



Levelling Up, Housing and Communities Committee

**Rt Hon Michael Gove MP,
Fry Building,
2 Marsham Street,
London,
SW1P 4DF**

18 March 2024

Dear Michael,

Parliamentary Scrutiny of Institutions with Devolved Powers

I am writing in response to your letter of 19 December 2023 to the Liaison Committee regarding the scrutiny of institutions with devolved powers, and the Chair of the Liaison Committee's reply of 18 January 2024, which encouraged the Levelling Up, Housing and Communities Committees to scrutinise the proposals you outlined. My Committee and I have carefully considered the proposals, and noted the points the Chair of the Liaison Committee made to you in his letter.

The Chair of the Liaison Committee has already raised the concern that "the proposals more closely resemble Oral Questions in the House of Commons Chamber than they resemble the work of select committees."¹ **We share his concern that the arrangements as envisaged do not provide for genuine Parliamentary Oversight.**

We note that the Chair of the proposed sessions will be the Chair of the Combined Authority Overview and Scrutiny Committee, and that s/he will have significant authority to determine the meetings' agendas. In addition, the rules on questions that may be asked, as outlined in the Format sections, are significantly more restrictive than a Parliamentary Select Committee, in particular that questions must be neutrally worded and not mention officers.² As a result, **it is not clear that these arrangements would deliver genuine Parliamentary control and oversight.**

In addition, we note that the proposed Terms of Reference make no mention of any staff support for the Members of Parliament taking part. The Government's Scrutiny Protocol notes that effective scrutiny requires access to briefings, data, research, and analysis, all of which require staff support.³ **Without dedicated resource provided by either Parliamentary,**

¹ [Reply](#) from the Chair to Rt Hon Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities, and Minister for Intergovernmental Relations, relating to Parliamentary Scrutiny of Institutions with Devolved Powers, dated 18 January 2024

² Terms of Reference West Midlands Members of Parliament (MPs) Questions to the Mayor; Terms of Reference Greater Manchester Members of Parliament (MPs) Questions to the Mayor

³ Department of Communities and Local Government, [Scrutiny Protocol](#), 22 November 2023



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Departmental or local officials, it is not clear that these can be guaranteed, especially for financial and budgetary matters.

Given these concerns, it is not clear that the proposed informal MP sessions offer a sufficiently robust approach to scrutiny, or that proper oversight could not be more effectively delivered by strengthening local scrutiny bodies, or more active Government engagement with existing Parliamentary powers. We note that this concern was already raised by the Chair of the Liaison Committee in his letter of 20 July 2023.⁴ **We are concerned that the weaknesses inherent in the proposed approach would mean that very few MPs would find it worthwhile to engage with the process.**

This concern is heightened when we note that it has not seemed necessary to consider any arrangements like these in the case of London, where, as noted in the English Devolution Accountability Framework, "The London Assembly scrutinises the exercise of the Mayor's functions and conducts investigations into London issues through a series of themed committees."⁵ We note the different circumstance offered by the existence of an Assembly in London. Nonetheless, **we believe this demonstrates the need for more formal local scrutiny arrangements, rather than a more informal system.**

Finally, we have noted the Chair of the Liaison Committee's proposed amendment to remove the words "distinguishing them from formal parliamentary select committees which are open to all MPs to apply for membership" from the Aim of Session in the Terms of Reference.⁶ Noting the significant differences between the scrutiny methods you have proposed and Parliamentary Select Committees **we would support this change.**

We have copied this letter to the Chairs of the Liaison and the Public Administration and Constitutional Affairs Committees.

We would be grateful for a response to this letter by 29 March.

Best wishes,

Clive Betts MP
Chair, Levelling Up, Housing and Communities Committee

⁴ [Letter](#) from the Chair in response to letter from the Leader relating to Parliamentary scrutiny of institutions with devolved powers, dated 20 July 2023

⁵ Department for Levelling Up, Housing and Communities, [English Devolution Accountability Framework](#), 16 March 2023

⁶ [Reply](#) from the Chair to Rt Hon Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities, and Minister for Intergovernmental Relations, relating to Parliamentary Scrutiny of Institutions with Devolved Powers, dated 18 January 2024