered up to the promise.

Q20 **David Mundell:** Earlier in the evidence it was said that the UK is one of the most centralised states in Europe. What are your views, starting with you, Professor Kenny, on the extent to which you think devolution in 1997 changed this?

Professor Kenny: In some senses it did change it for Northern Ireland, Scotland and Wales, undoubtedly, with asymmetric devolution arrangements introduced in those places. There is an interesting argument about whether decentralisation within each of them has followed because, clearly, devolution has created new power centres, particularly in Scotland. In England it has been a very different story and—following on from what Professor Ayres was saying—the devolution model in England has unfolded very, very differently, in fits and starts. It is much more akin to administrative devolution. It is not so obvious that that structure has created much decentralisation.

The other point I would make is that for decentralisation to happen, the mindset within the centre has to change. We have created these variable devolution structures but, for the most part, the centre has retained the presumption that it still is in control and that devolution, in a substantive way, has only happened outside England.

Q21 **David Mundell:** I certainly agree with you that although we have had devolution in Scotland, Scotland itself remains incredibly centralised—much to the disappointment of many. Do any of our other witnesses wish to comment on the post-1999 impact? Professor Wyn Jones.

Professor Wyn Jones: In terms of the governance of England, there is a strong argument for saying that it has become more centralised since 1997, as both parties, despite their rhetoric, hoover up powers from local governments into Central Government. We are now seeing the latest iteration of this around planning, where local government is set to lose planning powers. There may be arguments why that is a necessary thing but, let's be very clear, it is reducing the powers of local government.

There is this paradox that has been observed many times. Whereas we have had substantial devolution of powers to Scotland, Wales and Northern Ireland, England is probably becoming more centralised and very little has changed at the UK level. When you look at the various proposals that the main parties have put forward for English governance since 1997, very, very few of them address the power of the central states. Taking powers away from the central states is not what this is about. Often it is moving up powers from local government.

Q22 **Chair:** Professor Wyn Jones, is it not arguable that the same process of centralisation has manifested itself in both Scotland and Wales since devolution?

Professor Wyn Jones: It is certainly an argument, Chair. I am sure we could have that argument. All I would say is that if you compare local government in Wales in particular with England, it retains more of its traditional functions around, for example, education than a local government in England does these days.

Q23 **David Mundell:** Following up with you, Professor Wyn Jones and Professor Kenny, and our other witnesses if they wish to answer, have any of the regional initiatives pursued in England by either the previous Labour Government or the Conservative Government done anything at all to decentralise power?

Professor Kenny: The picture that Richard paints is definitely recognisable, I think. There is a lot to that. There is a countervailing tendency. The restoration of governance for London, the introduction of the Greater London Assembly, was an important moment in terms of developing a system, returning some powers to London and developing a functional, viable and important form of devolved government within the capital.

I also think that some of the other innovations we have had, particularly Greater Manchester, are important counters to some degree to the tendency for the centre to bring powers back. It is not that people in the centre think that they are not doing devolution. There has been a lot of rhetoric and endless reports about this, but it is true that it has been done in a fairly centralised way. At the same time, having created an entity like

Greater Manchester, and having an elected mayor, and having developed an authority that has the most substantial set of powers, we do now have a model of some kind of slightly less insipid form of devolution. I do think with the mandate that comes from being elected the leader of that authority—and, indeed, it would be fairly true of West Midlands as well—that we have some examples now that run against that tendency. But I do accept that those authorities are working in a very constrained context and this deal-making contractual framework in which they work is a huge inhibition.

Dr Giovannini: It is also very important to be careful when we think about the creation of models of devolution. Michael rightly pointed to the example of Greater Manchester. It is true that in some places there has been an attempt at passing down powers, but we should not suppose that a model that works in Manchester can be applied to other places, too. That is a very, very risky approach and something that, again, would privilege particularly metropolitan areas, increasing the process of exclusion from the areas that have been left behind so far from the process of devolution.

Going back to your initial question about whether anything has been achieved in terms of devolution since 1997, we have seen both back in the days of the Labour Government and now that there are elements of continuity in this process. The main point is that devolution is understood as a way of addressing persisting regional inequalities across England. That could be one of the aims of devolution but it is not necessarily the only one.

Even if that was the aim of devolution, we have evidence from research. For example, when I was interim director at IPPR North last year, we developed a comprehensive set of research that looks at what is happening to regional inequalities. We found that they are still growing, and that overcentralisation is the root cause of these regional inequalities. By that count, it is fair to say that devolution has not worked well. Perhaps we have seen, not real devolution, but some form of delegation of some powers and responsibilities of national Government.

If we want to achieve devolution, we need to take into account the democratic element of that as well. There must be a willingness on the part of the centre to pass down real powers and resources to local leaders in all areas in England, so that they can take the lead and adopt place-based approaches to addressing those persisting inequalities that we see in the country.

Q24 **Chair:** Professor Ayres, did you want to add something?

Professor Ayres: Picking up on Professor Kenny's point about a step change in Greater Manchester, what springs to mind for me is the devolution of functions and some powers around health and social care. That is a massive step for Whitehall and Westminster because the Department of Health has historically been nervous, as have all the big

delivery departments, about devolution. That provides an opportunity for what might happen.

The second point to make is that nothing was devolved in the devolution deals that Central Government was not willing to let go of. There were two key considerations with the devolution deals—can you do it better and can you do it cheaper? If so, we will think about it. Nothing was taken. Everything was granted. That was the context within which deals were made.

Q25 **Karin Smyth:** Following on, Professor Ayres, on those points, this discussion is concentrating on what comes out of London rather than what comes up. The question is around the small-scale incremental approach that we have had now and whether that works in regard to English local government and devolution. We started by saying that decision-making now is rather opaque in England. That was from Professor Wyn Jones. Locally, we have three mayors. We have a city Mayor, a regional Mayor who covers part of the city area, and we have a Lord Mayor. That, I know, confuses many people.

This incremental way now with local governments, do you want to talk us through a little bit how you see that that is working or not?

Professor Ayres: Yes, of course. It is this idea that the last round of the devolution reforms has been made on a piecemeal basis, so each local area has entered negotiations with Central Government to find a deal appropriate and fit for purpose. On the one hand that is probably a sensible strategy moving forward because there are high degrees of variability and local governance capacity across England. Some areas will want to pursue the whole suite of those possibilities; other areas will not. That incremental process, rather than sweeping constitutional reforms across England, feels appropriate.

Picking up on your point about how these deals were made, it was largely by political élites from the centre and localities behind closed doors with little formal government guidance and they happened very quickly, so there was not much time for consultation.

When I interviewed stakeholders who were at the heart of this process, I learned that there were some clear positives out of that. One was an ability to talk through some of the more difficult discussions behind closed doors without the media spotlight. The recent Covid crisis and pandemic and tensions brought to the fore highlight some of the negative consequences of a public fallout. The other issue was that they were able to speak about innovative solutions that might never see the light of day. There was trust-building between parts of Central Government and the local areas. There were lots of positives to this fleet-of-foot, behind-closed-doors way of working. The downside, of course, is that if you are not on the inside, you do not know what is going on. An agenda that is supposed to be about bringing power and decision-making to local people was seen as exclusionary, élitist and top-down.

The challenge for the Government in the next round of the devolution agenda is to try to strike this balance between a fleet-of-foot, flexible, incremental approach and a system and a way of working that will engender a spirit of confidence and goodwill among the public. Lots of the deals fell apart when they were announced and people who were not consulted did not approve them. That makes implementation difficult and things fall apart. Striking that balance will be crucial to how future agendas work.

Q26 **Karin Smyth:** But how do you see the voting public, and ultimately the taxpayers who are paying for this, being involved to get us to that next stage? It is varied across the country. I agree that we have learned a lot on both sides, but how do we democratically bring the public with us on that?

Professor Ayres: Absolutely, because it takes time and it takes energy. Lots of the people involved in the process were nervous. For example, a colleague has done some work around the Greater Manchester deal. By all accounts, the insiders were nervous about an open public consultation because they felt that it would scupper any plans they had to move the deal forward. It is about selling it, firstly, to the political élite charged with driving forward the process, and you do sympathise with them to some degree.

Ed Cox made an interesting point. He was saying that now the devolution genie is out of the bottle and we do have devolution and are off first base, it might be easier in this round to consult the public because we are on a moving trajectory, whereas getting the initial devolution deals off the ground was so complicated and so challenging that perhaps that closed-shop working was needed to get the process going.

Q27 **Chair:** Professor Kenny, you looked like you wanted to add to that point.

Professor Kenny: Sorry, I was having a cough, actually. I agree with everything Professor Ayres says. She is absolutely right.

To amplify it slightly, the idea that this is evolving and that there is learning to be done here from the first round of experiences is important. Having a much greater focus in the next round on these authorities engaging downwards and bringing the public with them, thinking about themselves as civic entities and not just as entirely focused upon productivity or economic growth, is absolutely the next step in this.

Q28 **Karin Smyth:** Thank you. Dr Giovannini, you looked like you wanted to add on this local government issue.

Dr Giovannini: I agree with what has been said so far and I fully agree with Sarah. The only point that I would like to add to that is, yes, it is possible to maintain an incremental approach, but there is one risk that needs to be addressed if we want to keep an incremental approach. While it is correct that not all areas might have the institutional capacity to take on board a full suite of devolutions straight away, if the process remains

competitive, those areas that do not have that institutional capacity will struggle to get in. It will push them out of the game, essentially. That reinforces and creates new inequalities and competition. Those areas that are lagging behind and need to benefit from devolution will not benefit from it. That is a problem. We want to address that. It is important to think that we need to have a clear roadmap for devolution. Yes, it can be incremental, but what is the end point? Where would we want to get within a specific timeframe?

I have a final point on local government. We have seen in the process so far that there have been constant attempts, dating back to 2000, to conflate devolution with local government reorganisation. Devolution and local government reorganisation are not the same thing and should not be conflated. Doing that is becoming an obstacle to achieving a proper system of devolution in England.

Q29 **Karin Smyth:** Thank you. On this point, Professor Wyn Jones?

Professor Wyn Jones: Can I sound a note of scepticism? We have been here before. If you look at the history of that intermediate level of government and if we go back to the turn of the century, we had regional development agencies and voluntary regional chambers. Then there was a process that was akin in some ways to the one Sarah has described around these regional devolution deals. They were top-down and elite-driven conversations, which appeared to be developing a momentum. We got another party in that did not buy into the vision and it all fell away.

The problem with these élite-level deals is that once the élite moves on, unless there is some kind of consensus around boundaries—it is the example of the three mayors in Bristol. It shows what happens when you get this incremental process with no vision and no consensus. I am sceptical about the likely longevity of the arrangements that we currently have in England because there isn't buy-in. We heard mention of George Osborne. Frankly, the people who came up with that vision have gone. It is not at all clear that present incumbents have the same vision. It is going back to the point about consensus-building, around boundaries and around functions.

Karin Smyth: On that, though, we now have situations across England where there are people and organisations in place. Therefore, something has to happen to move it on because the status quo will not continue, in counter to élites moving on. Thank you for that.

Q30 **David Mundell:** Beginning with Professor Ayres, what do you think the main difference in the impetus and purpose of devolution within England has been compared with the devolution to the nations? For example, back in the 1990s George Robertson, the then-shadow Secretary of State for Scotland, said that devolution would kill independence "stone dead". That was, for example, a reason for doing it.

Professor Ayres: In the academic literature, there is an acceptance that quite often devolution is motivated by three key things. The first is a drive

for economic productivity. The second is a drive for devolution of power to local actors, bringing decision-making closer to people. The third is about transforming public services. To some degree, all devolved territories in England have been shaped by those three motivations. But in the devolved territories—Scotland, Northern Ireland and Wales—there has been this drive for the democratic elements that has been completely lacking in England, as Professor Wyn Jones has been talking about.

But it is important to say that this drive, the bottom-up impetus and the public support for devolution in different parts of the UK, is constantly ebbing and flowing. It is a temporal process. In the midst of Covid, we have seen significant increases in the support for Scottish independence. You would imagine public support for the Northern Ireland Assembly probably hit rock bottom when it was disbanded, leading to massive problems in public services. In Wales, there has been this slow burner of support for a period of time.

The same is true of the potential for some form of English devolution. Lord Hennessy was on the radio earlier this week and I was listening to him with some interest. He was saying that Covid has brought into sharp relief these constant divisions within the UK constitution between the devolved nations and England, between north and south. His argument was that perhaps there has been this increased public consciousness of place and space and, although we have not had this bottom-up appetite in England for a democratic strand of devolution in the same way as we have in the devolved territories, perhaps post-Covid, because the problems are so great and can be solved only at a local level, it might ignite some kind of impetus for a bottom-up call for democracy in England in a way that has not shaped devolved arrangements in the past.

Q31 **Tom Randall:** We have spoken about common ground and roadmaps going forward. Professor Kenny, you have suggested that there are two contending perspectives on English devolution that have developed since 1997 and they have been increasingly associated with different approaches from the Conservative and Labour Parties. Is there a way to reconcile these different perspectives?

Professor Kenny: Let me start by fleshing out the perspectives. This goes to the question about consensus—or the lack of it—that Richard has been talking about here. Why is it that different parts of British politics think so differently about these issues? Is it just a Punch and Judy partisanship? There is something more to it than that. There is undoubtedly a partisan element to it, but it reflects quite divergent views about England.

There is one perspective that has been much more comfortable with the idea that English identity is valuable and important to people and that England itself may be some kind of collective community, which may have its own interests as well as identity.

On the other hand, we have a perspective that is much more primed to thinking in regional terms and tends to think that claims about Englishness

are either illusory or reactionary. That has been a strong impulse in different parts of the political world, but particularly on the centre left.

There are people who break the mould. There are people on the more Conservative side who have become interested in regional questions. Lord Heseltine is an interesting example. There are people on the Labour or Liberal side of the debate who have argued for Englishness being taken more seriously, and perhaps even given some recognition.

But when the different parties get in government, there is a default to these two different perspectives and those perspectives lead you to think about the intermediate layer, or indeed to think about devolution at the level of England in different ways. Until there is some richer interchange between them where people start to think about devolution at the level of England and also think about some of the layers within it that we have been discussing, we are going to have ping-ponging between these two different views.

I endorse Richard's points about how we do need a richer debate here within politics, and perhaps one that stands a little back from this kind of partisanship because it is producing incoherent policy.

Q32 **Tom Randall:** Professor Wyn Jones?

Professor Wyn Jones: There was a brief moment around 2015 when I thought that we were seeing more of a consensus between Labour and the Conservatives on this. Until that point, the Conservatives basically said—to very crudely caricature the argument—"We do not want regional governance within England. We want English Votes for English Laws to counterbalance devolution to Scotland, Wales and Northern Ireland." Labour, on the other hand, was saying, "We want some kind of regional solution and we are dead against any kind of recognition of England as England." In 2015 there appeared to be some kind of coming together inasmuch as we got EVEL. It looked then as if the Conservatives were getting interested in regional deals and doing things within England—so England and intermediate-level governments within England. It looked briefly as if Labour was accepting that English Votes for English Laws might have to happen.

In 2017 we had an England manifesto commitment to a Minister for England, which seemed to suggest that maybe, okay, we could do England and something within England, but Labour has lost all interest in that, it would appear, so we may be reverting back. We will see if the Conservatives maintain the interest in the regional level. That remains to be seen with this Administration. There was a brief moment when I thought that there might be a coming together, but my momentary optimism has now dissipated.

Q33 **Jackie Doyle-Price:** My question is mainly for Professor Wyn Jones. I share your cynicism of the top-down metropolitan view of devolution. My constituents in Thurrock, which is on the border of Greater London, are

probably more defined by being not-London than anything else, but they do have a strong sense of being English. Frankly, you see lots of St George flags in Thurrock—more, probably, than anywhere else. When I see the summaries of your Future of England surveys, what comes out of that is familiar to me in terms of how my constituents feel. There is a growing resentment of how England is treated in terms of devolution. Many of my constituents would be quite happy if Scotland sailed off into the sunset. I would like to get your feedback on the unhappiness with how England is treated within the UK and how that dissatisfaction manifests itself.

Professor Wyn Jones: I am pleased that our analysis makes sense to you. One aspect of English dissatisfaction was Euroscepticism. The other aspect we have termed—I am afraid this term has not caught on—"devo-anxiety", a sense that England gets unfairly treated within the UK. It is particularly focused on Scotland and a sense that Scotland gets too much of the cake, so to speak. There is a lot of resentment around that. The evidence is there.

What I find most interesting about English attitudes specifically associated with feeling English is that there is a low sense of what political scientists call "political efficacy"—a sense that your voice matters, and that somebody cares about what you think. We find in England that people with a strong sense of English identity feel that the system does not listen to them and is not interested in their voice. This makes the English different from the Welsh. There is something interesting about this. The book that we are publishing soon explores some of this. I am putting myself in the English position, so imagine an English accent: "The state that was once mine is no longer mine. It is no longer interested in me. I have become alienated from it." Interestingly, thus far, Brexit has not fully happened yet in the sense of the transition out, but there is no evidence that this has changed fundamentally since 2016. This lack of efficacy—apologies for using the political science jargon—is obvious. I am not clear that anything that is happening at the moment is going to challenge that fundamentally.

Q34 **Jackie Doyle-Price:** I totally understand what you mean. If you view the Brexit vote, as much as anything else, as frustration that the political class is not representing the people who vote for it—and that expresses itself in various ways and the Brexit vote was one of them—those areas of the country where there is less regionalism and more Englishness are the ones that voted more heavily to leave. That would demonstrate your thesis.

Professor Wyn Jones: Yes, but I would add that you do not find a part of England with a strong sense of regionalism in the sense of, "We want regional governance". Yes, you find strong regional identities in England, but those do not necessarily link to any demand for recognition in terms of a territorial level of governance.

Q35 **Jackie Doyle-Price:** Apart from London.

Professor Wyn Jones: Apart from London, yes.

Jackie Doyle-Price: London is its own microcosm and, arguably, the only

place where regional government works in England, but that is a discussion for another day.

Q36 **Chair:** Could I interrupt here, please, Jackie? I see that Professor Kenny has asked to come in and David Mundell wanted to come in on the last point. Professor Kenny, can you go first? Then, David, you can come in briefly afterwards, please.

Professor Kenny: Briefly, it is worth picking out as well something that I know is difficult to poll on and we do not have that much evidence about specifically, but it is part of the picture that Richard's polling finds. It is about people's feeling towards the centre itself—towards power in London. I include people who live in outer London. They are as likely to feel this as people who live in other non-metropolitan areas.

There is something in particular about the way people outside our largest city centres in England begin to feel about the system of government, how politics works, whether they get listened to. That is the efficacy point there. In the last decade or more, many people in England have come to feel about the centre the way people in Scotland and Wales do. They have a feeling that it is somehow out there on its own and is disconnected in terms of its policy priorities.

Whilst Richard is right and there is not an obvious surge of demand for a particular alternative model of devolution, there is a strengthening of an old sentiment. This feeling about London is not new, but there has been something in the last 10 years that has gone rather unremarked there.

Q37 **David Mundell:** The question I wanted to ask, which follows on from something Jackie said about her constituents' attitude to Scotland, is on this issue of the extent to which people in England differentiate England from Britain. In Scotland, people have a clear view one way or the other of Scotland compared to Britain or the United Kingdom. My sense is that in England that is not as clearly defined, and that many people's mindset is one of equivalence rather than of England as a constituent part of the United Kingdom.

Professor Wyn Jones: It used to be the case in the mid-1990s that when you tried to poll in England asking people what mix of Britishness and Englishness they felt, you would get junk responses because people did not get the differentiation. They do get the differentiation now.

It is interesting that what I would term English nationalism contrasts with Scottish, Welsh and Irish nationalism. By now—it was different in the late 19th century—they tend to reject Britishness. English nationalism, for want of a better term, is both a sense that England is not getting its fair dues within the UK and a strong loyalty to a particular sense of the British past, present and future. It is not a rejection of Britishness in the same way as what Welsh, Scottish and Irish nationalism have now become.

David, there is a lot more that we can unpack there, but in terms of a response to your question, 30 years ago if you tried to poll, you would find

that in England people were not really differentiating clearly between Englishness and Britishness. They do now. But what that means is something to be teased out further.

Q38 **Jackie Doyle-Price:** Following on from that, we have seen this manifest itself in voting against the European Union, but would you see this devo-anxiety about Scotland and Wales becoming more acute once we have left the EU?

Professor Wyn Jones: The honest answer is that I do not know. I am going to stop there because David told us not to talk too much.

Q39 **Jackie Doyle-Price:** That is fine. To ask the question in a slightly different way, then, how do you think the English people do want to be governed, bearing in mind that we do recognise that there is this devo-anxiety?

Professor Wyn Jones: There are paradoxes at work here. That means that you do not get a single coherent view. Within England, you get what we sometimes call a devolution paradox. People, in theory, want to see powers at a local level. However, they don't want to see any differentiation in public service provision. They don't want to see the thing that follows from devolving power, which is differences in policy provision. You are the policy makers. I am just making things more difficult for you, because that is a difficult one for those who think that you should devolve power. People don't seem to want the consequences of devolving power.

Across the UK as a whole, there is a sense in England that the UK should stay together. However, in some respects that is not very strong. For example, Northern Ireland could go and that would not upset many people in England. Also, there is a sense that the Scots in particular, but also the Welsh and the Northern Irish, can pay for their own services, do their own thing—"Don't expect us to pay for it if they choose to do things differently." Also, there is very, very, very strong support for the principle of English Votes for English Laws, although actually most people don't realise it has happened.

Q40 **Jackie Doyle-Price:** Yes. They do not really know what it means. It is just a nice jargonistic thing.

Professor Wyn Jones: They do not know what it means, you are right, but there is a sense that it is unfair for people outside of England to be voting on things that only apply in England. It is a common-sense sense that that is just not right.

Q41 **Jackie Doyle-Price:** So in that sense, there is an attitude for a degree of England self-government, but what is your feedback on that?

Professor Wyn Jones: The support for the status quo in England is very low. But—and Mike Kenny said this already—what people actually want is more inchoate. There is no consensus behind any other model. But if people are forced to choose between England as a unit or regionalising within England, it is England every time.

Q42 **Jackie Doyle-Price:** Splendid. Does anybody else have anything to add to that?

Professor Kenny: In terms of the question about how the English want to be governed, I share the lack of certainty in an answer. The point is that the English have never been asked in this way. That is such an important temporal point. Devolution was offered in a completely different way to other parts of the UK and was of course introduced with referendums. The question of whether the English want to have a greater say in determining their own destiny, either within their local areas or as a nation as a whole, has just not been posed in that way. It is very important that we have not had that sustained debate about it. We have not had it in politics. We have not had it at a popular level.

It seems to me that one of the really important things for you to reflect on in your work is how we might start to get that debate out there—have that discussion. Because, of course, the prevailing assumption in the British system has been, "We can take the consent of the English for granted—they are happy with this and they are likely to run with it."

I do think, that said, we haven't got too long to have that debate; because potentially, as you well know, a number of very difficult issues to do with the Union are about to land. Some of the evidence we are talking about here often has a reactive aspect to it. People in England who have not been thinking about evolution, have not been encouraged to and have not talked about it very much are suddenly being confronted with issues that arise in the press, or which politicians mention. The sense is that there is a reactive aspect to English opinion, and that that will become important if there is a future referendum on Scotland, or if the Northern Ireland issue begins to evolve. It seems to me very important that we need to instigate a richer debate and a better understanding of the issues that are at stake.

Q43 **Chair:** Dr Giovannini, you wanted to add something?

Dr Giovannini: I have a quick point on the fact that there is a stronger sense of English identity. There is a sense also that the English want more power, but we don't know exactly what form devolution should take going forward.

First, we have to be aware of the fact that when we talk about Englishness, perhaps we should not look at it as a monolithic entity but understand and acknowledge that the sense of Englishness that people identify with can take different connotations and forms in different parts of the country. It is undeniable that, for example, in the north of England, people might feel English, but that is not the same kind of Englishness as that of someone who lives in the south. That is something to keep in mind. I would be wary of putting Englishness into a big box that works in the same way across the country.

On the point on how we think the English people want to be governed, Richard said that evidence from the survey shows that there is no support

for some form of regional government, but could that be because people can see that what we have at the moment isn't working and isn't enough, so they do not want more of the same? Perhaps there is a need to do more qualitative investigation into a working alternative.

That is why I pointed earlier to the work done with the citizens' assemblies on devolution, because the report that emerged from that gives an in-depth understanding of the fact that if people understand what devolution is for and what it can do and if there are powers on offer, they are supportive of it on a regional and subnational scale.

There is also evidence from a BBC survey on Englishness and on how that links to the view that people have on regional governance, that shows that in some parts of the country—especially in the north and in Cornwall, for instance—there is a strong sense of identification with the county dimension and the local dimension. That should be taken into consideration, too. There is other evidence there that suggests that perhaps we shouldn't look at England as one big block; the analysis should be more nuanced.

Q44 **Chair:** Professor Ayres?

Professor Ayres: Picking up on what Professor Wyn Jones said about what the English population think they want when comparing a regional option with something at the English scale, they might feel that they have a stronger affinity with an English identity and an English scale, but it won't solve the problems of disfranchisement and feelings of alienation that were brought to bear in the Brexit debate. So I don't think that, as a solution, would work.

On the devolution anxiety—concerns about the Scottish getting a larger slice of the cake—there is potential for devolution anxiety about the current arrangements within England. It was clear through the devolution deals that the Government perhaps had their preferred places to work with—that there was lots of effort and money going into some of the conurbations and less effort and focus in the rural and coastal towns and some of the other conurbations where devolution was going to be more problematic. The current arrangements that we have could heighten those tensions—the devolution anxiety—further within England.

Q45 **David Mundell:** I want to come back to the issue that Professor Kenny and others have touched on—English Votes for English Laws, and whether that actually led to any discussion or debate in England on how England was governed and articulating an English voice. I think, from what we heard before, that the answer is no, but I would be interested to hear what further you have to say on that.

Professor Kenny: Yes; that broadly is the answer. That is for two reasons. One is that the rules that make up the system of English Votes for English Laws are incredibly complicated. They have been running for five years now. It seems to me that the general sense of understanding and

awareness of them is pretty low. I have not met many MPs, either, who profess affection for them, it should be said. At the same time, I think that is partly because they have not yet mattered in the sense that, because of the electoral arithmetic within the House, we have not yet had a moment where there is a disagreement between a majority of English MPs and a majority in favour of Government policy. So as yet, we have not seen these rules being tested in that way.

When EVEL was introduced, there were two broad ways of thinking about it. One was that it was quite a technical way of answering the West Lothian question in particular, which undoubtedly arose in the second Blair Government around two particularly controversial votes—the idea that there was a loophole here and that there was a potential opportunity for English grievance to grow, and that something needed to be done. That was one reason why EVEL was introduced.

The other reason, if you look at the official documents around it, is that there were quite a lot of big claims about how this would give the English a distinctive voice within the system of parliamentary government. There was a hope, I think, that this would function as analogous to the legislative consent process in the devolved parliaments.

It seems to me, on that second point about voice, airing a stronger sense of English issues, and interests and deliberation, it has really not worked at all; and that the Legislative Grand Committees, which kick in on clauses of Bills after Report stage, are mainly, as you probably know, very perfunctory and they last for hardly any time at all, and they have not offered that kind of moment. So it seems to me that we can't look to that particular innovation as some sort of exemplar and a way of building up an English presence or form of recognition within the system.

On the other hand, though, EVEL is potentially extremely important and it is worth bearing this in mind. Because of the vagaries of our election system, it is entirely imaginable that we could, at the next election or the one after, have a situation in which the party that forms a Government does not command a majority of England's MPs. It may also be a Government that depends upon, for instance, the support of the SNP or a nationalist party elsewhere. In that situation, it seems to me, EVEL is potentially quite incendiary.

Q46 **Chair:** I think Professor Wyn Jones wanted to come in.

Professor Wyn Jones: Very briefly. Michael Kenny is the expert on this particular subject. All I would add is that whatever the rhetoric surrounding EVEL, it is designed as a blocking mechanism. There is no genuine effort to create a locus in which and English voice or English voices could emerge. If you look at the public attitudes around this, there is a sense that there is a potential unfairness that needs to be stopped, but there is also a sense that England should have a voice, and EVEL does not give you that.

From what we know about public attitudes towards the operation of EVEL, our best estimate is that only 2% of people in England know it has been introduced. We might be out by a small margin, but that 2% tells you quite a lot. It is a highly technical process, which only people like Mike Kenny can understand, frankly, so it is not a great surprise that it has not made a big impression on the English public.

Q47 **David Mundell:** Do you not think, though, that part of that comes from a change in the context, because the genesis of EVEL in many ways was the Blair Government, with over 40 Labour MPs from Scotland—that now seems a very long time ago—essentially voting through very significant policy changes in England on tuition fees and foundation hospitals, and that therefore there was a context in which people viewed that debate that is not present now?

Professor Wyn Jones: I think that is absolutely the case. There was also the immediate context of the 2014 referendum and a sense among English Conservative MPs in particular that Gordon Brown had been allowed to give away the farm with the vow, and a sense that something needed to be done for England in the immediate aftermath of the referendum.

You are right to say that there is a context, but the problem with a procedure that is simply a House of Commons procedural process is that it can be changed very quickly. Given that people do not even know it exists, if an incoming regime that didn't have an English majority just got rid of it instantly, there might be a flutter, but it is not a process that has developed any legitimacy. There is no underpinning consensus. Coming back to the point that we started our conversation with, there is no consensus around English governance that is cross-party, and that includes EVEL.

Q48 **David Mundell:** This question is to Professor Kenny, and others if you want to come in. Do you believe that the current EVEL arrangement is a sustainable resolution of the so-called West Lothian question?

Professor Kenny: To repeat, it has worked in the sense that it provides a right of veto to English MPs. Though it is complicated and a bit Byzantine, it does not disrupt the business of the House in fundamental ways. Some of the critics of EVEL were worried that it would fundamentally change the constitutional position of MPs from outside England and there was worry about two classes of MP being created. Those worries do not seem to have been realised.

Q49 **David Mundell:** But that has been partly because many people do not realise that all MPs have the right to vote in a Third Reading.

Professor Kenny: That is right, yes.

David Mundell: Actually, the whole House ultimately has the veto, not English MPs.

Professor Kenny: It is like a double veto, is it not? The whole House has a veto but English MPs could, if they were so minded, also exercise a veto

over Government legislation. It is just that they have not been in a position to do that.

We produced a report on this very technical subject several years ago and made a number of proposals about how it might be simplified and whether it could be made more transparent. The underpinning principle behind it—the sense of unfairness about those occasions when legislation is introduced that affects only England but relies on the support of MPs from other parts of the UK—removing that anomaly as a point of principle is important.

It should be said as well that of course it is currently suspended, and that is because of the challenges and practical issues in current circumstances to do with Covid. It is interesting to reflect on how easily it has been suspended. It has not created any kind of debate, as far as I can see. That perhaps creates an interesting precedent for a future Administration that may for other reasons want to suggest that it ought to be suspended.

Q50 **Navendu Mishra:** This question is for Professor Wyn Jones. In 1997, Wales narrowly supported devolution. Support for devolution has subsequently increased, as have the powers of the Assembly—now Parliament. Why do you think support for devolution has grown in Wales, and does this provide an example of how devolution could be developed in England going forward?

Professor Wyn Jones: There is a great danger that I speak at length about this, having written about this at length, so I will eschew that temptation.

Wales is sometimes pointed to by supporters of English regional governance, particularly in the north-east, saying the majority against devolution in 2004 in the north-east of England was very similar to the majority against devolution in Wales in 1979, and therefore people can change their minds and so on. I accept that, and I also accept the point Michael Kenny was making earlier; in a sense—"Build it and they will come," and if you build something it can develop legitimacy over time. People forget that the German Länder were quite unpopular when they were introduced and now they are not. Clearly there is now very strong majority support for the principle of Welsh devolution that clearly was not the case in 1997. The differences, however, are quite marked.

I spoke earlier about the lack of consensus around even the boundaries that might define intermediate-level government in England. There is no consensus about that. Wales was an administrative unit for various purposes from the late 19th century on. There was a long period when people in education, public health and so on got used to it. Then we had the establishment of the Wales Office in the mid-1960s. There was a long period where people got used to the idea of the Welsh-England border being an administrative boundary in important ways. We have nothing similar in terms of longevity in England. London is probably the exception that proves the rule. In a sense there was an idea of London-wide

governance which Mrs Thatcher, in her wisdom, decided to end. London governance is building on a tradition. We do not have that at the intermediate level in England so there are some lessons that might be gleaned from Wales, but I think they are not the ones that people usually learn. It is about the importance of having some stability around administrative boundaries, some sense of knowing what the units we are talking about are. We do not have even that fundamental thing in England at the moment, and we are not going to get it without some different kind of a process than various élites imposing their particular favourite solution for 10 years and then moving on.

Q51 **Navendu Mishra:** That was a really interesting point about London governance and how that was changed.

Dr Giovannini, do you want to come in briefly, if I could have permission from the Chair?

Dr Giovannini: Richard mentioned the case of Germany when talking about making comparisons with Wales. We should ask ourselves why the support for the Länder has grown over time in Germany. This also leads to reflection on the question of scale. When the Länder were created in Germany they were a mix of historical ones and completely artificial ones and that mapped on to a system of local government that is empowered and not disempowered. But the mechanism of federalism that emerged in Germany is a co-operative one with less collaboration across and between all levels, and all levels are empowered. I think that is what made a difference. That is why people bought into that system of decentralisation, because whether they were based on artificial or historical units, over time people bought into it because there were real powers attached to it, so people could see the difference the system could make in their everyday life.

Q52 **Lloyd Russell-Moyle:** Professor Kenny, should England use a reserved-power model like the rest of the UK? Wales, Scotland and Northern Ireland of course have reserved powers, but that is not how any of London or the metro mayors have developed. Is that a flaw?

Professor Kenny: I find it hard to see how a reserved powers model would work, or at least if it were introduced it is a very big step away—several steps away—from where we are now. It is an interesting example of a wider tendency to argue that because we have a symmetry in our devolution arrangements, let us try to build something that is symmetrical. Sometimes people argue that therefore we should have an English Parliament, and that that should be done on the reserved powers model—or I think you are suggesting perhaps we have large devolved entities within England that would have some sort of symmetrical base.

Q53 **Lloyd Russell-Moyle:** Or smaller.

Professor Kenny: Yes, or smaller. At the level of principle, I am not convinced that symmetry is going to work in the UK. The drive to solve this

through some sort of symmetrical solution I think is a misnomer. I do not think that will work.

Q54 **Lloyd Russell-Moyle:** How should powers be agreed, then? If you are saying that does not really work, how would you get to a situation where powers are agreed rather than just handed down by these élites we have heard a lot about in this discussion this morning?

Professor Kenny: I think the truth of it is that in a very centralised system the only way to devolve is to get the centre to take the initiative. Some version of handing down powers from the centre is inevitable. There are different ways to do that. We talked about the deal-making type contractual model that Sarah was discussing earlier. That is different from a model that would look to create empowered, devolved authorities, and that would accept that on certain key issues those authorities have the right to disagree with what the centre wants to do. That seems to me to be the test of true devolution, and at the moment it is not a test that is being met. I am sceptical about the reserved powers model.

Q55 **Lloyd Russell-Moyle:** Professor Ayres, how should decisions on English devolution be agreed, do you think? Do they need to be agreed with the people? Do we need referendums to solidify these things and confirm them or can we find another way of agreeing the distribution of power?

Professor Ayres: It comes back to the point that Professor Kenny has just made about the two options—the technocratic or the something more fundamental where you hand power to the people. I think we have heard a bit of that through this evidence so I won't labour the point, but it might be worth saying that the academic literature does not identify a silver bullet or a magic formula globally. It does identify that there has been a global trend towards decentralisation, but there have been huge differences across the globe about how they are making decisions about decentralisation, how they are going about regional or subnational forms of government.

I think in the UK in the next phase we will be challenged to find what is appropriate to task in a context that will be unique to the English experience, and it will be making this decision about whether it is technocratic or something more democratic. Either way, public expectations will need to be managed very carefully. If it is technocratic, we need to be clear about that; if it is something more fundamental, we will have to do it properly.

Chair: Professor Wyn Jones, I think you wanted to come in.

Professor Wyn Jones: Very briefly, "technocratic" is a dirty word in these kinds of conversations and I want to put in a plea for technocratic solutions. If we think there is a functional purpose to be served by an intermediate level of governance, and we know what we know about public attitudes, that is not going to be driven by a big clamour in terms of public attitudes. There may well be an argument for the development of some kind of consensus at the élite level. One of the problems is that we have constant

churn with very different visions of this. But if we could get an agreement on boundaries—I come back to the central importance of boundaries because when those change all the time, which they do, it is very, very difficult to develop any kind of momentum in this space—I think the conversation between the political parties about the government and the governance of England is probably the most useful thing that could happen. It also may well be the most difficult thing to ask for.

Academics can pose these questions and do not necessarily have to answer them. If this is a functional, focused level of governance then I think a conversation between élites and not overselling, not over-promoting what we are trying to do here, is the way forward. Something modest and technocratic may well be the way forward.

Q56 **Lloyd Russell-Moyle:** Before we go on to Dr Giovannini I just wanted to ask Professor Jones, you mention "technocratic", and you say London may be the exception that proves the rule. When Thatcher got rid of London governance, what continued was particularly the Metropolitan Police and also some sort of transport, so there was a continued density of people that it related to. You have not mentioned—no one has made particular mention of them—our police boundaries, which have been relatively stable in England. They are based on historic counties, they provide an element of people being able to say there is a continued administrative boundary that has lasted for many years, and there is a general political consensus around where those boundaries are, barring new discussions around mergers here or there.

Professor Wyn Jones: That is an interesting case, but it also speaks to what I am trying to say. The efforts that democratised the police commissioners—you would have to be hugely optimistic to say that has been a big democratic triumph. Overselling this has not done these things any favours, I would argue. I am not going to sit here and pontificate on boundaries, but your point about boundaries is a very valid one.

Q57 **Lloyd Russell-Moyle:** To be fair, the police commissioners did provide mapping for a lot of the metro mayor areas, so to some extent, while they themselves have not really worked, they have provided a launch for some of the metro mayor devolution deals that have mapped on to them.

Dr Giovannini, what aims and principles do you think should underpin devolution in England? We have lots of discussions— technocratic, cultural, city regions, etc. Are there some common principles? Do we end up taking a mix-match approach in different areas of England depending on where you are?

Dr Giovannini: It is very important to have a clear set of principles going forward. Devolution should be developed within a fair decision-making process, so that decisions on the future of subnational governance in England are not taken unilaterally by the centre and imposed on a locality. That is perhaps something in between what was said before, that super-technocratic approach and the radical one that brings in the people. We do

have local government in England. They are directly elected and representative, so why do we not bring them into the debate on what devolution should look like going forward?

The first step in this direction would be setting out a comprehensive devolution framework, and this should clearly outline the aim of devolution by setting a long-term vision, which is currently missing and has been missing for a long time, of what devolution is about. Devolution holds a huge potential not only to address persisting regional inequalities but, as has clearly emerged from the discussion today, there is also a democratic element to it.

It is important that the devolution framework should set clear principles that guide the process, avoiding the imposition of fixed rules from the centre, which again is what we have seen so far. Think about the imposition of metro mayors even in areas that did not really want them. I am not saying metro mayors are necessarily bad, but that does not allow any flexibility.

In terms of principles, the clear starting point there would be of embracing the principle of subsidiarity, the principle that decisions should always be taken at the lowest level or closest level to where they will have their effect, for example at the local level or city region or regional level rather than by the centre for the whole country. This should be the building block in terms of principles of devolution. It is quite an obvious point, but so far there has been a lot of rhetoric on subsidiarity but very little subsidiarity in practice in the process of devolution.

Then this principle of subsidiarity should be matched with principles of collaboration, diffused leadership, accountability and trust—all things that at the moment are missing in the process. Establishing these core principles and putting them at the heart of the devolution agenda would help ensure that a new devolution framework would not be set by default from the centre at its own terms and conditions. The new framework should be developed in close consultation with local authorities, for example through the creation of some form of state subnational government committee that would oversee the development of the devolution framework.

We have to keep in mind—and this is the norm in many other countries—there needs to be a point of contact, an official point of contact where different levels of government can come together and have a discussion about the future of subnational governance in England. In this way the framework would aim to create a functioning system of multi-level governance including local, regional and national tiers, and then be able to present a series of flexible yet clear and transparent options for power and funding arrangements. This should be made available not just to a few areas, but to all parts of the country.

There is a need there to have a degree of flexibility as well because, as has been mentioned before, different areas in England have different levels of

institutional capacity. Greater Manchester worked straightaway, was able to take on board a lot of power from day one, because it had a long history of co-operation between the local authorities there. Other areas might not be in that position. There should be a clear understanding of what are the powers and resources available to all areas but then areas should be able to come into the process of devolution when they are ready for it, when they have built their capacity to come in.

I think this would allow us to move on from the current system that is based on ad hocery. I do not think the current system is asymmetric. There is ad hocery in the current system and there is a substantial difference there because asymmetry means that you tailor the process of devolution around the needs of different areas whereas an ad hoc system is driven by the centre and tends to be place-blind, which is a big problem at the moment.

A strong foundation for devolution going forward would be best based on principles of subsidiarity, collaboration, diffused leadership, flexibility and trust. In that way, you would do two things at the same time. You would set devolution on the right path and would also help to take a first step in the right direction in reforming centre-local relations in England, because that is a big underlying problem there.

Q58 **Lloyd Russell-Moyle:** Regarding the metro mayor devolution deals in Manchester and others, the chamber, as it were, the alleged chamber in those bodies, is made up of the leaders of the sub-units within it, so you have a bond within the governance. Are you saying that at the next level up there needs to be that same kind of bond, where the metro mayor or whatever that leadership is at that regional layer has a formal bond into national Government, whether it is the German model or some other kind of arrangement where they get together, the Australian model, where you get the premiers together to agree to strategy? Is that what you are—

Dr Giovannini: I think that is one big missing link at the moment. There is no official forum for the different levels of subnational government to come in and make decisions together. At the moment, if we look at how devolution deals have evolved so far, it is the centre that sets the rules and then asks local government to come in with a proposal and bid for devolution. That is not the same thing as agreeing together the principles that should guide devolution. It makes a substantial difference because it creates competition, as I said before, but it also does not create the co-operative or collaborative relationship between centre, city region and local government. That, as we have seen very clearly in the past few months, can create a lot of problems. Having a meeting point where there can be constructive debate and decisions can be made together would be very important.

Q59 **John Stevenson:** There has been a lot of talk about lack of vision and there is a lot of talk about boundaries and structures. From my perspective, one of the most fundamental aspects of the whole devolution debate is creating the structure in which you would then build a devolutionary

settlement. If I can take you back to the 1960s and the Redcliffe-Maud Report, which was based on 60-odd authorities based round major towns, commercial and social centres and travel patterns, would you agree that that may be a good basis for this whole debate—that we should go back to the principles of the Redcliffe-Maud Report? Professor Ayres, you started with the lack of vision we have today. Do you think they had a better vision back in the 1960s?

Professor Ayres: Quite possibly. I am not familiar with that piece of reporting, although emphasis on functional economic areas, travel-to-work areas, has been part of this developing incremental approach to English regionalism. From 2010, when Eric Pickles got rid of the regional tier, there was this emphasis on functional economic geographies, looking slightly different in different parts of England. That kind of narrative has fed into leading to where we are now. I do not know whether other colleagues might have a further view on that.

Q60 **John Stevenson:** Professor Wyn Jones, you mentioned boundaries. Do you see merit in creating structures or building on what we have today, rather than looking back to the past for a potential solution?

Professor Wyn Jones: My suspicion would be that there is a great danger that if you are going to throw everything up in the air and start again nothing will happen. One is tempted to say yes, there was this great report and it is a great shame it was not implemented 50 years ago, but it wasn't and we are where we are. My overriding sense, having spent the last several months looking at English governance, is of constant churn, and that is utterly debilitating. So, unless you get an improbable level of buy-in for returning to Redcliffe-Maud, I suspect that if I were to say "Let's do that," then I am just suggesting more churn, which will be replaced by something else within 10 years. Despite the temptation to say, "Yes, that seemed sensible," I am afraid we have to start where we are.

Chair: A final question, from Rachel Hopkins.

Q61 **Rachel Hopkins:** The current Covid-19 pandemic has brought attention to the relative powers of local authorities and devolved governments, so what impact do you think Covid-19 could have on English devolution?

Professor Kenny: Can I have a first stab at that? It is possible that this could be a very significant moment. We do not yet know, obviously, because we do not know how this is going to play out. There are two areas where there has been a real shining of a harsh light upon some of these relationships.

One is in terms of the manner in which Central Government has responded to the crisis in a number of different areas, from its initial approach to establishing a contact tracing system, the lack of willingness to engage with health officials, with medical practitioners in different parts of the country. It appears that Covid-19 has produced a very centralising reflex in the current Government at the moment and I do not think it is just about this Administration. I think it tells us something about the structures of

government as we have been discussing here. In some of the systems that have a more multiple-layered model, that have the kind of partnership working we have talked about, and where the centre appears to accept and trust the locality to get on with things like testing and so on, particularly Germany, it does appear that the outcomes are better. I think it will take us some while before we can be certain about that, but that is a very salutary lesson, potentially, for our system.

The second area is in terms of the very contemporary conflicts going on about regional lockdowns. I think one of the things we are learning there is that some of the metro mayors, while we talked about the limitations of their powers and the constraints under which they work, have some political power and voice and a mandate. Also it is interesting to see them starting to work together in some ways as well, and it could well be that this inaugurates a new phase in the political role and visibility and profile of those figures. But we cannot be certain about that at this point.

Dr Giovannini: I fully agree with Mike that there are signs that this might be a significant moment. Throughout the pandemic people have been learning the hard way, and are still learning, the problem with centralisation in England. I think we are also seeing that devolution is a process and not an event, to quote the former Secretary of State for Wales. Once it is set in motion, it is very difficult to control it from the centre, no matter how much the Government might want to. What has been happening recently with the mayors is really an explanation of the fact that if devolution is set to work in a way that is competitive, and where there is no clear point of contact and discussion between different levels of government, it may become problematic and create frictions.

If we are to build back better going forward, it really requires a profound rethinking of how centre-local relations work in England. The White Paper on devolution that is due to come out next year could provide a great opportunity to rethink this and make sure that at least there are some clear principles in place that allow the process of devolution, and the quality and level of centre-local relations in England, to improve.

Professor Ayres: The challenges that we will face post-Covid are going to be so complicated, so multi-dimensional, so great that it will require a collaborative, joined-up approach that is very difficult to manage and implement from the top. One argument is that you could only solve these really complex challenges at a local level, and it could be seen as an opportunity for cities and devolved structures to take that on board.

Chair: Thank you. That is the end of our questions. Could I thank all our witnesses today for contributing to a very lively and interesting discussion and an excellent start to our inquiry? I would like to thank my colleagues from all over the country and here in Westminster for attending, the staff of the Committee and also the broadcasting staff, who ensured that we had a perfect session today in terms of technology. Once again, I thank you all for your contributions.