

## Written evidence from Professor Peter Shapely<sup>1</sup> (EDE 03)

### Public Administration and Constitutional Affairs Committee The Evolution of Devolution: English Devolution

I am currently finishing a grant application to look at ‘England’s failed devolution, 1880-1986.’ This follows previous research that looked at significant changes in the late-1960s and 1970. If successful, the project will look at attempts to reform local government from the 1880s through to 1986, when the metropolitan county councils were abolished. It will look at the top-down process, the official reports and legislation, but also the bottom-up responses from local officials and individual members of the public.

A number of issues are apparent. The current structure of local government is too small and relies heavily on civil servants to create, implement and manage policy. It lacks effective democratic accountability. Moreover, while it is too big to really engage at the micro level, it is too small to counter the power of central government or efficiently manage key institutions. The state is not an effective tool for policy development that meets local needs or for effective accountability at either level. Historic reforms have been driven by the need for efficiency and planning rather than democratic rigour and oversight. Devolution would help to address these issues. A larger devolved assembly, with full-time elected members, would be better placed to assess the effectiveness of policy and key statutory bodies. Underpinning these assemblies could be small, local councils (a return to the original intentions of the 1835 Municipal Corporations Act). These could engage the public at the community level and articulate their worries and concerns up to the larger assembly.

The key aims and principles of reform should be based primarily on democratic engagement, and all that entails, alongside meaningful accountability. Again, historically this has been a side issue in terms of local democracy. The state has always defined and modified the role of local government. As such, local authorities have never been an effective barrier to central government in protecting local interests. While there has been some space for local decision-making, it has been limited or restricted and always defined by state legislation. Despite the old rates system, the increased demands on public finances have effectively meant that increasingly throughout the twentieth century, much of the funding (and spending restraints) comes from central government. An agreed and independent funding formula, to provide a redistribution of resources based on need, together with an independent funding stream, will be crucial.

To be effective, any new institution must have an identity that the public will embrace (or at least accept). Purchase of the ideas behind the institution i.e. a devolved assembly will be vital. A new assembly has to engage with people. The role of the media (in all its modern forms) will be of central importance. Once in place, the main objective has to be the development of policies that address local needs and concerns. There must be transparency in policy making and accountability to the public.

The COVID situation has highlighted the fractured nature of the current political structure. In order to make devolution effective, there must be some level of consistency in the power being devolved up (from current local authorities) and down from the state. There might be a need for a single constitution that binds all assemblies together. This would be a significant

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break from political tradition, but it would guarantee a basic minimum for people in all regions.

There might also be a need for federal organisations to provide useful oversight, share best practice and monitor shortages or availability across the whole country. The NHS, as one example, could have a central body that might provide a database of availability for operations across the whole UK. Someone in Wales should still be able to access a hospital bed/operation in England (the money would go across with the patient). Otherwise, we have fracture and a postcode lottery. These federal organisations would not decide policy, but they could spread best practice, identify poor practice and support research for all devolved assemblies.

Deals have to be agreed through consensus with stakeholders. Failure to do so will undermine institutions. The decision to wind-up the metropolitan counties was barely met with any resistance (especially outside London), because people had not bought into the underlying ideas. People did not identify with them. There is still division to this day (do people relate to Merseyside, Cheshire or Lancashire etc). Purchase and identity from the bottom up will be vital. Besides historic, cultural ties and identities, at the same time, reform needs to take into account demographic changes and patterns, as well as geographic issues. It now makes more sense to talk about the Liverpool city region, but it has taken over 45 years since the county was initially created for some to accept it (and for a few it will never be accepted). In more rural areas, the size of the population should be balanced against the size of the area.

Besides a series of federal organisations to share best practice across different devolved areas, there needs to be a central assembly or institution that brings representatives from all devolved assemblies together. This could be tied in with sweeping reforms of the House of Lords. Different assemblies could also have bi-lateral (or multi-lateral agreements).

The biggest problem with the Welsh and Scottish assembly/parliament, is that they blindly followed the nationalist agenda. In each case, demands for change were about creating a nation, not about effective devolution/democratisation. Wales, for example, might have a different assembly for the north because the north has different needs and an identity of its own. Services in North Wales need to be accountable and sensitive of the needs of the people of North Wales. Cardiff is perceived as remote, just like Westminster. Devolution is meant to bridge gaps. It would make more sense for an assembly in North Wales to have agreements with Cheshire, Merseyside or Greater Manchester. This does not fit the nationalist agenda.

Further devolution needs a joined-up approach. It could actually strengthen the United Kingdom as a nation, provided it is carried out in ways that reflect existing socio-cultural and economic traditions and structures. Ideally, the people of Scotland and Wales should be offered the same opportunity of greater devolution i.e. to regionalise devolution in ways that reflect the different component parts of each country. The Glasgow and Edinburgh city regions should be able to compete with each other for resources, while their assemblies should reflect the needs of their own areas. However, the time for further reform in these countries might have passed.

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