

Devolving English government



About this report

This report has been produced as part of the IfG/Bennett Institute 'Review of the UK Constitution'. It provides a wide-ranging and evidence-based evaluation of some of the key problems and weaknesses affecting the governance of England, discusses the history of attempts in recent decades to reform local government and establish new combined authorities. It concludes by making the case for a number of institutional reforms at the heart of central government and calls on both main parties to commit to the establishment of a devolved tier of administration across England by 2030.

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Introduction

This report explores how England, the largest and most populated territory within the UK, is governed. It makes the case for more systematic attention being paid to the increasingly incoherent and dysfunctional character of its administration, an argument that rests upon six main foundations:

- **The position of England in the UK and the consequences of serial changes to its subnational governance are major issues that have been neglected by policy makers.** This neglect matters because of its consequences for the future of the UK union, and its tendency to accentuate, rather than address, a rising sense of political disenchantment in different parts of England.
- **Basic questions about the character and future of subnational devolution in England remain unanswered.** In the wake of over two decades of inconsistent and incomplete efforts from both Labour and the Conservatives to establish a middle layer of devolved governance in England, the potential benefits of devolved government have not been realised. This is part of a wider failure at the UK's political centre to develop a modern and flexible system of territorial governance.
- **The system and culture of central government have been too slow to adapt to the changing structures of subnational administration,** even though many of these changes have been introduced from above. Central government has been unable to grasp and adapt to the implications and potential of the new combined authorities and elected mayors that have been established in recent years. And, as a result, some of the main potential benefits of a more decentralised governing model are not being harvested.
- **The development of a more stable and comprehensive model of English devolution – an ambition that both main British political parties share – requires significant reforms at the heart of British government.** There is a strong case for the introduction of an Office for England, modelled on the other territorial offices, and a new cabinet committee focusing on English-related policy. In such a centralised system, changes at the UK level are an important prerequisite for the achievement of a more balanced and flexible system of public administration in England.
- **England's misaligned administrative boundaries cause confusion and uncertainty, and contribute to a lack of accountability.** A plethora of different, often conflicting, administrative geographies – associated with local and devolved governments, and with nationally delivered public services – have emerged over the decades, the product of a constant and often cyclical policy churn in the reform of England's governance structures. While it has been widely, and correctly, observed that England is one of the most centrally governed countries in the western world, the opaque and confusing nature of its administration has received too little attention.

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- **There is a growing, concerning democratic deficit in England.** This arises from a palpable sense of disenchantment with the established system of London-centric Westminster government and a widespread mood of frustration at the instabilities and failings associated with policy making in Westminster and Whitehall. But this mood also extends to popular attitudes to local government, as reflected in very low levels of participation in local elections. This sense of disillusion may also be spilling over into feelings about the UK's own union and England's place within it.

Our primary purpose in this report is to examine how England's complicated and multi-layered governing structures work, identifying some of the various problems and pathologies arising from these, and offering reflections on how government policy in relation to subnational devolution might be fruitfully recalibrated. Despite a growing chorus of complaints about its centralised and confusing character, not enough attention has been paid, especially by politicians and policy makers, to the impacts and implications of these distinctive institutional features and specific kinds of democratic deficit that result from them. More generally, it is more important than ever to address the challenging question – tabled by various recent research studies and parliamentary reports – of whether there has been a decline in English people's sense of "political efficacy".¹

While there has been extensive treatment of the economic and cultural dimensions of the feelings of disenchantment that have developed in large parts of non-metropolitan England, and which found expression in the Brexit vote of 2016, there has been little attention paid to whether there is a governance dimension to this body of sentiment.² This report therefore asks whether some of the deficiencies in England's administration, and the frustrations felt by many of its citizens about how decision making works in England, are also part of the wider story of citizen disenchantment in this context. Are the English unusual – within the UK and indeed in Europe – in feeling so disillusioned with how they are governed? And what kinds of reforms should we consider in response to this challenge?

In analysing the current state of England's administration, we consider notable changes to the way England is governed and policy developed within the core institutions of the UK polity as a result of decisions to devolve powers to other parts of the UK outside the capital. Whitehall has come to focus increasingly on the administration of English affairs, as its territorial remit has been trimmed through devolution to Scotland, Wales and Northern Ireland.³ And yet England has not emerged as a distinct and recognised territorial space in policy or institutional terms within UK administrative and political cultures.

The devolution process has further exaggerated the disconnect between Whitehall's increasingly Anglo-focused operations and its continued insistence that it governs at a UK-wide level, with a failure to differentiate between its UK-wide and England-specific functions. The absence of a clear sense at the heart of British government that England is a distinct or separate national unit – a reflection of a deeply ingrained habit of conflating England and the UK in the British administrative mind – has been a significant obstacle to the development of a coherent vision of devolution in England.

The UK's London-based political structures have historically lent themselves to a lack of understanding about the nation's territorial politics and of concerns emanating from any of the UK's constituent parts.⁴ It is very hard to 'imagine' a coherent and comprehensive model of devolved government across England without a clear sense of the territorial and political space in which self-governance is being developed.⁵

Equally, people in England have not, on the whole, been invited to consider themselves as active agents in their own governance – in stark contrast with their counterparts in other parts of the UK – nor asked to vote in any referendum on this subject, except when specific areas have been consulted about new governance arrangements, such as the referendum held in the North East on Labour's regional government proposals in 2004, or polls on introducing elected mayors. But as a national collective, the English have never been invited to come together to debate and indicate how they themselves would like to be governed – a point that was repeatedly made during the 2014 Scottish independence referendum.

Most of England's political representatives in Westminster are disinterested or disinclined to consider arguments about devolution in much depth – although there are signs that this is starting to change, particularly with the Conservatives' levelling up agenda and Labour's Commission on the UK's Future led by Gordon Brown. Having been highly responsive to the invitation to "take back control" in the context of the UK's relationship with the European Union, there is a new question emerging about whether people also want their localities and regions to have more say in their own governance. A related, important issue is how policy can be designed so that the kinds of gain which the British political parties see in devolution might also be melded with the development of structures to revive people's sense of political efficacy and democratic 'voice'.

The introduction of devolved institutions to Scotland and Wales in 1999, and their restoration in Northern Ireland by a different process in 1998, have placed England in a distinctive position in administrative and constitutional terms. At the same time, devolution elsewhere has placed considerable strain upon traditional interpretations of the ultimate sovereignty of the Westminster parliament. In England, by contrast, devolution has involved the delegation of authority bestowed by Westminster, and central government's priorities provide the parameters within which subnational institutions operate. How England as a territorial entity is now governed as a result of these developments, and whether such an unbalanced system is sustainable over the longer term, are increasingly important questions that carry both constitutional and political ramifications.

We begin by providing an overview of some of the different attempts to reform the structures of English local government and to establish a 'middle layer' of administration, between councils and Whitehall. Put broadly, since the millennium there has been a notable shift in the favoured geographical scale for devolved governance, from the 'region' – usually defined in terms of England's nine NUTS1/

ITL1 macro-regions* – to a new, more concerted emphasis on the geography of cities and counties. This in part represents a disagreement between the political parties about how England should be governed, with Labour traditionally tending to favour regional-level government and the Conservatives often preferring a county-based approach and city-regional bodies. The legacy of this tug-of-war between the parties has been an unstable patchwork of administrative geographies across England. Since 2011, there have been incremental steps towards the establishment of a new set of combined authorities, most of which are led by directly elected mayors, while the recent levelling up white paper makes the case for the swift establishment of a new 'county-wide' model of devolution. The devolved authorities that have been created have emerged from bilateral deal-making between central government and selected local authorities.

This approach was a notable departure from the 'blueprint' approach to regional administration adopted by Labour in power after 1997. The recently published report from Labour's Commission on the UK's Future (led by Gordon Brown) indicates that the party would now adopt the process of bilateral deal-making, with proposals for 'bottom-up partnerships' at both the local and regional level.⁶ The old ambition to re-establish a regional tier of governance in England is still apparent in this document, but is now melded with an acceptance of the 'metro mayors' model introduced by the Conservatives, and more broadly with a more organic, 'patchwork' model of devolved government in England.⁷

The levelling up white paper of February 2022 outlined an encompassing devolution framework for England, but also indicated that new authorities would emerge from a negotiated process, in which central government encourages coalitions of adjacent councils to present devolution proposals for them to consider.⁸ While still patchy, and covering only about 14% of the country's geography, this model has emerged in fits and starts over the last decade and covers (if we include London) 41% of the population and 43% of the economic output of the country.⁹ If all the currently announced deals are implemented, this will increase to 35.8% of land, 52.4% of population, and 57.5% of output.¹⁰

However, the powers passed down within England in recent years have been limited in their scope, and limited by various restrictions on spending. More broadly, there remain outstanding questions about whether these new authorities have fulfilled the hopes invested in them, how much difference they have made in terms of policy innovation and improved economic growth, and whether they have the potential to address the abiding sense of frustration and lack of democratic control that have become a point of political concern in recent years.

* These are the nine regions established as the Government Offices for the Regions in the 1990s, developed into the regional development agencies in the 2000s, and still retained for statistical purposes: North West, North East, Yorkshire and the Humber, West Midlands, East Midlands, East of England, South West, South East and London.

Both the UK's main political parties have come to talk more fully and unreservedly about the need for more devolution in this context. There is, some observers suggest, an emerging consensus across UK politics on this point.¹¹ But there is also doubt about whether all these promises will be delivered, especially given the established pattern in British politics of opposition parties indicating that they will deliver further devolution but then taking more moderate positions when they win power.

In this report, we offer a broad overview of the state and implications of English democracy and governance, asking questions of its administrative structures rarely posed because of the predominantly economic lens through which devolved government is viewed. Bringing the outlook and frustration of ordinary people into the heart of this argument, a different perspective on these issues emerges. Three overriding problems in current administrative arrangements become particularly apparent – undue centralisation, incoherence, and a lack of democratic accountability. As we suggest in Chapter 1, all three are linked to the ever-changing character of administrative arrangements in England, as these have been repeatedly altered and further complicated in the last few decades.

Our working assumption is that meaningful reforms to address these issues are most likely to arise on the basis of a frank assessment of how the current arrangements work, rather than from the creation – and overlaying – of an entirely new institutional blueprint. And they are most likely to arise from more productive kinds of partnership and collaboration between central and local government, as well as a better understanding among politicians of the issues at stake. We conclude this report by identifying the future direction of travel needed to realise a holistic and collaborative approach to the repair of England's governing fabric.

1: Where are we and how did we get here?

1.1 England's national – and local – questions

The creation at the end of the 1990s of devolved institutions in Northern Ireland, Scotland and Wales opened up questions about England's own position within the Union, and shone a bright light on one of the foundational assumptions of the British constitutional tradition: that England and the English are content to be governed by the British state. Ever since, the question of whether the English have been disadvantaged by the advent of devolution to other parts of the state has drifted into the political ether.

There is a deeply ingrained reluctance among purveyors of the British constitutional tradition to accept the proposition that England as a whole might need some of its own institutions or forms of democratic representation within the system of parliamentary government.¹ Alone among the peoples of the UK, the English have no national institutions that are badged as their own. Their political representatives continue to use the terms England and Britain interchangeably when talking about English places and affairs, a long-running habit that has – as devolution has continued apace elsewhere – led to the paradoxical situation that England's separate existence and interests are never properly acknowledged, even as its distinct position, administratively and institutionally, has become ever more apparent. This position of England becomes even more distinctive with each addition to the powers of the devolved administrations – by what Michael Keating describes as an unnoticed process of “subtraction”, not by conscious design.²

Constitutional discussion of the ‘English question’ has centred on whether England as a whole needs some form of national protection or representation within the system of parliamentary government and if it needs a distinct voice within the UK's intergovernmental relations. UK politicians and many advocates of devolution have generally accepted the terms of the dominant constitutional tradition and concentrated their attention upon decentralisation within England, thereby coming up with a very different kind of answer to the English question.

And, for the most part, the assumption in political circles has been that developing new forms of subnational government is not an answer to this constitutional question but is instead a response to a different challenge: the imperative to address growing economic inequalities between England's regions. Since the millennium there has been a broad consensus in British politics that the answer lies in the establishment of a tier of regional or metropolitan governance, although there has been – and remains – considerable disagreement over the form this might take, the spatial scale at which its boundaries should be drawn, and whether such a model is needed in all parts of the country.

The pendulum has swung in the last two decades from Labour's preferred model of regional administration, based upon a blueprint devised in Whitehall, with borders drawn around large geographical areas – like the North West or East of England – that carried little meaning for most of the people who lived in them, but which offered a broadly comparable scale to the devolved nations of Scotland and Wales. After 2010, there emerged a new focus upon 'the city-region', with new 'combined authorities' established around core cities through a process of bilateral negotiations between central government and clusters of geographically adjacent authorities, the largest of which have populations similar to Wales, though are much smaller geographically and lack anything like a sense of nationhood.

In some ways, the combined authorities were a throwback to the older model of the metropolitan counties established in 1972 and abolished during the mid-1980s by the Thatcher government. Indeed, a consideration of the history of attempts to establish regional government in England suggests that there is a roughly cyclical pattern to these different reforms with the two main political parties making, undoing and remaking their preferred model. Rather than making progress in this area, it appears that the British political establishment has been going round in circles.

Many of the key innovations since 2010 are resurrections of earlier policy agendas, including the establishment of city-regions and directly elected mayors, the unitarisation of two-tier local authorities, and the extensive reliance by both central and local government upon the outsourcing of public services to private providers. Amid this policy fluctuation, how ordinary people feel about their own local area and the form of governance that might rekindle democratic engagement and civic life are issues that have been largely overlooked.

A focus on rebalancing the economic fortunes of regions, and addressing chronic imbalances in productivity, has been much more prominent in the justifications of these new institutions in comparison with the ideas about the merits of self-government and democratic rights that were used to justify devolution in Scotland and Wales. In England, this more technocratic approach has squeezed out democratic considerations, and pushed to one side the idea that local people have some claim to greater self-government.

Equally, while new governing institutions have been established in other parts of the UK, there has been a relative neglect of the institutional characteristics and constitutional character of English governance. How coherent are the forms that its administration takes? And to what extent are its governance structures responsive to the attitudes and demands of ordinary citizens? To answer these questions, we suggest, it is necessary to consider both the 'English question' and what we term the 'local question' at the same time, simultaneously addressing the former, with its focus on England's representation in the UK's territorial constitution, and the latter, with its focus on the health of local democracy and government.

1.2 The return of the 'English question'

The reason that politicians have so easily set aside these issues is because of the enduring assumption that England is the 'core nation' of the union state. The central position of England within the UK, and a temperamental indifference to asserting its own nationhood, means that its people's affinity for the British state and its governing institutions can be taken for granted.³

For politicians and administrators accustomed to this idea of Anglo-British unionism, England is effectively the UK, and the UK is typically seen through the lens of England and its people. The habitual conflation of both has been an integral part of British unionist perspectives on the UK state, an approach that sets strict limits upon the notion that English nationhood needs to be expressed and delineated outside the parameters of the British constitutional order and union state. Equally, this way of thinking reflects a recurrent unionist conviction that any form of English-wide devolution would very likely lead to the dissolution of the Union itself, given the preponderant influence an English government would have in relation to a federal union.⁴

In the context of the UK polity, forged as it was from the medieval conquest and Tudor annexation of Wales, the dynastic and political union with Scotland, and the colonisation and later partition of Ireland, the English have – as the historian Linda Colley sets out – been encouraged to regard themselves first and foremost as the main stakeholders within an encompassing British nation. This is a state-promoted British patriotism that has been "consciously and officially constructed" to unite the constituent nations of England, Scotland, Wales and, to a lesser extent, Ireland.⁵

When devolution was introduced to the other parts of the UK, therefore, these assumptions shaped the widespread belief that the English neither needed nor wished for an equivalent set of arrangements to the smaller nations within the UK. The conventional assumption in British politics has always been, and largely remains, that while the English have their own distinctive character and unique cultural traditions, they identify, in constitutional terms, with the governing structures of Britain and tacitly view Westminster as England's own parliament. As the political scientist Richard Rose argued several decades ago: "England is a state of mind, not a consciously organised political institution."⁶ Leading constitutional historians have long identified the importance of English awareness (and grudging acceptance) of the imbalances and anomalies of the Union as one of its most important buttresses.⁷

But since devolution was introduced in the late 1990s, there has been a gathering debate about whether these ingrained forms of English self-restraint and older traditions of unionist affiliation have begun to weaken amid radically altered political and economic circumstances. Signs of growing English disquiet about the model of territorial funding used to determine levels of public investment across the UK, and complaints about some of the apparent benefits for the Scots of powers conferred by devolution in terms of social benefits like free university education and prescription, have created a sense of irritation among some English publics.⁸

But there has been grievance too, more loudly proclaimed, about the disproportionate amount of funding invested in London and the South East, especially in infrastructure, research and culture, compared to other regions. From the mid-2000s a growing sense of disenchantment towards the priorities and outlook of metropolitan politics was being documented and increasingly widely debated, and some studies identified correlations between this mood and feelings of English patriotism.⁹

This has not, for the most part, resulted in a radical abandonment of feelings of Britishness, or affiliation with the UK Union in England – although polling does suggest that a larger minority of the English are much less likely to identify with both – but it has been one contributing factor in a drive to reclaim ideas and feelings of English nationhood.¹⁰

1.3 Representing England within the devolved Union

This trend raises acute dilemmas for guardians of the Union. Can stronger feelings about the rights and interests of the English – rather than the British – nation be acknowledged and accommodated within its structures? Or are political forms of Englishness, and the notion of an English democratic model, anathema to the survival of the Union, as constitutional orthodoxy has long insisted?

These issues were flagged up in a controversial speech by the then prime minister, David Cameron, on the morning after the 2014 Scottish referendum:

“I have long believed that a crucial part missing from this national discussion is England. We have heard the voice of Scotland – and now the millions of voices of England must also be heard. The question of English votes for English laws – the so-called West Lothian question – requires a decisive answer.”¹¹

His motivation was a concern within the Conservative Party about being outflanked in this area by UKIP, following its meteoric rise in support from 2012. Following his announcement, attention then turned to the idea of England’s interests and recognition within the system of parliamentary government, a topic that had previously been confined to narrow circles of constitutional expertise. As one journalist put it: “The English question, long buried, has rushed to the centre of British politics.”¹²

Even before this point, in the wake of devolution, questions were being asked about whether English interests were sufficiently represented within the Westminster parliament after the establishment of new parliaments outside its borders, while MPs from Scotland and Wales continued to play an unchanged role in Westminster. This issue moved on to the political agenda when the whipped vote of Scottish MPs during the second New Labour government resulted in controversial English legislation on the question of university tuition fees and foundation hospitals. The concern was that after devolution, English MPs were denied the opportunity to participate in decisions on matters devolved to Scotland, Wales and Northern Ireland, even as MPs representing constituencies in those territories could influence equivalent decisions impacting upon England.

One ancillary idea that also gained some momentum in these years, but did not make it into the political mainstream, concerned the treatment and position of England in relation to the executive branch of government.¹³ A growing number of Whitehall departments, especially those concerned with areas of policy that had been devolved elsewhere, were increasingly focused upon developing policies and regulations that only really affected England. This territorial variability was not itself a new thing; given that in the years before devolution, a good deal of domestic policy was handled by the Northern Ireland, Scotland and Wales territorial offices, leaving the rest of Whitehall more focused upon English affairs. But this imbalance was markedly accentuated by the establishment of devolution and incremental additions to these arrangements in subsequent years.

The ingrained reluctance in Whitehall to acknowledge its territorial limitations and to follow the lead of bodies like the NHS and the Arts Council, which decided to remodel themselves on explicitly territorial lines – with the creation of NHS England, for instance – was a telling indication of the enduring hold of the Anglo–British tradition at the helm of British government, and of the deep-seated reluctance to look at England as an administrative entity in its own right.

How England sits within the UK’s structures of government has emerged as an issue too in debates about how intergovernmental relationships between the UK government and the devolved administrations in Scotland, Wales and Northern Ireland should be structured. In the wake of Brexit, there was agreement at the highest level of all these governments that a more systematic and transparent system of co-ordination and consultation was required, beyond the many informal networks and contacts that existed between officials in each. And a lengthy process of trying to agree a new model got under way in 2017. As one study of this process explained, England sat awkwardly within this model: “Concerns have been raised from several different perspectives about the implications of the UK Government’s ‘dual hatted’ role as representative of both the UK’s and England’s interests in IGR [inter-governmental relations] forums.”¹⁴ The role of the UK government as both the English partner in the Union and the Union-wide government provides a stark illustration of how devolution elsewhere has complicated and occluded England’s position within the UK’s governing structures. In this instance, some have made the case for it having its own representative within these processes – a suggestion that has been rejected by central government.

These issues – and the wider questions about England’s changing governance on which they touched – slipped from public view once the furore over the rules known as ‘English votes for English laws’ (EVEL) subsided in 2015, but they did quietly begin to percolate into mainstream political thinking. Proposals for a secretary of state for England, and a select committee for England, were aired by the Commission on the Future of Local Government in 2012.¹⁵ And these ideas were picked up by the political parties, with Labour including the first of these in its 2017 manifesto. Immediately after the 2014 referendum, members of the Conservative 1922 backbench committee called for a first minister for England to be created.¹⁶ Given the stasis that had prevailed for so long on these issues, these were telling signs that the vexed question

of how and where England is managed within the structures of central government was gradually becoming a more salient question in British politics – although the Johnson government’s quiet cancellation of the ‘EVEL’ procedures in 2021 also indicated an enduring wariness of the notion that England’s MPs should have any distinct constitutional role in relation to legislation passed by the Westminster parliament.

1.4 Two answers to the English question

Some campaigners and politicians see a growing democratic imperative to recognise the historic unity and integrity of the English nation and for it to be accorded an equivalent set of representative rights to those that have been accorded to the other nations of the UK. This perspective has generated calls for the development of England’s own central institutions, and the related idea of a parliament for England has received increased attention and consideration in recent years.¹⁷ As well as a small number of English campaigners for this idea, some supporters of a federal UK have also championed it. Thus, the former Welsh First Minister Carwyn Jones has argued that “the break-up of the United Kingdom is a real and present danger” and that the UK must become “a voluntary association of four nations, where sovereignty is dispersed amongst four democratically elected legislatures”.¹⁸ The stock unionist response to such ideas is that, given England’s size and preponderance, there is no way of doing this that does not fatally undermine the stability of the Union – an orthodoxy that has itself been increasingly subjected to critical questioning within academic and campaigning circles.¹⁹ And yet, among Westminster politicians and policy makers, the English parliament idea remains clearly outside the mainstream.²⁰

A distinct rival perspective argues that devolution in the English context has to mean affording greater autonomy and authority to newly created regional units that would be roughly equivalent to the population and geographical size of the devolved territories. This approach would entail a move towards a federal structure, where the nations and regions of the UK would come to have a standardised suite of powers and functions, and also be given a more recognised constitutional status. What form of political authority this should involve, and what policy responsibilities passed down, and at what scale this should be built, are in turn issues that have been the subject of considerable disagreement.

Amid the many arguments about devolving power within England, there has been a notable tendency to overlook the question of how its ad hoc, and often misshaped, governing structures currently operate as a result of changes in the UK’s territorial system, due to devolution elsewhere, and also because of waves of reform to England’s structures of local and devolved government. Other dynamics that have also had an impact include the outsourcing of service delivery to various private contractors and the fragmented nature of the organisational structures responsible for services like health. Very little attention has been paid – in the worlds of policy and research – to how these trends affect the lives and experiences of England’s residents.

1.5 The rise of the 'local question'

Away from these questions of identity, national self-image and democratic representation, the idea of decentralising power within England has become an increasingly prominent theme in British politics for a different reason: successive British governments have turned to consider the merits of establishing a tier of administration operating at a larger, more functional scale than most local authorities. And there has been a recent drive to introduce a directly elected leader-figure to head these devolved authorities.

It appears that a rough consensus is emerging, in politics, around the merits of extending the existing model of English devolution, as the idea of handing some powers down from Whitehall towards large metropolitan areas has gained traction in the leaderships of both main British political parties.²¹ This promises a shift from a lengthy period when different politically rooted views of the forms and structure of devolved government instigated a fairly continuous process of chopping and changing in this area.

Most recently, the emergence of the 'left behind' and 'levelling up' narratives in political life have generated an abundance of commentary from academics, think tanks and government agencies on the merits and prospects of subnational devolution in England.²² Building on the arguments made in the government's levelling up white paper, many of these voices are broadly supportive of the current direction of travel in this area. And one important prompt for this agreement is the impact of a significant body of research and evidence that connects the comparatively centralised character of England's governance to the underperformance of many of its second-tier cities and poorer regions.²³ The levelling up white paper explicitly acknowledges the influence of these arguments, and cites some of the key texts in this literature, while Labour's recent Commission on the UK's Future has followed a similar trajectory.²⁴

1.6 The history of local government reform

The highly centralised cast of English governance reflects a long-term process of the erosion of the mandate and responsibilities of local government. There have in more recent decades been various attempts to reconfigure the organisation of local administration, reflecting different motivations at different times, ranging from achieving greater efficiency, controlling local government spending, ensuring an increased focus on local economic development, and achieving more responsiveness locally to central government objectives.

Early history

Before the Industrial Revolution, local administration in England mainly consisted of parishes responsible for administering some basic welfare provision, while in cities and towns, various corporations and guilds held sway. The Industrial Revolution generated a new order of social problems. In administrative terms, these sparked the emergence of a multitude of overlapping bodies with different responsibilities.²⁵ Central government did not perform a co-ordinating role, as it came to do in later decades, but rather reacted to local demands on a case-by-case basis.²⁶

Comprehensive reforms were first developed in the Municipal Corporations Act 1835.²⁷ This enabled the creation of borough councils and mayors across the country, but their policy responsibilities were developed on a voluntary basis, and their limited electorates generally preferred lower rates over active local government. The Local Government Acts of 1888 and 1894 together created “a comprehensive pattern of county councils, and district and parish councils”.²⁸ Administrative counties were established using many historic borders, and a London-wide council was created to match its urban expansion.²⁹ Urban and rural districts formed a lower tier below the county, largely focused on public health and local infrastructure. At the same time, county borough councils continued to exist independently of the new two-tier county system. Over the coming decades, towns with a population of sufficient size were able to apply for county borough status, leading to the gradual spread of single-tier local government.³⁰

1960s and 70s

A suite of important reforms began in the 1960s, starting with the London Government Act of 1963, which enlarged the county of London to match the city’s expansion and created the two-tier system of the Greater London Council and the London boroughs. In 1966, the Labour government launched the Royal Commission on Local Government in England, known as the Redcliffe-Maud Commission. This set out the first systematic, official analysis of local government structures, exploring their capacities to contribute to various social and economic policy objectives. Its final report proposed eight regional councils across England that would absorb powers from both central and local government. They would sit above 58 unitary authorities and three two-tier metropolitan authorities.

The prime minister, Harold Wilson, argued that the reforms would “end the divisions between town and country”, while also enabling more effective economic planning and “opening the way for more devolution in decision-making.”³¹ However, the long-standing exposure of England’s governance structures to party political eddies at Westminster meant that much of this work was abandoned when Labour left office in 1970.

When the incoming Conservative government turned to consider this question in 1972, it moved away from the Redcliffe-Maud proposals, abandoning the idea of regional-level government and seeking to introduce a two-tier local system across the country, “based on the premise that larger scale more populous authorities were better equipped to carry out some functions, whilst smaller authorities with a stronger local identity were better equipped to undertake others.”³² The reforms reflected an attempt to simplify local government, underpinned by the newly formed Local Government Boundary Commission for England.³³

But large variations persisted. There were important differences between the strategic role of metropolitan counties and the service-delivery focus of county councils. Furthermore, both the loss of some familiar jurisdictions and the creation of new administrative geographies were widely reported to be unpopular with local residents, especially in the new counties of Humber, Cleveland and Avon.³⁴

1980s and 90s

During the Thatcher and Major premierships, the map of local government continued to change, primarily through the replacement of some two-tier authorities with a single layer of local government, and also when the Local Government Act of 1985 abolished city-wide governance in London and the metropolitan counties. The abolition of these tiers was justified in relation to governing efficiency, but there was a significant party political advantage in removing political offices and policy platforms held by the Labour Party. That many of these institutions have since re-emerged, in slightly different form, is an indication of the circular nature of policy in this area.

The second major reform agenda of this period began under the influence of Michael Heseltine in the early 1990s, with the creation of the Local Government Commission.³⁵ This initiated a reform agenda that focused on replacing two-tier county councils with unitary authorities ('unitarisation') to improve accountability and reduce bureaucracy.³⁶ After various delays, changes of direction and legal challenges, some two-tier authorities were retained in their entirety, some new unitary authorities were created within traditional county boundaries, and the remainder were replaced with new unitaries. The motivation behind these reforms was partly to address the unpopularity of the previous round of reforms, and partly to achieve efficiencies in terms of the costs and performance of local government, especially with a view to the 'outsourcing' of local services.

These reforms are best understood as part of a wider shift in the public sector, informed by the ambition to make local public services more 'customer-focused' as the government oversaw a shift influenced by some of the doctrines associated with 'new public management' theory.³⁷ These changes were seen as part of a wider transformation in the role of local government, away from a hierarchical system in which it was the discretionary agent in policy making and service delivery, and towards systems of self-organising networks comprised of various public and private organisations.³⁸ At the same time, there were notable moves towards recentralisation during this period, partly through the tight control of local government finance that made it increasingly reliant on central distributions, and also through the enforcement of central controls, for instance in the realm of education policy.

New Labour

Labour's landslide election win in 1997 marked the beginning of a further, extended phase of reform. This included the resurrection of London-wide government in the form of the Greater London Authority, giving significant devolved powers to an elected mayor scrutinised by an elected assembly. At the same time, nine regional development agencies (RDAs) were created across England, providing a mechanism for regional regeneration backed up by major state spending.³⁹ RDAs were also directly accountable to the centre, and their focus shaped by its objectives.⁴⁰

The ambition to transition the RDAs into elected regional assemblies did not survive contact with public opinion, when the people of the North East (selected as the region likely to be most favourable to this agenda) voted overwhelmingly against this idea in 2004. The model that was on offer was a fairly limited one, and the opponents

of this change ran an agile and disruptive campaign focused upon the costs of an additional layer of government.⁴¹ Overall, Labour's approach to the development of its regional agenda was incremental and cautious, and while it was broadly supported by some senior figures in the Blair government, notably Gordon Brown, others were far less enthusiastic about it. Defeat in the North East resulted in the abandonment of the attempt to establish a system of regional government and much of the regional architecture that Labour created, including the RDAs, was rapidly swept away by the Conservative–Liberal Democrat coalition government elected in 2010.

Alongside its regional ambitions, New Labour also made some important changes to the organisation of local government, primarily through its new regime of performance management and its attempts to modernise and 'join up' local services. Central government became much more interventionist in respect of its local counterpart, attempting to improve local service provision and outcomes.⁴² The Blair governments also sought to change how councils were run, with councillors and local people permitted to trigger local referendums on rewiring the structure of their local administration, and on the specific proposition of introducing directly elected mayors (an idea that has come back into favour with Conservative politicians after 2012).⁴³ The push to introduce these figures was similarly cautious and limited. Throughout its time in office, Labour also continued the programme of 'unitarising' county councils, seven of which were replaced by new unitary authorities.⁴⁴

After 2010

The Conservative–Liberal Democrat coalition, like many governments before and since, promised to "end the era of top-down government", and declared a particular commitment to "localism".⁴⁵ This entailed giving local authorities a general power of competence and reorganising Labour's regional framework.⁴⁶ The RDAs were quickly abolished, abruptly ending the experiment in regional administration.⁴⁷ These were replaced by new bodies, 'local enterprise partnerships' (LEPs), which operated on a smaller geographic scale, with greater business input, and less funding,⁴⁸ and some of the key functions of the RDAs were recentralised.⁴⁹ The LEPs also reflected the emergence of a new set of administrative geographies, sitting at a scale that was more commensurate with cross-city transportation networks and local economic activity.

A second wave of reform followed, beginning with two tranches of 'city deals' that gave some limited funding and powers to a small number of cities and their surrounding regions. The chancellor, George Osborne, galvanised this agenda with the launch of the 'Northern Powerhouse' to encourage partnership-working between civic and economic leaders aimed at achieving growth in the North of England. A major new reforming impulse animated the establishment of 'combined authorities' (CAs), which emerged out of (usually lengthy) negotiations with central government. Most were headed by a directly elected mayor, with a cabinet consisting of elected local authority leaders. The functions and responsibilities bestowed upon these institutions varied quite considerably. Over time, they have been allocated some additional responsibilities, though many remain limited, and they are increasingly absorbing the LEPs within their boundaries.

In the aftermath of the Brexit vote of 2016, and the rise of Boris Johnson to prime minister, the slogan 'levelling up' came to encapsulate the ambition to create a programme designed to boost the flagging fortunes of poorer regions and 'left-behind' communities.⁵⁰ The white paper setting out this programme emphasised the importance of further devolution in England and set out a wider framework for achieving a comprehensive model of devolved governance by 2030.⁵¹ It also announced the ambition to sign a series of 'county deals' with the promise of significant investment in these, mainly rural, areas. And, following many previous governments, there are plans to create a number of new unitary authorities.

1.7 Five recurring themes in the history of local government reform

Five key lessons can be extracted from this brief overview of the history of local and devolved government.

1. Many of Britain's politicians and administrators have been sceptical of the idea of developing a model of regional government in England although the 'functional' case for delivering policies like planning or transport has been repeatedly made.

The enduring hold of allegiances to other, older administrative and geographical entities – like counties and towns – and the rising appeal of the city-regional model present formidable obstacles to attempts to establish region-wide governance.⁵² The growing number of 'metro mayors' reflects a growing consensus around the idea of jurisdictions with a city-plus-hinterland geography. These bodies are typically organised at a larger scale than mayoral authorities in many other countries.⁵³ The devolution deals that have been achieved reflect a preponderant focus upon cities, rather than rural or coastal areas.

2. There has been an ongoing see-saw between the agendas favoured by the two main political parties in this area.

There has been a notable tendency for the plans of one to be undone by the other when it gets into power. And there are still institutional residues of earlier moments of reform, and their survival makes subnational tiers of administration even more variable and complicated in character. Equally, in contrast to countries with codified constitutions, where key features of subnational governance are entrenched in foundational constitutional documents, in the British model central government can affect the reform and reorganisation of local and devolved government with relatively little scrutiny or countervailing checks. Decisions about governing structures have, for several decades, been made by governments aiming to pursue savings and efficiencies, or seeking to align local and regional government with its overarching economic policy priorities.

3. There is a long-running tendency for distinct administrative structures to develop in urban and rural areas in England.

The history of reform in relation to London, in particular, has moved to an entirely different rhythm compared to patterns of local government reform elsewhere. Other major urban areas have been given powers over certain budgets and tools to realise strategic city-wide aims, but with most services delivered at the lower district level by unitary authorities and metropolitan boroughs. Most large towns and small cities have an older history of limited self-government, and have had single-tier authorities for most of the last

century if not longer. England's rural areas have largely been governed by two-tier systems in which the higher tier is dominant in terms of powers and service provision. The differentiated history of these different areas is one reason why local governance in England has a distinctively variable and complex character.

4. England has evolved a system of single-tier and two-tier local government

rooted in a longer history of different administrative arrangements for urban and rural areas. This has been a major obstacle to the development of a comprehensive and transparent model of devolved government of the kind developed in many other European countries. Similar complexities do exist in other countries, as with Germany's 'Kreisfreie Städte' (one-district cities), but these sit below a clearly demarcated regional tier – the 'Länder'. In England, the precise roles and functions of higher and lower tiers of local government vary. And the still emergent combined authority model is likely to entrench a new form of two-tier governance, while in rural areas, unitarisation looks more likely to be the norm. The uneven and variable nature of subnational governance in this context looks likely to continue into the future.

5. Central government has been the key catalyst for – and agent of – local and devolved government reform.

This means that a clear sense of hierarchy is baked into the relationship between central government and its local and devolved dependents, realised primarily through the centre's control over the allocation of local funding. There has also been a recent trend towards the fragmentation of governance, so that responsibilities for policy making and service delivery are split between different bodies – some local, some national, some private and some public. This distinctive combination of hierarchy and fragmentation means that central government has been able to maintain control over the various local agencies, but has often struggled to marshal them in concert in response to particular policy problems.⁵⁴ Over the years, the winding down of local governmental capability has created the conditions for yet further central intervention, and as this cycle has played out, it has become easier for the centre to take for granted its own directing – yet often ineffective – role. A recent report charts the steady 'hollowing out' of local government over the last four decades, as the power balance between local and central government has shifted significantly in favour of the latter.⁵⁵

These five recurring themes within the story of local government reform are all still highly pertinent. The absence of an established tier of regional administration, the cyclical churn of local government reorganisation, the differentiated treatment of urban and rural areas, the absence of consistent tiers of subnational government, and the maintenance and intensification of central government control, are all still key parameters within which central–local relations operate in the English context.

What has been notably absent from debates about devolution is the recognition that reforming subnational government in England also requires significant change to the structures and workings of central government. And, we suggest, developing a successful and stable form of subnational governance also requires a wider angled understanding of England’s increasingly distinctive position within the devolved Union.

1.8 Why do the English question and the local question remain unanswered?

In recent decades, debates about how England should be governed have tended to polarise between advocates of an English-wide solution, such as an English parliament, and supporters of subnational models, such as democratically elected regional assemblies across England. Recent government policy has tended to go in other directions, as with the ongoing creation of unitary authorities, and the more recent pivot towards directly elected mayors. Some of these ideas have to various extents found favour with the main political parties, but none has been followed through to completion. There has, more generally, been no resolution to ongoing debates about the place of England in the Union and no lasting settlement for the basic structure of its subnational governance.

The two main parties have, since the 1990s, come to take contrasting views on the questions of English governance, with the result that there has been a notable lack of consistency in approach in this area. Treated like any other policy issue, successive governments have typically attempted to reform the existing model within the life of a single parliament. A number of these programmes have been only partially delivered by the time one administration comes to an end, or some other external shock causes a significant change of political direction.

Yet, despite this history of policy oscillation, the Conservatives and Labour now seem to be converging in their thinking about the need to develop a ‘middle layer’ of devolved administration in England and also on the form this should take. There are a number of overlaps between the thinking set out in the Conservative government’s levelling up white paper and the Labour Party’s recently published Report of the Commission on the UK’s Future. Both parties are looking to devolve power in England, largely motivated by a desire to address geographic inequalities and improve the economic fortunes of lagging regions. Both have also acknowledged the problem of instability generated by continual reforming initiatives, and this pattern is analysed in particular depth in the levelling up white paper.

In the remainder of this report, we identify and focus on some of the main problems and deficits that have been identified in relation to England’s governance and seek to make connections between the overarching constitutional issues associated with the English question and the different challenges posed by attempts to establish forms of subnational devolution – which we here term the local question. We focus in particular on three general weaknesses that have been repeatedly identified in relation to its current administrative set-up: over-centralisation, institutional incoherence and declining accountability.

2: Centralisation

2.1 Introduction

Criticisms of the centralised and top-down way in which England is governed have been made with increasing force in recent years. They were particularly prominent during the Covid-19 pandemic, with the dysfunctional and often tense relationships between different tiers of government at times laid bare, most notably during the public stand-offs between the UK government and metro mayors, notably Greater Manchester's Andy Burnham, over Covid restrictions in late 2020.¹ Critics have argued that various kinds of dysfunction and perverse outcomes stem from this entrenched pattern of over-centralisation. These range from the seemingly inexorable divergence of the regions in economic terms, and weaker productivity growth outside London and the South East, to arguments about increasing democratic disengagement and the rise of a powerful current of disenchantment with Britain's political system.²

The authors of the recent white paper on levelling up argued that the relative weakness of both local and devolved government in England is connected to significant and rising forms of spatial economic inequality and the relative neglect by the central state of 'left behind' places and areas.³ But while there are many references to centralisation and its consequences, critics often elide different aspects of central decision making and control, and overlook the distinct domains in which central power operates, with different effects. In this section, therefore, we pick out some of the different facets of England's centralised governance, specifically the political, constitutional, territorial and economic. We then try to offer a more evidence-based comparison with other countries' governing structures before concluding with an evaluation of whether the system is unduly and irredeemably centralised.

2.2 Political and constitutional centralisation

We refer to 'political centralisation' to characterise the relative distribution of power and authority between central and local tiers of government. This term also characterises a mode of government power and decision making that reflects the established constitutional authority of central government and references the assumption that core decisions about the provision of services and the allocation of goods and resources in different parts of the country should be made at the political and administrative centre. The first of these ingrained assumptions about the primacy of the UK government within England's governance system is anchored within an established – but not uncontested – pattern of constitutional thinking that enshrines the core principle of parliament's sovereignty.

A further consequence of the influence of this prevailing constitutional tradition is that no other tier of government – either local or devolved – has acquired legal sovereignty in the British system, in marked contrast to those countries that have afforded constitutional rights to local administration. For example, the Italian constitution states that "municipalities, provinces, metropolitan cities and regions are autonomous entities having their own statutes, powers and functions".⁴ In the UK, the devolved

legislatures have come to acquire a degree of constitutional authority – the extent and limits of which are the subjects of ongoing debate. The absence of subnational legislative devolution means that England is in effect governed as a unitary state.

The lack of constitutional protections for local and other levels of government in England means that successive central administrations have been able to restructure English local government, subjecting it to new forms of accountability to the centre, and winnowing down its range of powers. As one recent study observes, “local government in Britain has always operated in a constitutional vacuum”, leading to central government interference and a lack of clarity about its functions.⁵ Another concludes that English local administration is a “creature of statute, with Westminster holding absolute power over its shape, powers and responsibilities, and being able to vary these as it sees fit”.⁶

Crucially the centre retains a significant proportion of fiscal powers and controls, and both local and devolved administrations are heavily reliant upon funding allocations determined in Whitehall, both through core grants and, more recently, the deployment of competitive funding pots. The difficulties associated with the latter have played out in the allocation of the first two rounds of the levelling up fund, and the controversies these have generated, especially the inefficiencies associated with this model and the potential for electoral consideration to shape decisions over funding allocations.⁷ The fiscal control held by the centre over local institutions is primarily exercised by the Treasury, which itself holds a singularly powerful position within British government. The dominance of the Treasury over fiscal distributions has few limits in England, where the allocation of resources across tiers of government, geographical areas, and between departments, is to a considerable degree at the behest of the chancellor and their officials.⁸

A deeply held sense of the indivisibility of England as a constitutional entity has been a guiding thread running through British political culture and thinking. But so too has been a strong attachment to local traditions of administration, particularly to older patterns of governance at the level of parishes and entire counties. England’s governance was in the 19th and early 20th centuries often celebrated for its locally rooted, organic character, an idea that was integral to the pluralist vision that shaped British constitutional thinking in the early decades of the last century.⁹ And yet, since the 1960s, the structures and territorial make-up of local government have been reformed and reorganised to the extent that the current system represents a complicated patchwork that is now a mixture of the outcomes of successive centrally driven reforms and earlier patterns of local administration. A chorus of criticism about the seemingly inexorable growth and character of central control over local and city administration has come from all political sides over the course of the last century, and has become particularly intense in recent years.

2.3 Geographical and economic centralisation

A different line of criticism highlights the particular form of geographical consolidation upon which the British system of territorial government rests. This arises from the concentration of so many of the country's governing institutions, including both Whitehall and Westminster, in a very small area – indeed a single postcode – within the UK's capital city (hence the shorthand 'SW1'). Given that the most powerful, elite institutions in the worlds of finance, business and the arts are also located within the capital, there is a sense that an enormous – and disproportionate – amount of power and authority reside within the UK's most powerful city. This has become a palpable theme, and the source of considerable resentment, within England, as well as in the devolved territories. Survey data compiled by Anthony Heath and Lindsay Richards shows how the more people feel distant from London, the less they believe that the government looks after their area.

The centralised territorial character of government is reflected in Figure 1, which tracks the geographical location of the UK's civil servants, reflecting their continued concentration in London, especially at the senior level. This is despite sporadic attempts to redistribute government offices around the country. Many of these officials' roles remain UK-wide in character, and it remains far from certain that civil servants operating at the new Darlington campus will have any better understanding of, for example, issues affecting Cornwall, than those remaining in London.

Figure 1 **Location of civil servants by grade (percentage of grade in each region, headcount), 2022**

	Whole civil service	AO/AA	EO	SEO/HEO	Grades 6/7	SCS
London	21%	9%	16%	25%	43%	65%
North West	13%	15%	15%	11%	8%	4%
Scotland	10%	12%	11%	10%	8%	5%
South West	9%	7%	8%	12%	10%	5%
South East	8%	10%	10%	7%	6%	3%
Yorkshire and the Humber	8%	8%	8%	7%	7%	4%
Wales	7%	9%	7%	7%	5%	5%
West Midlands	7%	8%	8%	6%	4%	3%
North East	7%	10%	6%	5%	4%	2%
East Midlands	5%	6%	5%	4%	2%	1%
East	5%	5%	5%	4%	2%	2%
Northern Ireland	1%	1%	1%	1%	0%	0%
Not reported	1%	0%	0%	0%	0%	0%

Source: Institute for Government analysis of Cabinet Office, Civil Service Statistics, 2022.

A good deal of commentary has pointed out the dangers posed by the spatial proximity and overlapping cultures of the country's political, administrative and business elites, both in terms of elite remoteness from other parts of the country and in relation to growing feelings among sections of the public that the political establishment is unresponsive to their views. This has tended to play out through political concerns about power hoarding and economic concerns about place-based inequalities.

Power hoarding

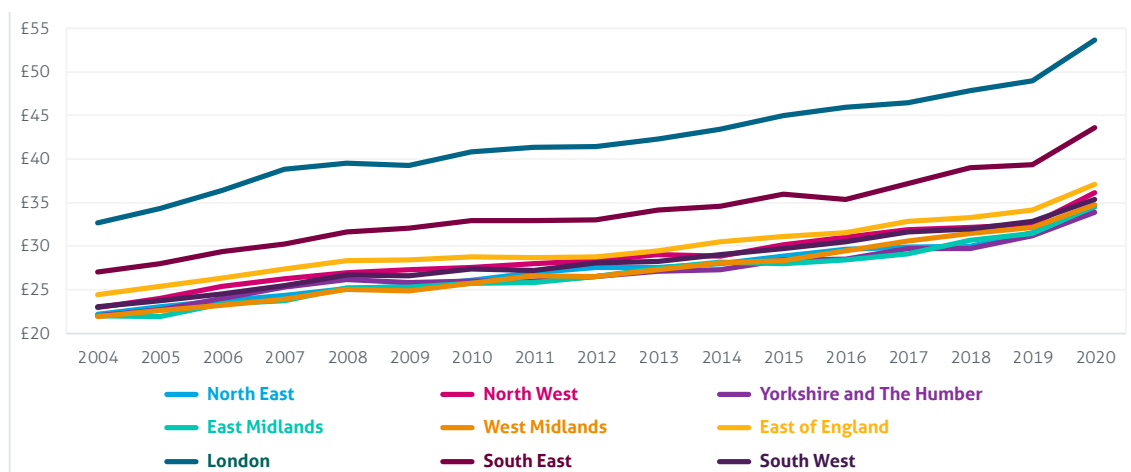
One widely aired concern is that the British system has at its heart a 'power hoarding' culture, which makes its key actors endemically reluctant to facilitate local and regional decision making, or to endow local council and devolved leaders with the ability and support to make their own decisions (and so to realise the potential benefits of devolution). The origins and longevity of this trend are contested, but in the post-war era at least, the UK's political system has been widely characterised as a power hoarding model.¹⁰ As Sarah Ayres and Graham Pearce put it: "Government in the UK has traditionally been regarded as a strictly hierarchical system in which Whitehall exercises a dominant role in both controlling public expenditure and setting policy priorities."¹¹ On this view, centralisation is a deeply rooted reflex based upon the ingrained culture of the Westminster model of government, which is perpetuated by the behaviours and mentalities of both political and administrative establishments, and also by the institutional pre-eminence of the Treasury.¹² The distinguishing convictions underpinning this mindset, according to various commentators, are "Whitehall's unwillingness to 'let go', and anxieties about [local] capacities".¹³

These characteristics, it has been widely suggested, mean that the making and implementation of policy in this context are unduly shaped by established economic assumptions about where public investments should be directed and growth is most likely to be secured. And these centralist dispositions give policy a siloed and top-down character, limiting the chances of tackling complex social and economic challenges – which manifest in different ways in different parts of the country, and which require contextually rooted information and local knowledge if they are to be more effectively addressed. Given the hold of the two main British political parties over this governing system, a good deal of public policy for England is suffused by the limited and short-termist thinking associated with this political duopoly.

Place-based inequality

A second major concern about geographic centralisation is aired by those highlighting the particularly unbalanced character of the UK's economy. As shown in Figure 2, this imbalance is most commonly represented by the significant difference and growing divergence in productivity between the South East (especially London) and the rest of the country. Philip McCann connects the lack of meaningful devolution in England with the centralisation of the economy in and around London: "The UK today exhibits one of the world's most centralised governance systems while at the same time also exhibiting amongst the highest interregional productivity and income inequalities of any industrialised country."¹⁴ Ron Martin and co-authors argue that the geographical concentration of the UK economy "is shaped by the form, operation and spatial organization of the nation's core institutions, governance structures, political arrangements and policy-making machinery".

Figure 2 **Productivity across England (GVA per hour worked)**



Source: Analysis of ONS, Regional gross value added (balanced per head), 2004–2020.

Both institutional and geographical centralisation are seen by a growing number of analysts as a major cause of unequal economic performance and outcomes in different parts of the UK. This economic argument for devolution connects with a long-running set of debates about whether international evidence supports the contention that greater decentralisation is causally related to improved economic growth. Proponents of the argument that devolution has growth benefits identify positive effects in various contexts, while sceptics argue that there is insufficient data and, in some cases, that certain types of devolution may in fact increase regional inequality.¹⁵

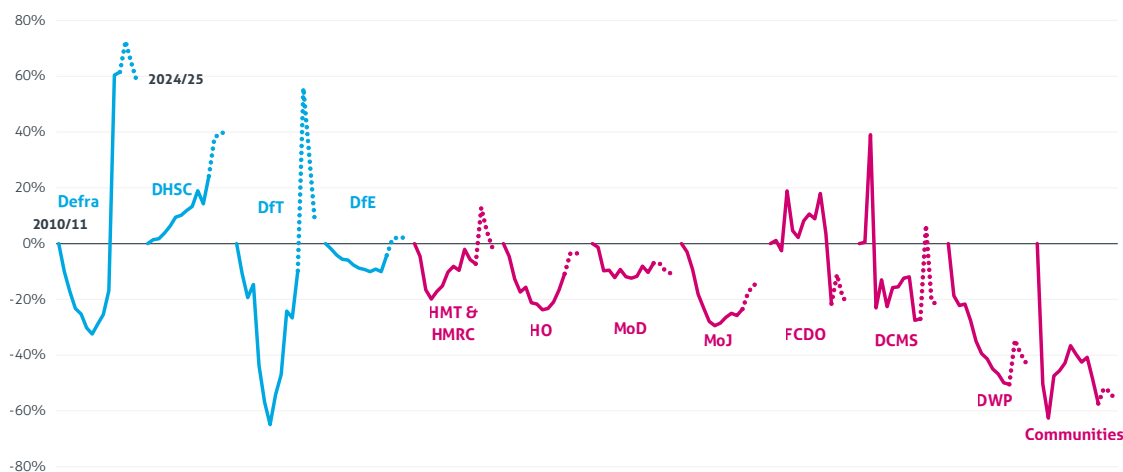
In a recent paper, André Carrascal-Incera and co-authors argue that centralisation leads to a smaller return on public investments on the grounds that local economic policies are more effectively designed and implemented at the local level.¹⁶ It is widely suggested too that the establishment of stable and empowered forms of devolved government, at subnational levels, is a necessary condition for a more balanced model of spatial economic development, as well as the development and effective implementation of policies tailored to local conditions. This claim is echoed in the levelling up white paper, which states that "... meaningful devolution of power ... has been proven to help once declining areas to recover".¹⁷

Recent research observes the importance of the manner in which powers are devolved in terms of consequent economic outcomes. A study by Andrés Rodríguez-Pose and Vinko Muštra suggests that it is the quality rather than the autonomy of local governance that is most important in determining local growth.¹⁸ They point to the deleterious impact of the creation of "unfunded mandates": that is, lower tiers of government that lack the capability and financial support to deliver responsibilities passed to them.

This argument has a strong resonance in England. Following the centralised approach pursued by the Thatcher and New Labour governments, the fiscal position of local government has been severely reduced by post-2010 cuts to budgets, and the rapid

dismantling of important parts of the governance framework.¹⁹ This includes the winding down of the Audit Commission after more than 30 years, alongside a wider loss of individual expertise across other local and national bodies. Figure 3 shows that local government (what is now a responsibility of the Department for Levelling Up, Housing and Communities) has had its budget squeezed by nearly 60% since 2010 and is one of the areas of public provision most affected by austerity.

Figure 3 **Change in real-terms day-to-day spending for selected departments between 2010/11 and 2024/25**



Source: Institute for Government analysis of HM Treasury, Public Expenditure Statistical Analyses, 2014-21 and HM Treasury, Spending Review 2021, October 2021: Figures deflated using the GDP deflator. Calculated based on the percentage changes between years in the most recent Treasury document that contains figures for both years. Defra increase in 2020/21 reflects spending to replace EU funds to agriculture. BEIS excluded due to changes in its portfolio over time. Communities is the relevant department over time.

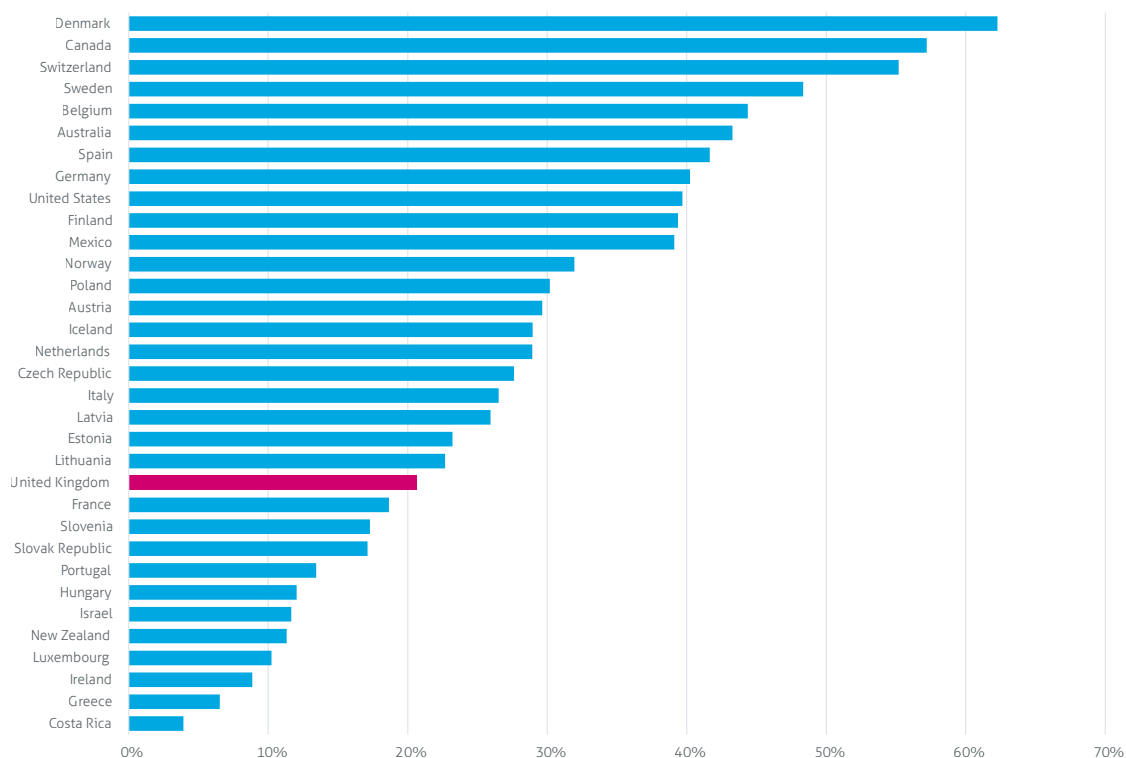
2.4 Centralisation compared

For these reasons, there has been considerable complaint about the extent and consequences of centralisation in the UK. But there has been little sustained examination of how much more centrally controlled England is than other broadly comparable countries. There is also uncertainty about whether this is the main source of some of the unequal social and economic outcomes apparent across England or if, indeed, centralisation has at times been a check upon greater divergence between wealthier and poorer parts of the country.

There are several ways of measuring degrees of centralisation and decentralisation in a country's governmental structures. On most, England sits at the more centralised end of the relevant scale.²⁰ One of the standard measures, produced by the OECD, focuses on the fiscal dimension, and measures relative degrees of the devolution of powers over the allocation of funds and taxation.²¹ Figure 4 shows OECD countries ranked by the proportion of public spending that is dispersed by subnational institutions relative to spending at the national level. The data for England has been calculated separately using government data on local government spending (and also including combined authorities and the GLA) and the geographical pattern of England-wide spending.²²

The graph shows that the UK as a whole (that is, even taking devolution to the nations into account) comes a long way down the list in terms of the decentralisation of powers of public expenditure, falling far below many similar-sized European countries, such as Spain, Germany and Italy, and a long way below other English-speaking countries, such as Australia, Canada and the US.

Figure 4 **OECD countries by the % of public spending at the subnational level**

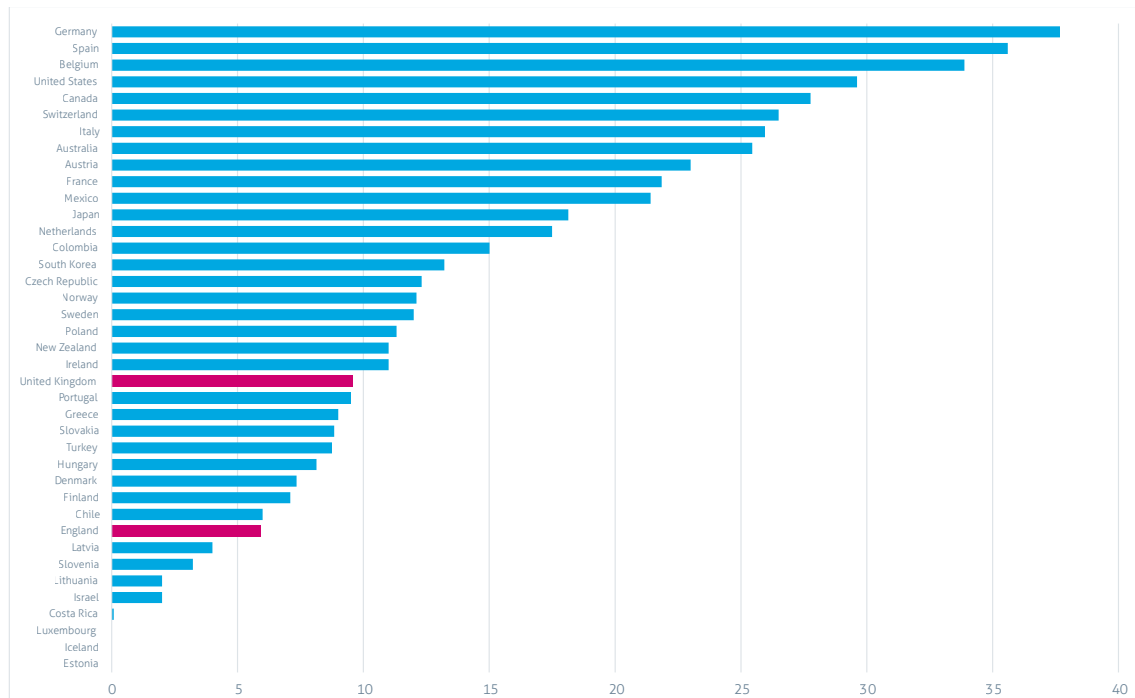


Source: OECD, Consolidated government expenditure as a percentage of total general government expenditure (consolidated), 2021.

No single comparative measure of centralisation is uncontested. This particular method has been criticised for ignoring the political and institutional factors that determine the extent to which a central government exercises control over lower administrative levels.²³ The Regional Authority Index (RAI) has been created to reflect more dimensions of institutional power, and to give a more nuanced basis for comparison. But on its measures too England is an outlier. Figure 5 shows OECD countries ranked by RAI scores.* Some countries sit very differently across the two measures. In Sweden, Denmark and Finland, for instance, significant amounts of public spending are allocated by local governments, but this does not necessarily mean that other forms of institutional decentralisation have occurred. Both the UK and England are positioned towards the lower levels of both of these league tables. Indeed, the RAI shows England to be one of the most centralised countries in the OECD.

* The Regional Authority Index gives UK-wide data and 'regional level' data for the different types of subnational institutions in the UK, but it does not give England-wide measures. Therefore, England's score has been calculated using the 'regional level' data, which does not cover all England's institutions of subnational governance, but does include county councils, combined authorities, the GLA and some unitary authorities.

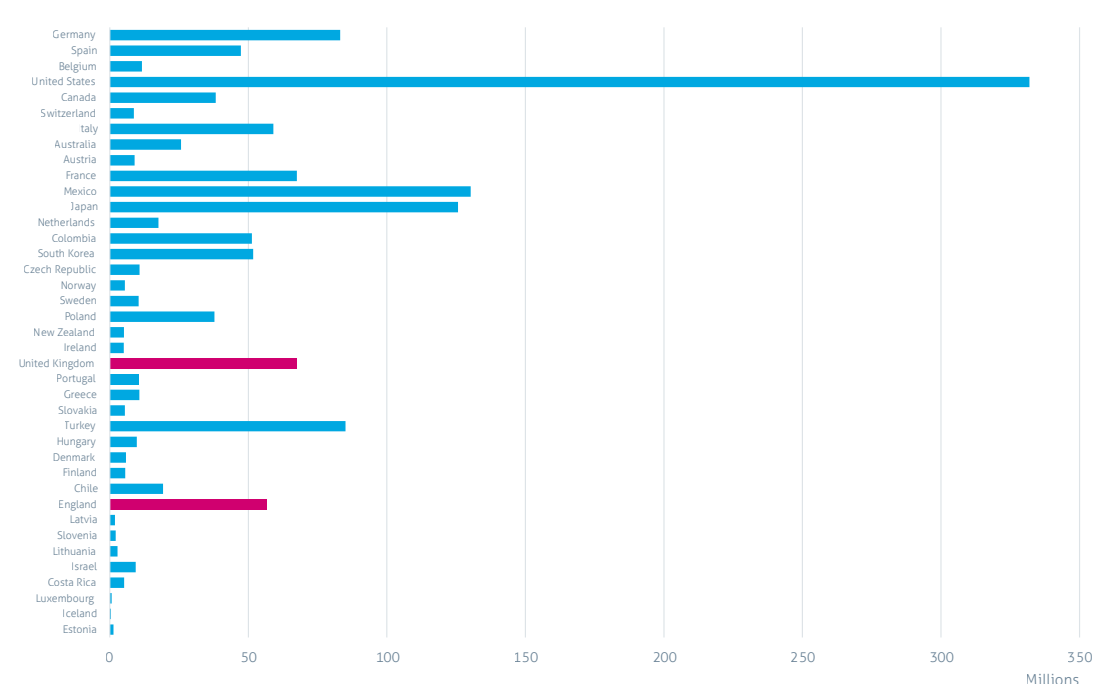
Figure 5 OECD countries by Regional Authority Index



Source: Regional Authority Index, 2018.

When we factor in population levels, England is again an outlier. Figure 6 shows the population of OECD countries ordered by their RAI score. Broadly, it shows that larger countries tend to be towards the top of the list, and smaller ones towards the bottom. Both the UK and England are by far the largest countries, in population terms, in the bottom half of this list, with the exception of Turkey. This shows that England's level of centralisation is similar to countries that are a fraction of its size. Indeed, many of England's individual local authorities have a larger population than these countries.

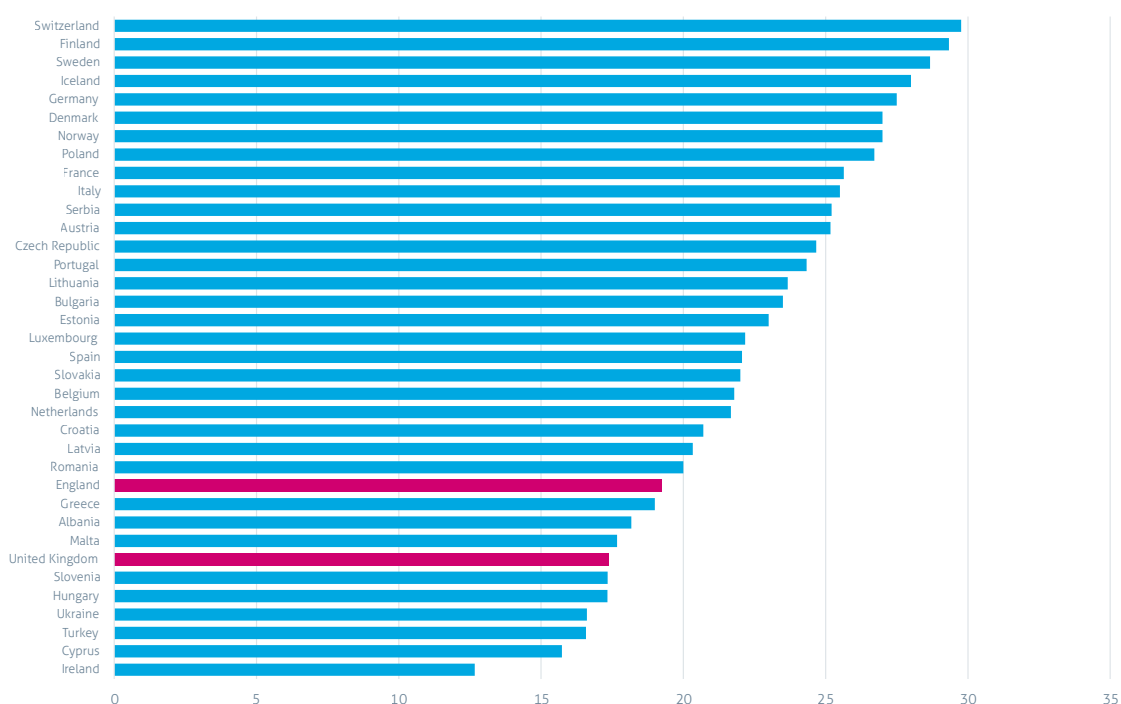
Figure 6 Population of OECD countries ordered by Regional Authority Index



Source: Regional Authority Index, 2018, and OECD Population Data, 2023.

Other forms of comparative measurements produce very similar results. On the framework for comparing the autonomy of local administrative units – the Local Autonomy Index, Figure 7, developed by Andreas Ladner, Nicolas Keuffer and Harald Baldersheim – the UK offers one of the most limited degrees of local governmental autonomy in Europe. (England sits slightly higher than the devolved nations, because this graph focuses only on the local level.) This data also shows that while local government in the UK has a comparatively high degree of financial self-reliance (primarily due to the scale of council tax and decreased central funding), it performs particularly poorly on measures of policy autonomy, institutional depth and effective political discretion.²⁴

Figure 7 **European countries by Local Autonomy Index**



Source: Local Autonomy Index, 2020

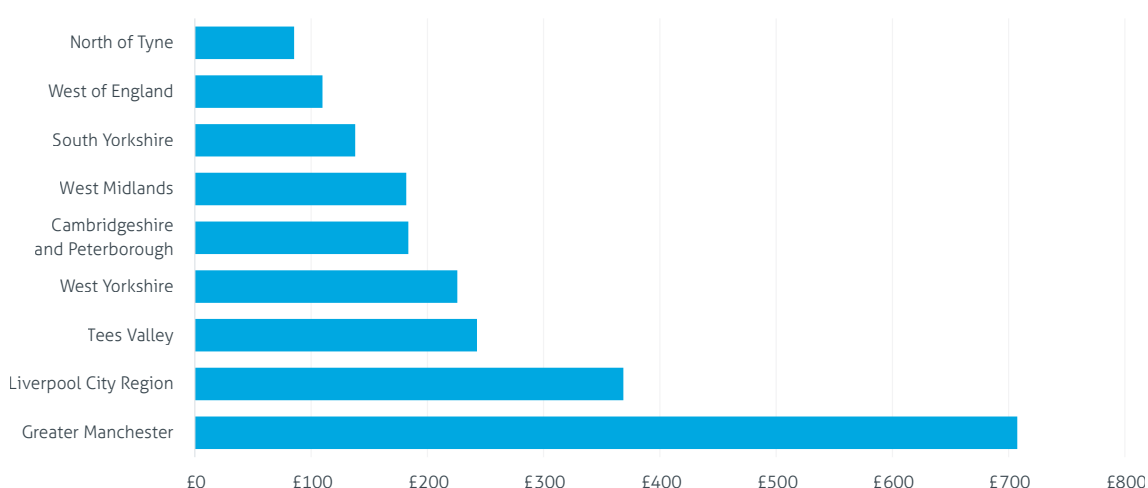
Across these various measures, the UK in general, and England in particular, are notably more centralised than other OECD and European countries. England is governed in more centralised ways than the UK as a whole because the devolved administrations are themselves counted here as decentralised institutions. There are, of course, separate debates about the nature of centralisation within Scotland, Wales and Northern Ireland. But in England it is clear that the UK government plays an abnormally expansive and determining role, while subnational institutions are limited in their scope and comparatively weak. These measures become particularly stark when we consider England’s population. Most larger countries have significant forms of decentralised government, while England sits alongside countries that are, in some cases, one tenth of its size. Few other developed countries try to manage the affairs of this many people from a single administrative centre. Across Europe and the OECD, Turkey is the only other large country (in population terms) that is more centralised than the UK.

2.5 Decentralisation

The dangers and limitations of over-centralisation have become a focus for the two main political parties in England, hence the growing consensus on the need for more devolution within its borders. And while their future plans for devolution remain fairly undeveloped, a rhetorical consensus on this issue has been emerging in recent years. The main driver of this interest has been a growing conviction that widening regional economic inequalities are, in part, the unintended consequence of policies and decisions taken at the UK centre, and cannot adequately be tackled without developing economic growth and innovation strategies that are tailored to the different regions and cities of England.²⁵

And, notably, while the same term – ‘devolution’ – has been employed in relation to these reforms as has been used to describe the new arrangements in Northern Ireland, Scotland and Wales, this ambition has been understood very differently in the English setting (with some commentators suggesting that a different terminology, ‘delegation’ for instance, would be more accurate).²⁶ As illustrated by one study of the inception documents used to explain and justify these reforms, there has been a preponderant focus on tackling regional inequality – in terms of growth and productivity especially – and attendant spatial outcomes, with notions of self-government, democratic empowerment and policy autonomy relegated to secondary status.²⁷ In establishing the recent suite of devolution deals, there has been a strong emphasis on the decentralisation of administrative responsibilities in policy areas that relate to regional economic growth, such as skills and aspects of transport provision. Among these institutions, there is a significant variation in the powers and remits that have been devolved, a variance that is most clearly demonstrated in stark differences between the per capita expenditure over which they have control, which are set out in Figure 8.²⁸

Figure 8 **Mayoral combined authority expenditure per capita, 2020/21**



Source: Institute for Government analysis of mayoral combined authority financial statements. Note: Data for West Yorkshire is taken from the 2021/22 budget.

There are some signs that a somewhat more permissive approach may emerge in relation to fiscal devolution, in particular, with ideas about local business rates, hotel levies and tourist taxes now being given fuller consideration in central government. However, there is no concrete plan in the offing on this front, and those kinds of levy would yield fairly small sums in comparison with the funds that most local councils require. This is an area where the British state, under the influence of the Treasury, has been particularly cautious, as it was in relation to the devolved governments established by the first New Labour government – a stance that shifted only in the wake of the crisis associated with the final few weeks of the Scottish referendum campaign of 2014.²⁹

As a significant indication of this caution, the main features of council tax remain largely unchanged in the last three decades. A limited form of devolution in England has therefore been driven by an increasingly anxious attempt to tackle entrenched and growing economic inequalities, but has also been tempered by the centre's reluctance to let go of the fiscal levers in its control. Within this context, the long-established preference within Whitehall to establish a smaller number of larger local authorities is also a reflection of the overriding preference to establish a local tier of administration that is more effectively geared to contributing to economic growth. But whether this kind of reorganisation – and the considerable political fall-out it would create – can be achieved as part of the process of establishing new, higher-level combined (or county-level) authorities is a question that hangs over the devolution framework set out in the white paper. Recent governments have backed away from the painful task of substantial local government reorganisation, primarily because of the opposition it arouses within their own local parties. And, as a result, newly created combined authorities have been added to and sometimes overlain the jurisdictions of different local, county and district councils, both geographically and in terms of policy remit (see Chapter 3).

2.6 Is English governance too centralised?

England is an unusually centralised country in terms of the ways it is administered, and its governing structures organised. The comparative evidence on this point is, as we have demonstrated, robust. But it is important to unpack the different forms that centralisation takes and consider their various implications. In the recommendations we set out in Chapter 5, we argue that viable reforms need to be tailored to address some of these different modes of central control.

In particular, the ingrained tendency to conflate depictions of England's governance with the UK as a whole have served to deflect attention from an appreciation of the distinctive challenges and deficits that affect the English territory and people, in comparison with other parts of the UK. England's local and devolved institutions have no real constitutional protection or independent standing. Westminster holds a significant array of powers in relation to the structures and mandates of local and devolved government, while neither have any official position or institutionalised representation at the centre.

The weak institutional and constitutional position of local and devolved government within England is complicated by England's position within the UK's systems of public administration. The Westminster parliament is numerically dominated by MPs representing English seats, and Whitehall is dominated by administrators based in England working in their home country. And yet, the administrative and political elites were, until Brexit at least, slow to grasp important shifts in attitudes and outlook in different parts of England, especially in those regions that are most geographically distant from the capital.

3: Incoherence

3.1 Introduction

The distinctive ways in which England is administered, compared to other parts of the Union state, has been a staple theme within British constitutional discourse. In part this is a simple reflection of its disproportionate size, in terms of its population, territory and economic activity, compared to the other territories within the UK. This fundamental imbalance – and the endemic risk it creates of English domination – has long been viewed as one of the greatest challenges facing those tasked with keeping the Union afloat. And it is also one of the reasons that ideas of English self-government have been systematically marginalised in British politics.

There are profound, familiar asymmetries at work too at the subnational level, particularly the entrenched imbalance in wealth and influence between London and the South East region and England's other regions and cities, particularly in post-industrial areas. This division – often misleadingly referred to as the 'North–South divide' – has been a key axis in the development of party loyalties and identities in British politics. More recently, other long overlooked imbalances have become more salient in policy terms, notably the gap between larger cities, poorer towns and rural hinterlands in different parts of the country.

One pertinent question about current administrative arrangements in different parts of England is whether they exaggerate and accentuate these differences, and whether in doing so they have contributed to the decline of trust in local and central government. David Blunkett and co-authors identified "obvious risks of fragmentation and complexity" in the deal-based approach to devolution, in which each area ends up with different "powers, functions, and funding", adding "to an already complex structure of local government".¹ More generally, England's local government arrangements have been characterised as "a patchwork of authorities of widely differing shapes, sizes, and functions, serving very different localities and populations", with "no attempt to set a consistent structure since the Local Government Act 1972".² In the face of these shifting arrangements, "different scalar maps and spatial objectives are emerging that may hamper policy coordination both across Whitehall and at the sub-national level".³

Other features of the current system are likewise identified as contributing to an abiding opaqueness, which may in turn be a factor contributing to popular alienation. In 2014 Philip Blond and Mark Morrin identified 50 public institutions distributing resources in Greater Manchester via more than 1,000 funding lines, each with different judgment criteria.⁴ While there has been some simplification since the creation in 2011 of the Greater Manchester Combined Authority, much of the funding complexity remains, and the addition of these new authorities has created further variation in terms of administrative jurisdictions. The implications of the co-existence of different forms of local and devolved government, each serving different

geographies, have indeed been underestimated in debates about English governance. Perhaps more importantly, the overlaps and friction between them have been rarely discussed, even though this greatly affects the co-ordination of key services, like transport, and the prospects for coherent, spatially focused policy.

In this section, we explore the nature and implications of the different sources of administrative incoherence in this context. Our discussion concludes with a consideration of some of the implications and consequences of the fragmented governance landscape.

3.2 Governing England from Whitehall

While there is a copious literature devoted to the study of the UK’s three devolved governments, far less attention has been paid to how England’s administration has been affected by changes to governance in the other parts of the UK. For many Whitehall departments, English matters have become much more preponderant as responsibilities in areas like education and health have been passed to the devolved administrations established at the millennium. Within the central state, there is now a highly variable territorial geometry. Many Whitehall departments have some England-only responsibilities and some UK-wide ones – but to greatly varying degrees. The varying geographical reach of these departments’ remits has ensured that even though English matters and interests are far more central, England as a territorial unit remains – for reasons elaborated in Chapter 1 – an absent presence within British government: unnamed, unrecognised and routinely jumbled up with other parts of the UK.

Below we provide a classification of the current territorial remits of Whitehall’s main departments.⁵

Table 1 **Whitehall departments’ territorial remits**

Mostly England departments*	Department for Education (DfE) Department of Health and Social Care (DHSC) Department for Environment, Food and Rural Affairs (Defra) Department for Levelling Up, Housing and Communities (DLUHC)
Mostly England and Wales departments	Ministry of Justice (MoJ) Attorney General’s Office
Hybrid departments	Home Office (HO) Department for Culture, Media and Sport (DCMS) Department for Transport (DfT)
Mostly UK departments	Department for Business and Trade (DBT) Department for Energy Security and Net Zero (DESNZ) Department for Science, Innovation and Technology (DSIT) Department for Work and Pensions (DWP)

* While we label these England departments, each does have some limited responsibilities at the UK level.

UK departments	Cabinet Office HM Treasury (HMT) Foreign, Commonwealth and Development Office (FCDO) UK Export Finance Ministry of Defence (MoD)
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The main sources of evidence for categorising departments in this way are their stated remits, the functions of their associated bodies and agencies, and the territorial arrangements set out in the calculation of the Barnett formula.* These budgetary calculations can be used to identify, in broad terms, which policy functions are devolved to Scotland, Wales and Northern Ireland, and which budgets are devolved.⁶ Analysis of this data from the 2020 spending review affords an understanding of the territorial scope of each central department, as shown in Figure 9.

Figure 9 Percentage for UK government departments' spending responsibility that is devolved

Department	Scotland	Wales	Northern Ireland
Education	100%	100%	100%
Housing, Communities and Local Government	100%	100%	100%
Health and Social Care	100%	100%	100%
Environment, Food and Rural Affairs	97%	97%	97%
Transport	92%	37%	95%
Digital, Culture, Media and Sport	68%	68%	70%
Justice	100%	1%	100%
Home Office	74%	2%	74%
Work and Pensions	20%	0%	98%
Business, Energy and Industrial Strategy	7%	7%	7%
HM Revenue and Customs	4%	4%	3%
HM Treasury	0%	0%	0%
Cabinet Office	0%	0%	0%
Defence	0%	0%	0%
Foreign, Commonwealth and Development Office	0%	0%	0%
International Trade	0%	0%	0%

Source: Institute for Government analysis of HM Treasury, Statement of Funding Policy, 25 November 2020.

England departments

The Department for Education (DfE) is the only department that can be designated as entirely 'English' in its focus, on this methodology, with all education spending devolved to the other nations of the UK. All of the agencies and bodies associated with the DfE, such as Ofsted and Ofqual, have a territorial remit covering England only. However, only one of DfE's 17 agencies (Social Work England) refers to England in its name, and the main distributor of subnational funding, the Education and Skills Funding Agency, does not mention its England-only remit anywhere on its website or business plan. There is a similar pattern in terms of other England-only agencies. While NHS England clearly indicates its

* The Barnett formula is a mechanism used by the Treasury to automatically adjust the amounts of public expenditure allocated to Northern Ireland, Scotland and Wales, based upon allocations to England.

territorial remit, other arm's-length bodies of the Department of Health and Social Care (DHSC) avoid the England label, and others have been recently removed, as with the abolition of Public Health England and its replacement with the UK Health Security Agency and the Office for Health Improvement and Disparities.

Some of the Whitehall departments that are most 'English' in their remit have a small number of responsibilities that relate to non-English territories. Thus, while only 0.5% of the DHSC budget is UK-wide, and 3.1% the Department for Environment, Food and Rural Affairs (Defra) budget, each department has a small number of functions that are UK-wide, such as DHSC's regulatory role for medicines and medical equipment, or Defra's responsibility for planning for chemical and nuclear threats.

The Department for Levelling Up, Housing and Communities is another significant England-focused department, and is particularly important given its role in the English devolution process. It has only one budget that is spent outside England (the Leasehold Advisory Service, which also provides advice in Wales). Despite its near-exclusive England remit, DLUHC was, during the Johnson premiership, made responsible for matters relating to the Union as a whole, and these powers have confusingly jumped back and forth between DLUHC and the Cabinet Office. DLUHC continues to be responsible for the ostensibly UK-wide levelling up agenda, which distributes funds to all parts of the UK. The ongoing insistence that the 'levelling up agenda' is a UK-wide policy programme belies the English character and focus of the department charged with enacting it in Whitehall.

England and Wales departments

Because justice is entirely devolved to Scotland, there are no UK-wide agencies or functions within the Ministry of Justice. There is only one agency that covers Northern Ireland (the Criminal Cases Review Commission) and one England-only agency (the Children and Young People Court Advisory Board). All other agencies, projects and functions within the MoJ apply to England and Wales. The Thomas Commission set out the case for Welsh devolution in these areas, and this argument has been, so far unsuccessfully, advanced by the Welsh government.

Mirroring the MoJ, most of the Attorney General's Office budget for Scotland and Northern Ireland is devolved, and the Crown Prosecution Service accounts for the vast majority of this budget. Where the AGO provides legal advice to the government, it performs a UK-wide function, but a tension emerges when that legal advice relates (directly or indirectly) to relations with the devolved nations, as with the recent Supreme Court case on Scotland's right to hold a referendum. The Advocate General for Scotland gives advice on Scots law and issues relating particularly to the devolution settlement. This is one of many examples of latent tensions between UK-wide and national remits of central government departments.

Hybrid departments

While all of the departments discussed so far have been categorised as 'English' or 'English-and-Welsh', there are others that are better characterised as 'hybrid' in terms of their territorial footprint.

The Home Office fulfils a wide range of state-wide functions, relating primarily to the Border Force, immigration, passports, the National Crime Agency, and counterterrorism. However, aside from its focus on matters of national security, most of the Home Office's responsibilities relating to the largest budget are devolved to Scotland and Northern Ireland because day-to-day policing is devolved in these cases. And so, when it comes to most policing responsibilities, the Home Office is an 'English–Welsh' entity.

The Department of Culture, Media and Sport (DCMS) incorporates an even more complex medley of functions covering different territories. In simple terms, broadcasting is a UK-wide matter, gambling a largely GB matter, and sport, tourism and culture are mostly England-only. There is a notable trend away from territorial devolution at DCMS. In 2010, it was effectively an England-only department in budgetary terms, but now holds significant responsibilities in the devolved nations. This shift is largely accounted for by the addition of 'digital' to the department's remit, though the department has always had a strong regulatory function beyond England. In 2023, the 'digital' role was again removed from DCMS, but the budgetary consequences of this will not be clear until the next spending review.

The picture in the Department for Transport (DfT) is similar. Policy responsibilities relating to roads, buses, active travel and other forms of local transport are almost entirely concentrated in England. Some important regulatory powers in these areas remain UK-wide in character, especially in relation to the railways, though local rail is devolved in Scotland. There are also significant variances in the territorial scope of DfT's associated agencies. For example, the Office of Road and Rail monitors Highways England (England-only), regulates the management of British railways (GB-only), and also holds some economic regulatory functions in Northern Ireland. Like DCMS there has been a recentralisation of certain budgets in recent years – in 2015, over 80% of the DfT budget was devolved to Wales compared to 36.6% in 2021, though this can primarily be explained by the controversial calculation of HS2 spending.

Mainly UK departments

The final departments highlighted here those that are primarily UK-wide in focus, but also include some territorial-specific functions.

In budgetary terms, the three departments that replaced the Department for Business, Energy and Industrial Strategy (BEIS) in February 2023 – the Department for Business and Trade (DBT), the Department for Energy Security and Net Zero (DESNZ), and the Department for Science, Innovation and Technology (DSIT) – are primarily UK-wide in scope. Very few of their functions are confined to England, and those that are sit closely alongside UK-wide functions, or indeed within UK-wide agencies, as is the case with Research England and UK Research and Innovation (UKRI).

Finally, the Department for Work and Pensions (DWP) deals with some functions that are specific to England and Wales, but most of its decisions affect the whole of the UK. In Northern Ireland, almost all its functions are nominally devolved, but still practically controlled by Whitehall. In Scotland, 20.1% of its budget is devolved, but this does not include the department's significant 'annually managed expenditure'.

English government?

This overview highlights the emergence of considerable variability and some glaring anomalies in the geographies covered by Whitehall's core departments. Strikingly, those – like education – that are in effect serving English publics only are still billed as core parts of the UK state. The lack of reference to England within the communications and language of Whitehall (and often of Westminster too) remains notable, reflecting a deep, underlying reticence about recognising the English territory as a distinct and integral unit that is increasingly – though not fully – disentangled from other parts of the Union in administrative terms. In his analysis of this issue, Jim Gallagher also identified an "untidy [and] apparently random mixture" of different territorial functions, and concluded that "the ghost [of English governance] remains firmly locked in the machine [of the UK government]" and "shows little sign of emerging".⁷

Whether the lack of clarity about the territorial scope of central departments, and the absence of references to England, are problems that need to be fixed is an important – and neglected – governance question in the UK. And these issues surface too in the context of the changing machinery for managing intergovernmental relations within the UK, both as a result of recent reforms to formal channels of collaboration and also through the ongoing imperative for co-operation and discussion between the different governments of the UK.⁸ England still goes unrepresented in these forums, and representatives from the UK government are asked to act simultaneously as guardians of the UK's and England's interests.

While there are good functional reasons for these departments to have different, variable geographical footprints, there has been a notable absence within central government of any systematic reflection on the implications of the changes brought about by devolution, or of tensions and confusions that may arise from them. The haphazard mobilisation of the UK's government machinery in response to the Covid pandemic demonstrated how little those at the political centre understood, or had internalised, the nature and implications of the devolved settlements, and how ingrained was the habit of conflating England with the UK. A recent report by the Commons' Public Administration and Constitutional Affairs Committee, for instance, highlighted the tension that may arise between a minister's functions for England and their functions for the UK as a whole.⁹

As a consequence of devolution elsewhere, there has been a notable growth in the number of policy areas where English affairs are managed separately from those of the other parts of the UK. These are set out in Table 2.

Table 2 **An emerging English administration?**

Policy areas where England is governed separately from the rest of the UK	Policy areas that would become England-only with Welsh legal devolution
<ul style="list-style-type: none"> • Education • Health • Environment • Agriculture • Housing • Local government • Culture, tourism and sport • Roads, buses, cycling and local transport 	<ul style="list-style-type: none"> • Policing • Prisons • Courts • Legal system

3.3 The complexity of local government structures

A different facet of the complicated and often confusing administrative landscape is the legacy of previous attempts to establish devolved institutions within England, and the resultant emergence of different layers and kinds of governing authority within its borders. Here we consider the implications of the public service geographies that have developed and their relationships with existing administrative jurisdictions.

Alignment

There are numerous instances of misalignment between the jurisdictions of many of the key organisations and institutions tasked with delivering core public services. And while England is far from being unique in this respect, its administrative geographies are unusually complicated and opaque in international terms. There is, therefore, a good case for considering whether England would benefit from having more 'general purpose geographies' as opposed to its multitude of task-specific agencies operating with an array of different, overlapping borders.

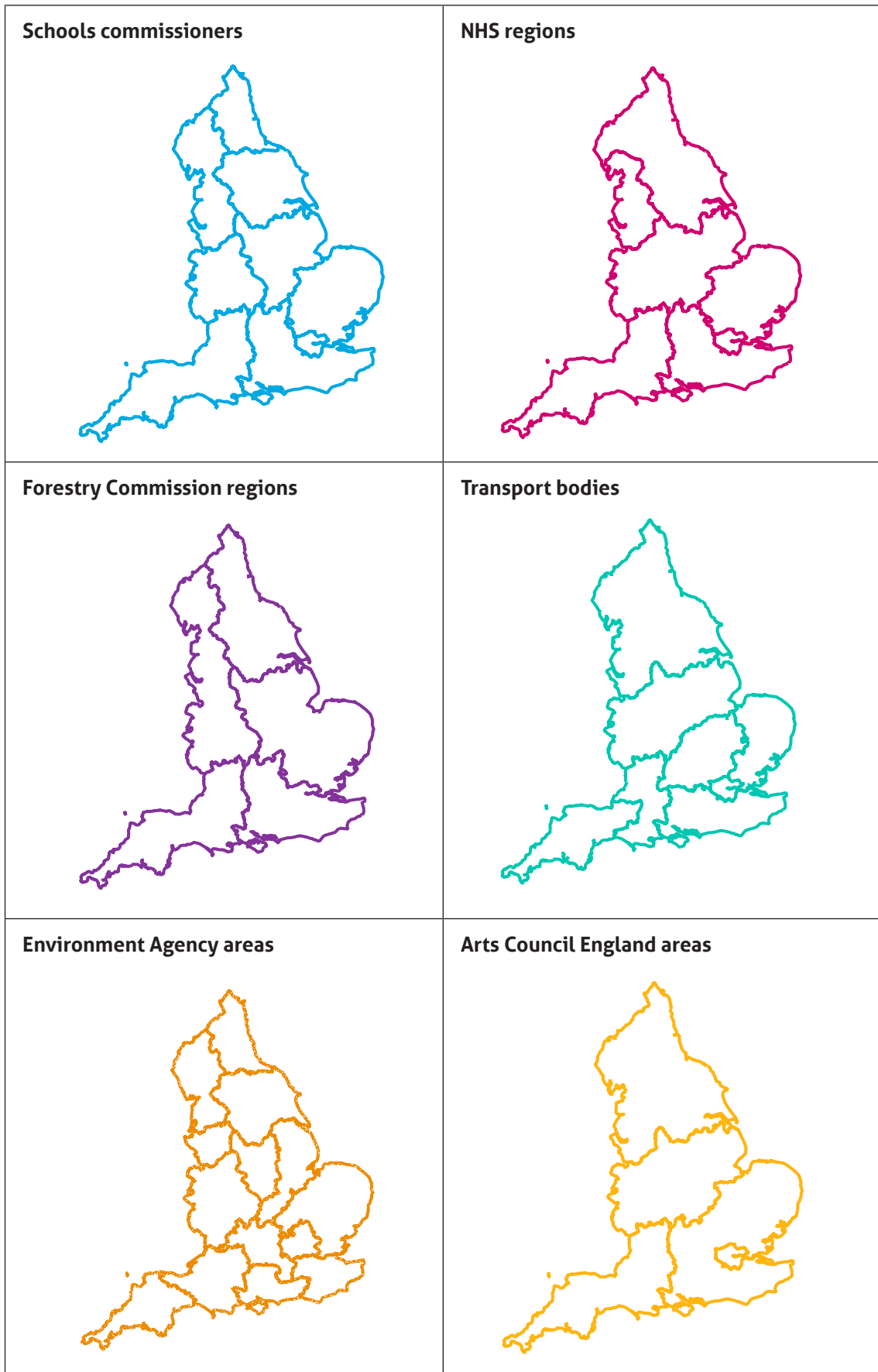
A general-purpose geography is a single territorial area that applies to a number of policy functions. In England, one such example is Greater London, where a wide range of policies and services sit within a single, shared geographical space. Thames Water, the Metropolitan Police, Transport for London and the London Economic Action Partnership are all task-specific bodies that share the same geographical footprint. London also has an overarching governance institution, in the form of the Greater London Authority, which has responsibilities in a wide range of policy areas, including health, education, planning and the environment. It also manages, oversees or collaborates with many of the task-specific service organisations operating within the Greater London area. All this helps give the London area a far more coherent and understandable governance geography than any other part of England.

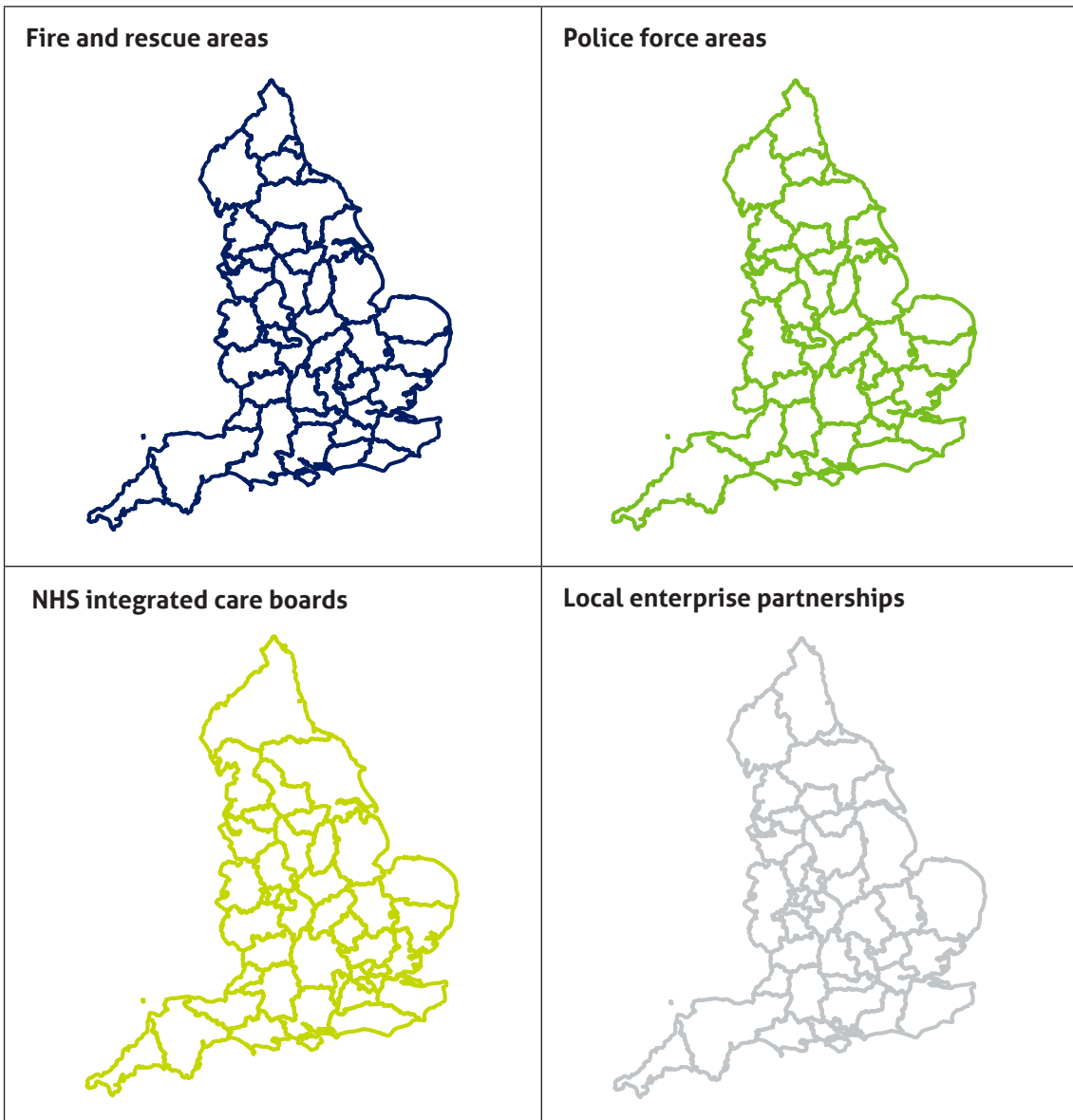
Elsewhere, there is considerable variation on this score. One area with a particularly opaque administrative geography is the Humber estuary, where there are two unitary authorities to the north, and two to the south. Between 1974 and 1996 these were administered together under the banner of Humberside County Council. And from 2011 to 2021 the area was again combined under the jurisdiction of the Humber LEP. But also, from 1994 onwards, this area has been placed within the vast administrative region of 'Yorkshire and the Humber', which is widely used for statistical purposes and is a constituent part of pan-regional bodies such as Transport for the North. The legacy of these different arrangements is an absence of anything remotely like a single-purpose geography for this area, although the two local authorities north of the estuary are currently in talks about a future devolution deal. There are many similar examples around the country, each with its own political and historical particularities.

This situation significantly constrains the capacity of local institutions to develop cross-sector co-ordination and policy making of the kind that is necessary to address major social challenges, particularly in relation to cross-cutting policy areas such as climate change, ageing or mental health.¹⁰ The dearth of general-purpose geographies in England also makes it more difficult for agreement to be secured about the appropriate boundaries for devolved authorities. In this respect, both Greater London and Greater Manchester, where general-purpose geographies have been fairly successfully established, are at a considerable advantage compared to other parts of the country.

The complexity and fragmented nature of England's administrative geography also creates problems for any central department or agency responsible for delivering public services or policy programmes. One increasingly important problem, recognised in the levelling up white paper, is the challenge of collecting and using data in the policy making process, which is particularly difficult when different, incommensurate administrative geographies are involved, and also when these are prone to change over time. Figure 10 represents just a few of the administrative and service geographies that exist in England. At the local level, the delivery of cross-sector policy making is severely inhibited when different policy sectors operate at different territorial scales. In their recent report, Mark Sandford and Carl Baker argue that the incoherence is "a cause and a consequence of the fact that there is very little consensus in any areas of England about exactly where one locality, or 'region', begins and another ends".¹¹

Figure 10 Mapping England's service geographies



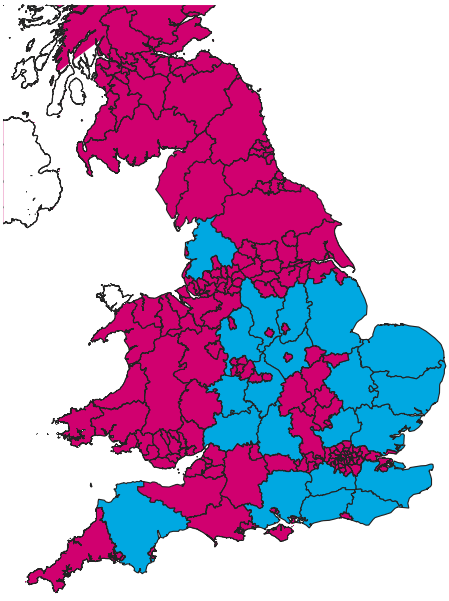
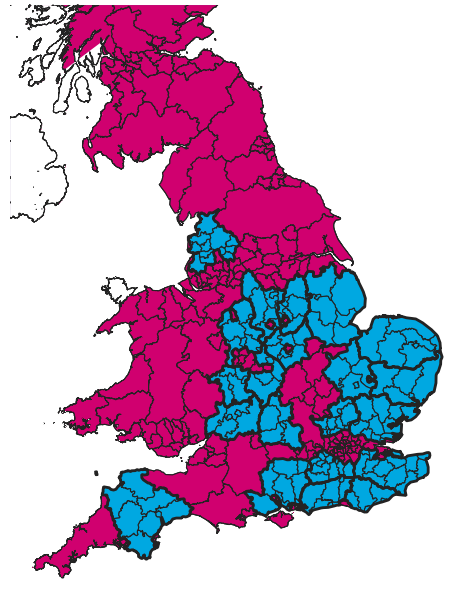


Local government tiers

Just as importantly, subnational government in different parts of England takes a number of different forms. This adds to the sense of complexity from a citizen's perspective. In many other, broadly comparable countries, 'local government' is typically a single tier of administrative authority, which sits below the regional layer. This is not the case in England, where different areas have different tiering arrangements. The two tiers of county and district are not commensurate with the two tiers of the combined authority model; neither are commensurate with the arrangements in London, and elsewhere many areas are governed by a single local authority tier.

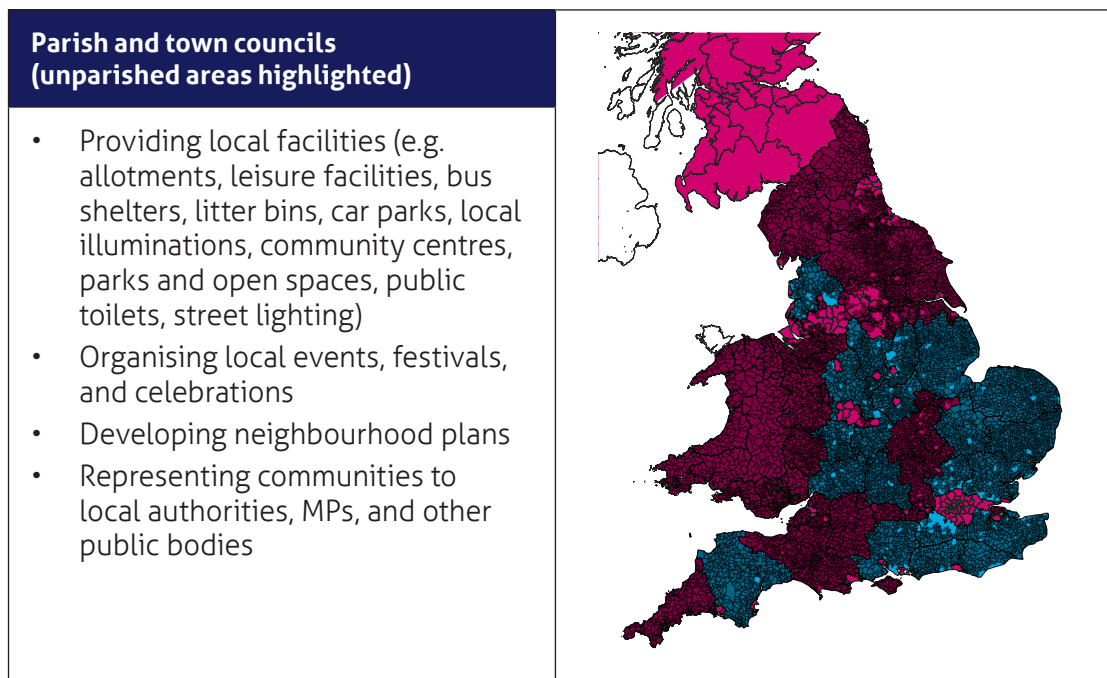
Two-tier areas have both county and district councils, while single-tier authorities combine the powers of both. Figure 11 shows how powers are divided between the two. Single-tier authorities (shown in pink) combine both sets of powers. Some single-tier authorities are 'metropolitan districts' or 'London boroughs' with a history of pooling powers across a wider area. All other single-tier authorities are 'unitary authorities' with a full suite of the powers listed below.

Figure 11 **England’s single-tier and two-tier local government structure**

Top-tier authorities (county councils in blue, single-tier authorities in pink)	Local authority districts (county districts in blue, single-tier authorities in pink)
<ul style="list-style-type: none"> • Education • Highways • Transport planning • Passenger transport • Social care • Libraries • Waste disposal • Strategic planning 	<ul style="list-style-type: none"> • Housing • Leisure and recreation • Environmental health • Waste collection • Planning applications • Local tax collection
	

In England, there is another layer of governance that sits below the two-tier and single-tier authorities described above. Town councils and parish councils are the most micro-level forms of governing authority in England, with a primary focus on managing public spaces, including byelaws, local facilities and community events.¹² While they are variously styled ‘town councils’, ‘neighbourhood councils’, ‘community councils’ and ‘village councils’, these kinds of body are much more rarely found in urban areas.¹³ Although 91% of England’s territory is covered by parish councils, it is home to only 36% of the population, leaving nearly two thirds of residents without neighbourhood level institutions. England’s ‘unparished’ areas are represented in Figure 12 by the light pink and light blue areas. These gaps in sub-local government mean that neighbourhood level identities and views are, in many places, without any form of representation.¹⁴

Figure 12 **Parish councils in England**

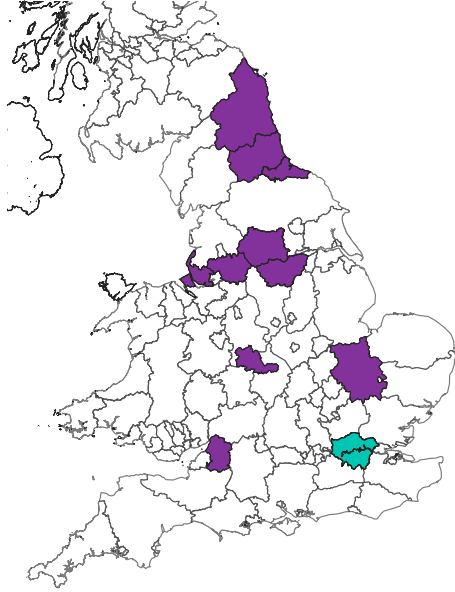
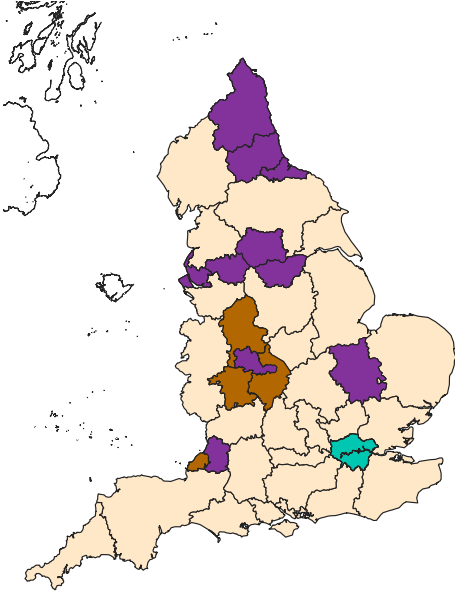


Source: ONS Geoportal, and Sandford M, 'Why do parish councils only exist in some parts of England?', House of Commons Library, 2022.

The 'middle layer'

There have in addition been recurrent attempts to build a 'middle layer' of governance in England. Currently, this consists of 10 combined authorities (CAs), the Greater London Authority, and 38 local enterprise partnerships. These are shown in Figure 13. The combined authorities are in some ways a reversion to the model of the 'metropolitan counties' created by the 1972 local government reforms. They were established for much the same reason as these later authorities: to deliver strategic direction to city regions, especially in relation to economic development. And they were abolished in an attempt to address perceived inefficiencies and reduce the costs of local government (see Chapter 1). The current suite of CAs incorporates all the former metropolitan counties, and some have a very similar set of responsibilities to those of this older model. Its renewal, several decades on, is a telling example of the often cyclical character of thinking about devolution with regards to England.

Figure 13 **Mayoral combined authorities and local enterprise partnerships**

Combined authorities (in purple) and the GLA (in green)	Local enterprise partnerships (in beige; those that align with MCA/GLA are in purple/green; those that overlap or do not align are shaded)
	
<p>The powers and budgets of combined authorities vary across the country and are laid out in the table below.</p>	<p>The roles of LEPs vary significantly, and those in combined authority areas have largely been absorbed into CA structures. In March 2022, the government published plans to integrate all LEPs into democratic institutions. Further announcements to speed up this process were made in the 2023 budget. Where they do still have a role, this primarily relates to enterprise, growth and skills.</p>

Unlike the metropolitan counties, however, these new authorities have emerged gradually through a series of bespoke deals, negotiated between central government and local authority leaders. This bilateral process means that each of these entities has a slightly different set of powers.¹⁵ Figure 14 provides a snapshot of the current responsibilities held by the existing CAs.

Figure 14 Policy functions of England’s mayoral combined authorities

		GMCA	SYCA	TVCA	LCRCA	WMCA	C&PCA	WECA	NTCA	WYCA
Transport	Consolidated transport budget									
	Bus franchising									
	Joint working with GBR									
	Bus services improvement grant									
Skills and employment	Local Road Network									
	Joint working with UKTI									
	Business support services									
	Adult education budget									
Land and housing	Work and Health									
	Public land commission / joint assets board									
	Compulsory purchase orders									
	Mayoral development corporations									
	Planning call-in powers									
	Consultation on strategic planning applications									
Public services	House grant fund									
	Spatial strategy									
	Children’s services									
	Supporting Families / Working Well									
	Police and crime commissioner									
	Fire service									

Source: Sandford M, 'Devolution to local government in England', House of Commons Library, 2023.

The variable character of the portfolios of these bodies limits the scope for co-ordination between them, and for sharing good practice and relevant ideas. And again this asymmetrical model presents a particular set of challenges for Whitehall, which is tasked with their oversight and management.

3.4 Is England’s administration too complicated?

What have been the consequences of the unusually complex and confusing character of public administration in England? Complexity and incoherence in governing arrangements are likely to generate confusion and frustration for citizens, and may make them more inclined to feel that the existing governing system is difficult to engage. In particular, successive waves of change and the layering of different administrative geographies upon one another may have made it hard for many people to grasp who is responsible for outcomes in a given geographic area (see Chapter 4). As a recent report by the Public Administration and Constitutional Affairs Committee noted: “Even those working within the different parts of local government are not always clear on how the system works, where decisions are made, where accountability lies, and consequently how policies and services can be adapted to the needs of local areas and local people.”¹⁶

The connection between administrative incoherence and a diminished sense of democratic accountability may also affect that crucial link between responsible governance and measurable outcomes. It is in many places hard for citizens to appreciate which authority is responsible for services like local transport, or the upkeep of local roads. The desire to hold local or regional policy makers accountable for social, economic or environmental outcomes within their boundaries is currently frustrated by the lack of alignment between government and public service provision in many parts of England.

And for local and devolved politicians, there is immense frustration that they are often held responsible for problems and poor outcomes over which they have relatively little control – a consequence, in part, of low levels of understanding of the division of labour between local, devolved and central government.

For the centre, the growing complexity of subnational governance in England creates a particular set of logistical and management challenges. And the question of which parts of the Whitehall machine are best equipped to engage these bodies, and develop strategy and policy in relation to them, remains insufficiently considered.

These observations suggest the need for a much greater focus in political discourse on the implications of devolution as it currently operates, and a broader debate about how it might be extended and existing settlements deepened. And this discussion needs, crucially, to be extended into the two areas that have not as yet been given adequate consideration: the questions of devolved government capability, and fiscal decentralisation. Different models of decentralisation, including differences in the geographical scale, policy scope and organisational structure of newly established authorities, have significant impacts on public policies and the wider system of governance, and need to be more dispassionately evaluated and compared.

Rather than taking the value of devolution as a given, it is increasingly imperative for its advocates to consider competing forms and models of decentralised governance, and to indicate how their own preferred option is more likely to address the significant problems of declining legitimacy at the popular level. Equally, there is a real need in England for central government to take a system-wide approach, and look harder at how different levels of authority interact with, and sometimes cut across, each other.

4: Accountability

4.1 Introduction

The idea that there is an 'accountability deficit' in England, and the related contention that many of its inhabitants feel a degree of frustration at the difficulty they experience in holding decision makers to account, figure prominently in discourse about its centralised and opaque forms of administration. But the forms of accountability that are lacking, particularly in comparison with other democracies, and the kinds of reform that are likely to address these, have been much less discussed. There is a need first and foremost to understand what kind of accountability deficit exists.

Accountability is generally understood to entail "one individual or agency being held to answer for performance expected by some significant 'other'".¹ In representative democracies, politicians and other key decision makers are ultimately held to be broadly accountable to the people they serve, but there is also a chain of command in which officials are accountable to superiors and ultimately to political representatives. A particular challenge for democratic accountability arises from overlaps between the mandates of different tiers of government, because in any policy area that requires collaboration between local and national elected representatives, "mutual deliberation and negotiation are possible only if those involved are not tightly constrained by the demands of their citizens or parliaments".² In those policy areas where local institutions are empowered to act independently, their accountability either faces 'downwards' to the local electorate or 'upwards' to central government. There is, on this view, an endemic tension between two aspects of accountability for local politicians, as they must respond to their local electorates, as well as to state-level policy makers who derive their mandate from the national electorates.

But in England, many commentators observe that local leaders are unduly responsive to priorities, mandates and remits established at the centre and insufficiently accountable to local people.³ This relative imbalance is further complicated by the new forms of central–local collaboration that have emerged from a succession of reform agendas. Mayoral combined authorities, local authority mayors, local enterprise partnerships, the Greater London Authority, the Northern Powerhouse Partnership, and many other reform initiatives create new divisions of labour between central and local government. One consequence of these has been to leave many voters confused about who is responsible for which functions and decisions affecting local services, a confusion that is particularly corrosive for the ethos of democratic accountability.

This section will examine these vertical accountability relationships between local government and the centre, and local councils and politicians, and the people they serve, and will ask if an accountability deficit is, as critics suggest, particularly acute in England.

4.2 Accountability to the centre

Ministerial responsibility

The extent to which local leaders are accountable to central government, and the different ways in which that accountability relationship works, are questions that relate closely to the theme of centralisation discussed in Chapter 2. Local services are often delivered by agencies that are accountable to higher authorities – primarily through the allocation of funding – right up to and including ministers. As a result, there are many key decisions about local services over which councils and devolved governments have no control. This is the case in relation to education provision. Responsibility instead lies within non-governmental bodies, for instance academy chains and arm’s-length agencies such as Ofsted and Ofqual, with a single Whitehall department tasked with managing educational provision across the country.

The prevalence of upward lines of accountability in English public administration is linked to the enduring habit in the wider culture, and the media especially, of seeing ministers as the accountable agents for failures in policy and service provision, even when these are formally the responsibility of lower levels of government. The assumption that accountability lies with central, not local, government is a significant impediment to the introduction of meaningful devolution because ministers and civil servants see themselves as potentially transferring powers and budgets to other authorities without necessarily being understood as also passing the responsibility for the ways in which they are used and spent. Historically, central government has dealt with this problem by closely monitoring local councils using a range of targets, metrics, guidelines and other practices.

Blunkett, Flinders and Prosser frame this as “a preference for an outcome-focused rather than a process-focused model of democracy”, with the British centre congenitally inclined to focus upon the delivery of a centrally determined set of outcomes, rather than creating empowered, locally led institutions and working in partnership with them to achieve jointly agreed goals.⁴ This is one explanation for the significant turn in the last few decades towards greater reliance upon ‘arm’s-length bodies’ that are only accountable to Whitehall, to deliver local services. This approach brings with it the advantage of access to external expertise, but it also has the effect of eroding local democratic accountability.⁵ Some research suggests that where such bodies lack local engagement or any semblance of democratic accountability, they tend to “produce regressive social outcomes and the reinforcement of existing local elites”.⁶

Central–local relations

Aside from the question of whether local people can identify and hold to account those making key decisions affecting their lives, there are also concerns about how the relationship between the British centre and England’s various local institutions is handled. The main point of ‘interface’ between UK government and local and devolved governments in England is currently the Department for Levelling Up, Housing and Communities (DLUHC). Within DLUHC, the Levelling Up Taskforce and the Cities and Local Growth Unit play important roles in liaising with local authorities, especially through the area teams that sit within the latter. The importance of this co-ordination role was emphasised in the levelling up white paper, which announced

the introduction of a suite of new 'levelling up leaders' in different regions.⁷ These roles in essence represent the re-creation of previous posts such as the old Government Offices for the Regions, the Cities and Local Growth Unit liaisons, and the Whitehall 'champions' for groups of LEPs. At the time of writing, it remains uncertain whether the 'levelling up leaders' roles will actually be filled.⁸

One recent study reported that local councils often struggle to engage effectively and communicate with what has been referred to as 'the Whitehall monster', with one local official reporting that: "One of central [UK] government's big challenges is [that] it's so big and it isn't joined up. It's very, very difficult for us to have an institutional relationship with them."⁹ A particular challenge for local councils and combined authorities is that DLUHC is not a single point of entry into central government. Instead, each department deals with local government separately, often using different procedures in doing so, and even the software used for these processes is different. Each central department manages its own funding rounds, distributing money according to different criteria and with different accountability mechanisms in play.

All this means that local authorities need to invest considerable resources to maintain effective relations with each of the relevant Whitehall departments. Now that devolution deals are struck with DLUHC, rather than the Treasury (though the latter still ultimately holds the purse strings), each involves protracted negotiations across different Whitehall departments. The development of trusted personal relationships is crucial in this context and has been particularly important for those authorities, like Greater Manchester and the West Midlands, with the most extensive deals.¹⁰ The importance of these informal, personal relations gives the relationship between local authorities and the centre an uneven, and indeed somewhat arbitrary, character and tends to work to the advantage of larger authorities with well-connected leaders.¹¹ Political parties offer another important channel, with local MPs able to help authorities engage with Whitehall, especially if that MP has a ministerial position or holds a marginal seat for the governing party. Overall, the impact and importance of these personalised connections makes the quality of central–local relationships in England very uneven.

DLUHC is only one point of interaction in a fragmented and opaque set of relations between these levels of government. Many councils have evolved organisational structures to help facilitate and structure their relations with the centre, in particular through the work of the Local Government Association, which aims to "work on behalf of councils to ensure local government has a strong, credible voice with national government". There are also representative bodies for different types of authority: district councils are represented by the District Council Network, county councils by the County Council Network, LEPs by the LEP Network, and parish and town councils by the National Association of Local Councils. There are also other less formal configurations, such as the Core Cities and Key Cities groups, and various all-party parliamentary groups (APPGs) that link MPs to local areas and networks.

The most recent addition to this list of representative bodies is the 'M10' mayors' group, which brings together England's 'metro mayors' into a single forum to discuss and share policy ideas and do some limited forms of advocacy for the combined authorities at the national level.¹² All of these different bodies play important roles on the fringes of decision making within central government. None of them has a statutory role, however, and their impact is a fairly limited one at present.

4.3 Local democratic accountability

An important countervailing form of accountability is that which exists between local politicians and the people they represent, a relationship structured around regular elections. The effectiveness of this mechanism depends on the responsiveness of local leadership to the preferences and attitudes of local people, as well as the capacity of leaders and council structures to deliver effective and coherent policies in areas over which they have responsibility.¹³ The quality of this aspect of accountability depends on various factors, including the emergence of politicians who are able to understand and act according to the best interests of the locality. The complicated and opaque nature of local governance structures has an important bearing on the efficacy of this line of accountability. People who are less engaged by local government and its political representatives may well be less likely to participate in the local democratic process.

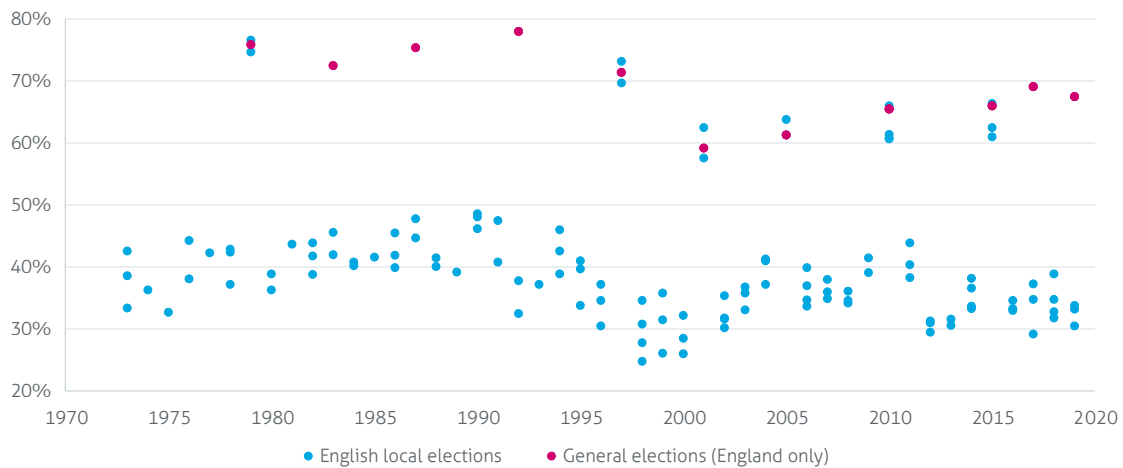
And, on this score, there are good reasons to wonder whether difficulties in both of these areas mean that the health of English local democracy is in significant decline. Below we consider evidence on three questions that are relevant to this wider accountability question:

- Participation – how high is turnout in England's local elections?
- Understanding and trust – do the public understand and trust local government?
- Institutions – to what extent do the structures of devolved and local government affect participation and engagement?

Participation

It has long been argued that declining participation in local elections represents a broader, and potentially terminal, decline in local politics.¹⁴ Figure 15 shows levels of turnout in English local elections since 1973, with different types of local authority measured separately. Setting aside the abnormally high turnouts that occur when local elections are held on the same day as national elections (1979, 1997, 2001, 2005 and 2010), as these are artificially enhanced by the draw of the national election, this data suggests a clear downward trajectory over time. Local election turnout has never risen above 50% in the last half century, and in the last quarter century it has rarely risen above 40%. The lowest point in this trend was the late 1990s, after which turnout rose a little, before falling back again over the last decade. National elections follow a similar trajectory, although they have notably sustained a post-2000 rise, while turnout for local elections has declined in that period, and there is now a significant gap between turnout in local and Westminster elections.

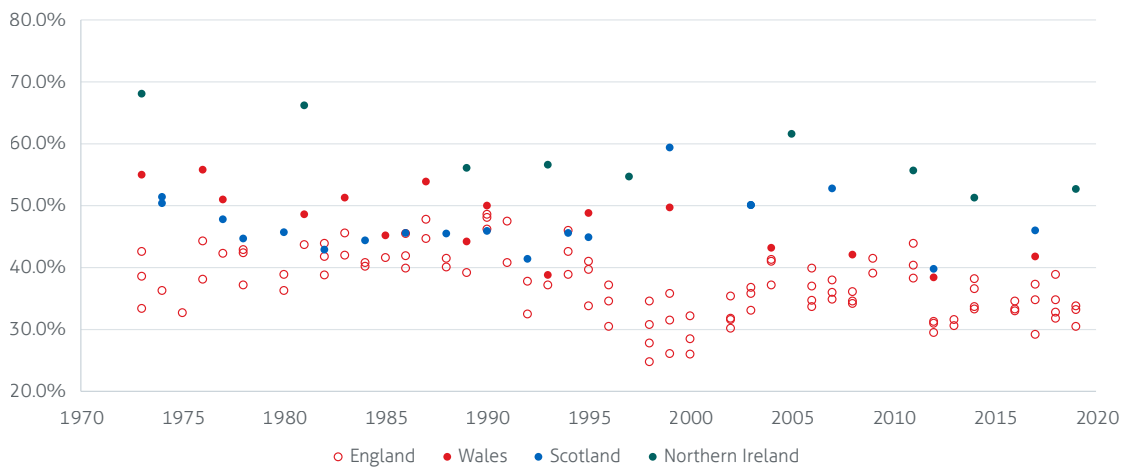
Figure 15 **Turnout in local and national elections in England since 1973**



Source: Analysis of Uberoi E, 'Turnout at elections', House of Commons Library, 2023.

But how unique is England in this regard? From Figure 16, it is clear that there has been a quite markedly lower turnout in local elections in England than in the devolved areas in the same period* – and not since 1990 has one of England’s various models of local government had a higher level of voting locally than another part of the UK.**

Figure 16 **Local election turnout across the UK**



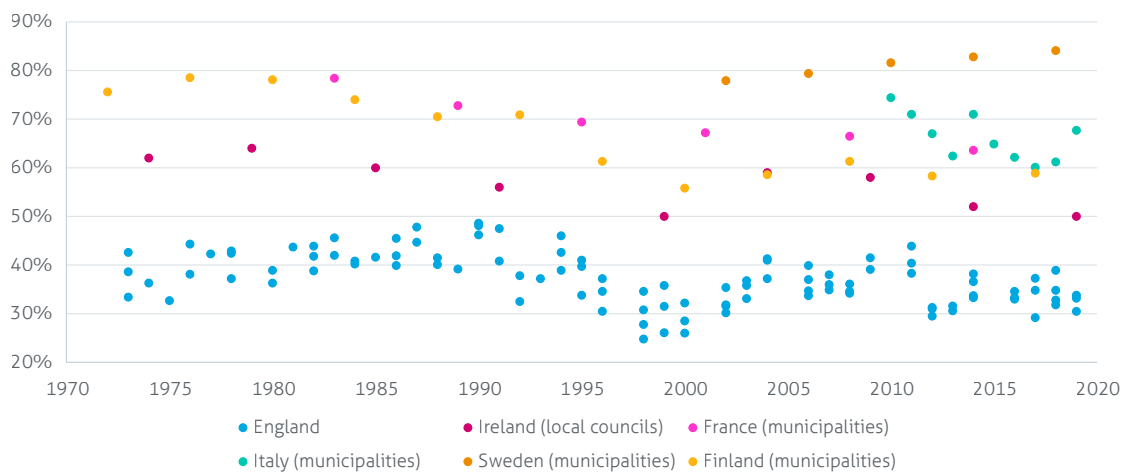
Source: Analysis of House of Commons Library, Policy Studies Research Centre, Electoral Commission and The Electoral Office for Northern Ireland.

How does England fare in relation to other comparable countries outside the UK? We have selected comparable countries on three criteria: similar population and economic strength (France and Italy); geographical and cultural proximity (Ireland); and, to ensure a comparison with very different kinds of system, countries that rank more highly on local autonomy (Sweden and Finland). This data (see Figure 17) demonstrates that England falls considerably behind similar countries in terms of local election turnout, with all of these comparators having turnout rates above 50%.

* It is important to note that the 1999 local elections in Wales and Scotland coincided with the inaugural elections to their devolved legislatures, and again in Scotland in 2003 and 2007. The 2005 Northern Irish elections coincided with the UK general election.

** In 1994, London borough elections were higher than Scotland’s regional elections, but Scotland still had a higher national average.

Figure 17 **Local election turnout in England and Europe**



Source: Analysis of Uberoi E, 'Turnout at elections', House of Commons Library, 2023; Quinlivan A, 'The 2019 local elections in the Republic of Ireland', *Irish Political Studies*, 2019; Leromain E and Vannoorenberghe G, 'Voting under threat: Evidence from the 2020 French local elections', *European Journal of Political Economy*, 2022; Cantoni E and Pons V, 'Do interactions with candidates increase voter support and participation? Experimental evidence from Italy', *Economics & Politics*, 2020; www.val.se; www.stat.fi

With a clear majority (often of up to two thirds) of people opting not to vote in most local elections, questions about the health of English local democracy and the legitimacy of local government should be more prominent. This body of data indicates that levels of electoral participation at the local level in England have seen a period of decline since 2011 and are falling behind on all comparative measures. This lends weight to the argument that England's local democratic culture is singularly weak.

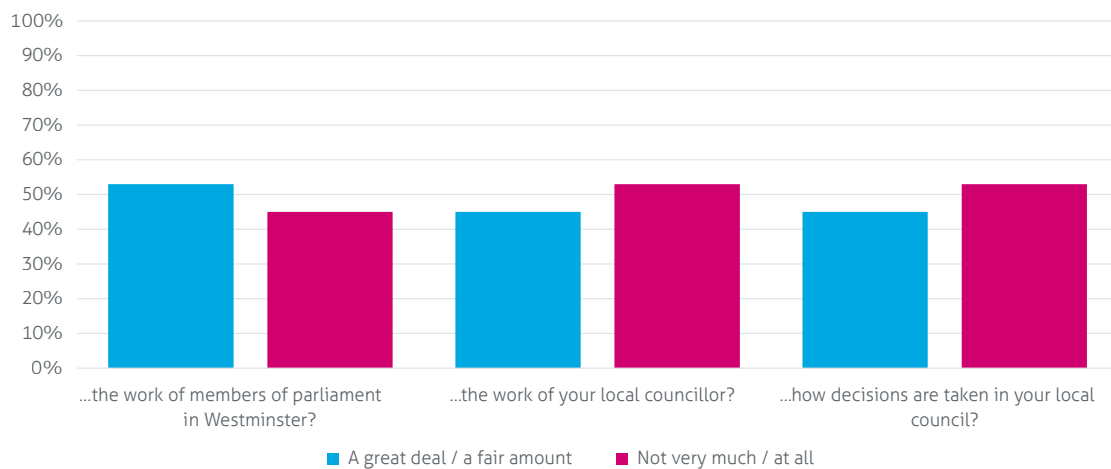
Understanding and trust

A different, but probably related, dimension of democratic accountability at the local level concerns levels of awareness and understanding of local government among English publics. One important aspect of this question is whether people understand which layer of government is responsible for different issues – a crucial pre-condition for being able to hold local representatives to account.

Figure 18 reports polling data that indicates that the majority of people know little or nothing about the work of their local councillors and the scope and functioning of their local council. It also shows that fewer people understand this level compared to central government. Some commentators indeed argue that local authorities should have a statutory duty to engage more effectively with local publics and promote better understanding of local government, but this kind of activity has been imperilled by shrinking local government budgets.¹⁵

Figure 18 **Public knowledge of local politics**

How much if anything would you say you know about...

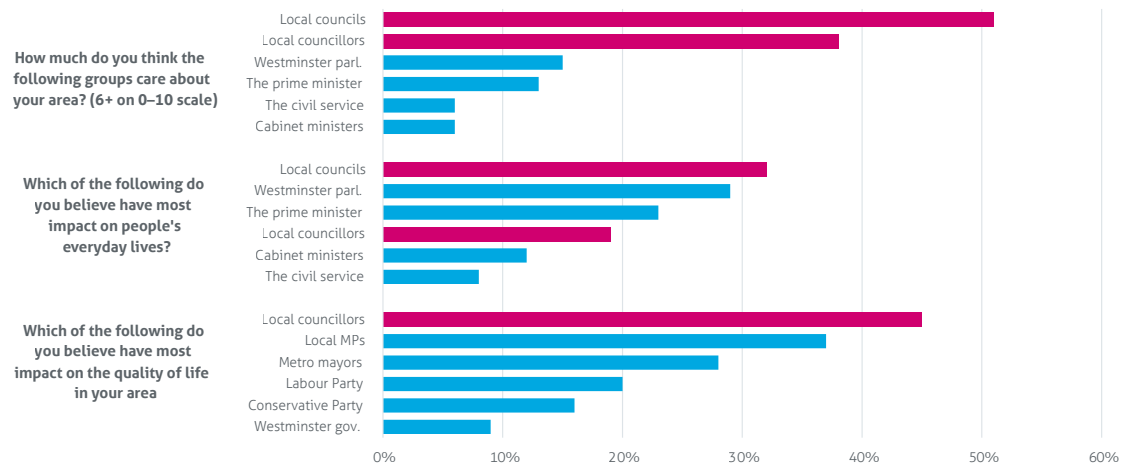


Source: Ipsos MORI and Local Government Information Unit local elections polling, 2022.

A quarter of people who 'never vote' also report having a good understanding of local government, and so it may well be that many people are entirely disillusioned with local government or do not consider it has sufficient powers to make a difference to their lives.¹⁶ Equally, however, local councillors are themselves more trusted political figures than MPs. In Figure 19, data from polling commissioned by UK in a Changing Europe shows that people believe that councillors care more about their area than most other politicians, and data from Ipsos MORI and the Local Government Information Unit shows that people believe local councils are most likely to have an impact on people's everyday lives. Data on levels of trust over time are supplied by the LGA's triannual survey (Figure 20), which indicates that, overall, levels of trust in local politicians remain fairly stable. A recent OECD study on public trust in institutions gives an indication of where England stands in comparative terms, and suggests that trust in local government in the UK as a whole is lower than elsewhere, although not significantly so.¹⁷

This brief review of the latest data suggests a fairly complicated picture of the health of local democracy in England. Public trust in local councillors is fairly low, but it is broadly in the range of comparable countries, and is higher than that placed in other political actors. A majority of the population confess to knowing little or nothing about the work of their local councils, but a significant minority claim a good understanding. The key question arising here is why this mixed picture does not translate into the healthier rates of participation in local elections. Importantly, there is a growing body of research that links low local turnout to more centralised forms of government.¹⁸

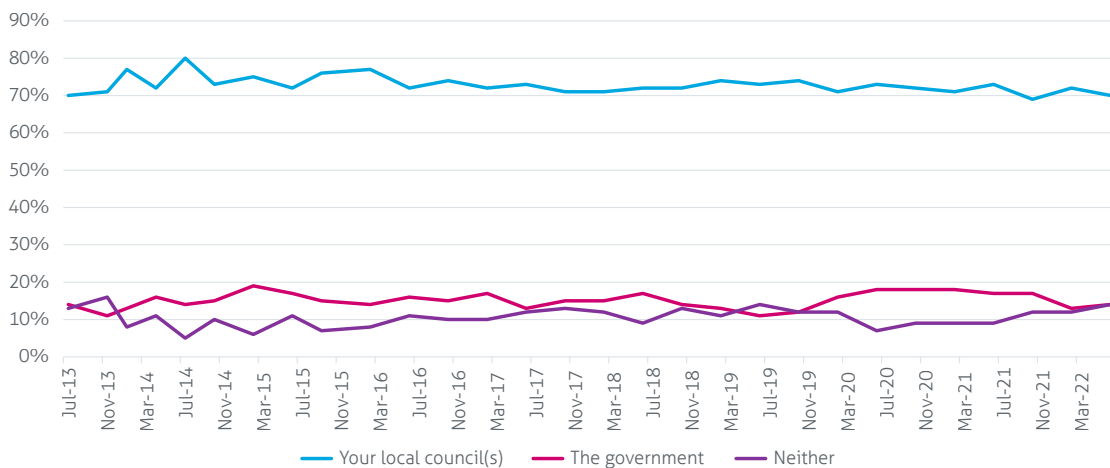
Figure 19 **Trust in councils and councillors**



Source: UK in a Changing Europe, 'Levelling up: what England thinks', 2022; Ipsos MORI & LGiU, local elections polling, 2022.

Figure 20 **Trust in councillors over time**

Who do you trust to make decisions about services in your local area?



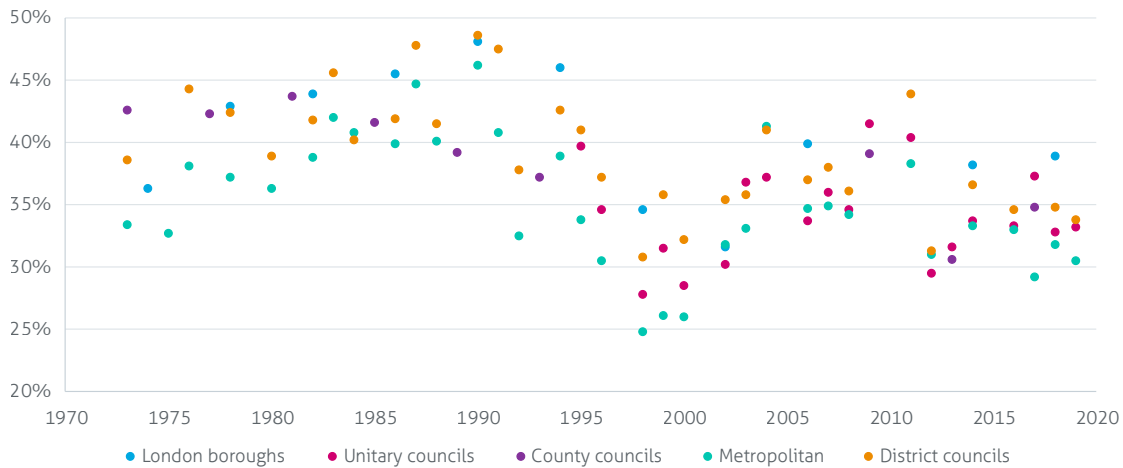
Source: Local Government Association, Resident Satisfaction Survey, 2021.

The effects of institutions

Trends in election turnout and levels of trust in politicians have been much debated in the last two decades, and a decline in both has been linked to factors such as the erosion of local media outlets, the impact of social media and diminishing political awareness. The introduction of devolved institutions in England, with directly elected mayoral figures at the helm of these new authorities, is in part motivated by the desire to establish a clear accountability mechanism and to reverse some of these trends. It is therefore worth considering these dynamics in relation to different forms and tiers of local and devolved government.

As shown in Figure 21, low turnout is particularly acute in metropolitan boroughs and the local authorities in and around England’s major cities (areas that are all now covered by mayoral combined authorities). Turnout is higher in rural district councils and in London’s borough councils (which are also covered by a directly elected mayor). The advent of more mayors across the country has not, as yet, had a significant impact upon these trends.

Figure 21 **Local turnout by council type in England**



Source: Analysis of Uberoi E, 'Turnout at elections', House of Commons Library, 2023.

But there are signs that elections to these posts feel more consequential to voters as the leaders of these authorities gain a public profile.¹⁹ This is particularly true of those figures, like Ben Houchen and Andy Burnham, who have been able to present themselves as regional political leaders extracting resources from, or standing up to, central government on behalf of the localities they represent.

As Figure 22 shows, turnout in mayoral elections is roughly similar to those in local council elections but there are signs that it is starting to increase in more recent mayoral elections, as individual leaders gain public recognition. Arianna Giovannini argues that “metro mayors are maturing as institutions, and they have started to take root in the public imagination”.²⁰ Data from London reveals a notable rise in turnout since the first mayoral election, although that tends to decrease as mayors go into their second term. Peak turnout in mayoral elections remains around the 45% mark. Whether the introduction of directly elected mayors will help reverse the gradual decline in local election participation remains to be seen, but the signs so far are fairly promising.

Figure 22 Turnout in mayoral elections for combined authorities and the GLA



Source: House of Commons Library mayoral election reports 2000-21

In terms of levels of public recognition for local leaders, the data set out in Figure 23 shows how many people knew the name of their elected mayor, if they have one. The longest established mayoral institutions, London (1999) and Manchester (2011), are the only places where a majority of people do know their identity. In both the West Midlands (created 2016) and West of England region (2017), about a third of people did not even know their area had such a leader.*

Figure 23 Public knowledge of mayors

Local people asked “who is the current mayor of __ ?”



Source: Centre for Cities, 'What do the public think about devolution and the metro mayors?', 2021.

Figure 24 reflects popular recognition of the names of some of the key institutions of local government. Familiarity with the term 'local authority' is consistently high, but there is much less awareness of the bodies to which power has been devolved in England over the last decade. A follow-up question from this poll shows that a quarter to a third of people who know the term 'combined authority' report that they do not

* This was even higher in West Yorkshire, but the mayoral position had only recently been created at the time of the poll.

know what it means. There is inevitably some lag between the introduction of such innovations and public awareness, but there are also grounds for inferring that the unusual complexity of the governance landscape in England has accentuated the deficit in public understanding.

Figure 24 **Public understanding of local institutions**

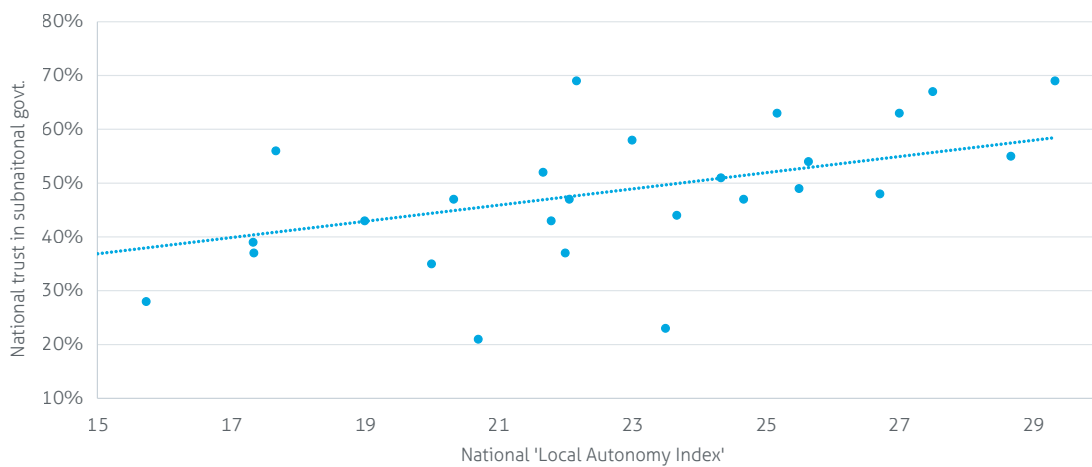
Local people asked "have you heard of the terms ___?"



Source: Centre for Cities, 'What do the public think about devolution and the metro mayors?', 2021.

There is a paucity of data comparing levels of trust between different types of local government in England. But some comparative inferences can be drawn from available EU-wide data. We have taken data from the local autonomy index, which ranks countries on the relative independence of their local government, and compared this to polling data on whether citizens trust local administration in their country.²¹ Figure 25 suggests a potentially telling correlation between levels of public trust and degrees of local independence.

Figure 25 **The correlation between trust and autonomy across the EU**

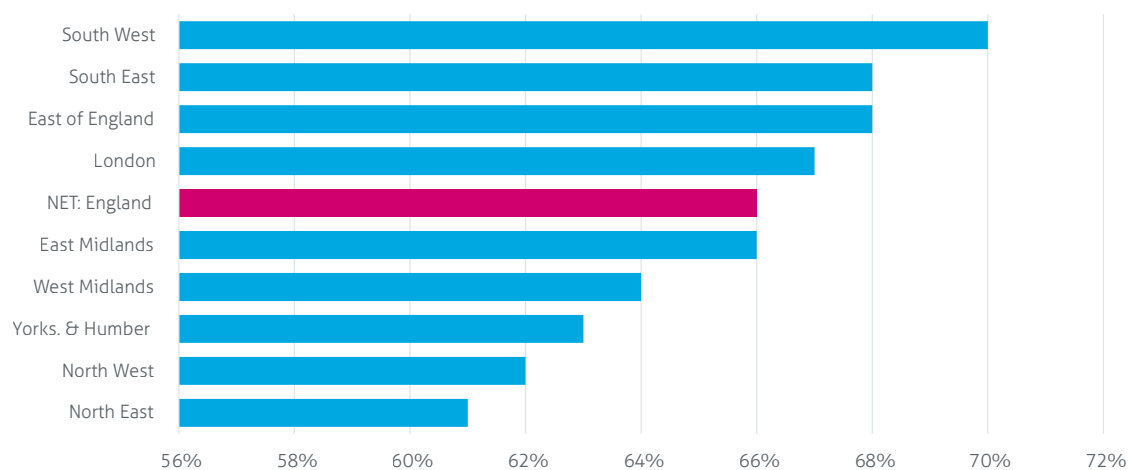


Source: Analysis of Eurobarometer, 2020, and the Local Autonomy Index, 2018.

Given how much more constrained, and less important, local councils are in terms of their service responsibilities and fiscal controls, compared to local government elsewhere, it may well be that a decrease in citizen engagement and understanding is an unsurprising consequence. Equally, in England, the issue of trust has a markedly geographical dimension. Various polls indicate that, in broad terms, the further people are from London, the less likely they are to trust their local MP.²² Lawrence McKay shows that in the North of England people are most likely to feel that central government does not care about where they live.²³ And in relation to local government, the LGA trust survey shows that the North has the lowest levels of trust, followed by the Midlands, compared to much higher levels of trust in the south (see Figure 26).

Figure 26 **Public satisfaction with local authorities**

Local people asked “overall, how satisfied or dissatisfied are you with the way your local council(s) runs?”



Source: Local Government Association, Resident Satisfaction Survey, 2021.

As new combined authorities are created, and existing deals are deepened – both ambitions within the framework set out in the white paper – the question of what kind of accountability relationship there is, and should be, between electors and elected mayors is likely to become much more salient. It has been noted that, despite a gradual expansion of the powers held by a number of these figures, very little attention has been paid to the question of how to develop forms of accountability that do not point upwards to central government but would enable local publics to hold them better to account.

Currently, MCAs are scrutinised in different ways by a variety of actors, including council leaders, local partners, the press and formal scrutiny bodies, such as overview and scrutiny committees.²⁴ But this system of oversight is patchy at best. Formal MCA scrutiny committees tend to be poorly attended, there is little sustained coverage from greatly weakened local media, and the public is for the most part only able to have a voice every four years in elections.²⁵ If English devolution is to develop further and wider, more attention needs to be paid to devising processes – for instance, local public accounts committees – that enable local people and stakeholders to better hold leaders to account.²⁶

4.4 Is there a local democratic deficit in England?

Local accountability works in two broad ways in the English context: via the control and oversight mechanisms exercised from Whitehall, and through the mechanism of local elections supplemented by other consultative and engagement mechanisms. Because central government has been the principal agent shaping various initiatives to modernise and reorganise England's local government, there is a significant degree of tension between the development of effective local democratic engagement, and the upward accountability line to central government.

This means that local councils and combined authorities are, in structural terms, unduly geared to responding to the demands and decisions of central government, and can provide only limited space and discretion for local politicians to devise and pursue policies addressed to local problems and conditions. Simultaneously, their line of accountability to local people is relatively weak, a situation reflected in, and accentuated by, declining rates of turnout in elections. And undergirding this lopsided model is the powerful norm, endlessly reinforced and promoted by the media, that ministers are ultimately responsible for service failures even when these are rooted in local practice.

Despite the endemic weakness of local government in this setting, people do still trust local politicians more than almost all other political actors. Comparisons over time show that trust in local politics is relatively stable, and OECD data shows that levels of trust in local government are broadly in line with comparable countries.²⁷ However, polling data also shows that decentralised countries have much higher levels of popular trust at the local level, and it may be that further devolution is, for this reason, an important counterweight to English democratic decline. The higher turnouts in the devolved nations, both for local elections and the devolved parliaments, further underscore that relatively powerful subnational institutions have the potential to develop better lines of downward accountability.

Whether further devolution will resolve some of the ingrained challenges and patterns described above remains to be seen. While a good deal of discussion of this issue focuses on the powers and responsibilities that are handed down to these authorities, or not, insufficient attention has been directed to the question of how the relationships between central and local governments are managed, and the degrees of clarity that are established over their respective roles and responsibilities. While more productive mutual engagement and collaboration are important goals to aim for, hazily designed arrangements with imprecise indications of lines of responsibility are very likely to spread confusion and also reinforce central control.

More generally, it is worth noting that the model of middle-level governance that has been slowly, and sometimes painfully, established in the last decade in England, has been built entirely upon the vertical accountability relationship discussed above. There has been no real space for local voice or civic engagement in the making of these deals, which are as a result easy to characterise as 'stitch-ups' between local and central elites. Considering how to engage and involve local publics in the structures of devolved government, and in determining the character and future of devolution itself, is one of the most important and difficult challenges which those tasked with its further development need to embrace.

5: Recommendations

5.1 Introduction

This report has explored some of the main weaknesses that have long been identified in relation to England's administration, focusing particularly on the consequences and character of its over-centralisation, incoherent administrative structures, and weak lines of democratic accountability. We also highlighted how successive attempts to address these issues have largely been unsuccessful, and have instead tended to add yet more confusion and complexity to the governance landscape. In this chapter we consider ways these issues might be productively addressed, arguing that what is particularly needed are changes at the centre of British government, to realise the extension of the model of devolved government. In the wake of both the government's devolution framework and the growing consensus about the merits of devolution in England, support is building in both parties for a more extensive, and perhaps deeper, devolution model. However, to avoid a repetition of past mistakes, it is imperative that further reforms are accompanied by institutional changes at the administrative centre.

For those contemplating further reforms in this area, it is first important to acknowledge the force of an enduring 'reform paradox'. This arises because, on the one hand there is still a palpable need to address long-standing institutional weakness and, on the other, there has been a seemingly unending stream of reforming initiatives since the late 1960s. The uncertainties generated by 50 years of policy churn have contributed to the incoherence and instability that bedevils English administration. Previous reform initiatives have tended to increase rather than reduce complexity, and have not challenged the fundamental imbalance of power and authority between centre and localities in England.

In many ways, the 'cures' that have been supplied by central government have worsened the underlying disease they have been designed to ameliorate. And the treatment of these issues as political footballs by the two main British parties has contributed to a good deal of the chopping and changing of approach that characterises policy in this area. If English devolution is to be given the chance to bed in and progress over the coming years, new structures in Whitehall are needed to oversee and protect the devolution process. Otherwise, there is likely to be a continuation of the cycle in which new subnational institutions are created, only to be abolished or reorganised a decade later, leaving little opportunity for English devolution to take root.

In advancing proposals for reform in this context, we steer away from the idea of developing a new blueprint for devolution, but also point to the need to go beyond devising sticking plasters for some of the significant problems and weaknesses that we and others have identified. Instead, we propose some important changes to the institutional framework within which English governance is reformed.

Our first recommendation is for the establishment of a new independent commission that would be tasked with examining in depth how England is currently governed (Section 5.2). We propose, second, the introduction of an English Governance Act, which would gather together and codify the existing legislation on England's local and regional government structures (Section 5.3). Our third recommendation is the establishment of an English Devolution Council, a body that would represent local government in the heart of the UK government (Section 5.4). Finally, we recommend the creation of an England Office within the structures of central government and an England-focused cabinet committee (Section 5.5). We believe that these changes would, if accepted by politicians across party lines, act as a bulwark against instability and create the conditions in which a more transparent and coherent system of governance could be rebuilt.

5.2 An independent commission on English governance and a 2030 devolution commitment

The analysis developed in this paper has identified the need for a meaningful commitment by all the main British parties to develop devolved government in all parts of England. At present both the Conservatives and Labour have expressed their readiness to establish new devolution settlements, but in terms of completing the devolution map, Labour has gone no further than a commitment to encourage local leaders to form partnerships¹ and the Conservatives remain committed to devolution deals only for "every area that wants one".² There should be a firmer and more specific commitment to complete the devolution map by 2030, and there is considerable potential for cross-party agreement on this score. This is particularly important if England's model of subnational government is to acquire the stability and greater clarity it so desperately needs. Once this stable foundation is established, further institutional developments and the downward transfers of power would become more feasible.

A second and perhaps more important gap in the current process is the lack of attention paid to the challenge of engaging wider English publics in these important new developments. We propose, therefore, the establishment of an independent commission on the future of English governance, which would have as part of its remit the task of promoting better understanding of public attitudes on these issues and indeed curating a wider debate about them.* This would be chaired by a senior figure with experience of both central and local government, supported by a representative oversight board capable of achieving wide social reach and cross-party political support. This board should be given the resources to employ full-time staff to conduct the necessary research, analysis and reporting.

The commission would take a structured approach to examining existing and future devolution deals, in terms of their policy powers, funding arrangements, institutional design and territorial settlements. It would seek to ascertain public attitudes to different models of devolution within England, and gauge appetite in different areas for transferring powers away from Westminster. In so doing it would gather relevant

* This is in line with the recommendation made by the recent report from the Public Administration and Constitutional Affairs Committee.

evidence and research and convene hearings to ascertain citizens' views in different parts of the country. Its findings and arguments should feed into the ongoing work of central government in this area. The establishment of such a commission could be an important driving force behind the move towards further decentralisation within England, and might provide a landmark moment in terms of the ongoing debate about what devolution in this context should look like. While the key legislative and institutional reforms that are needed to unlock its next phase require action at the heart of British politics and government, there is a real imperative for this to be prompted and informed by a body that sits a little outside the party system and which is geared to facing and engaging the wider public as well as providing evidence and insight for debate and thinking within the political establishment.

So that this commission takes a holistic and long-term view of the different factors affecting the administrative landscape, we recommend that it also explore different models of subnational devolution and also provide an independent examination of the arguments for English voice and representation within the system of parliamentary government that were accepted by a majority of MPs in 2015 (known as 'EVEL'), and which underpinned the introduction of new rules designed to ensure that a majority of English MPs was needed for English-only legislation to pass. A respected, authoritative and independent body of this kind could provide the kind of necessary stimulus for the airing of some of the major, fundamental questions about England's place in the Union, where power lies in the country, and what a less centralised model of government might look like, which are rarely considered within the parameters of British parliamentary politics.³

The commission should be provided adequate resources and support to undertake this work, and encouraged to employ some of the new forms of public consultation and engagement, like citizens' juries and deliberative assemblies, that have been more widely employed in recent years. One of its most important contributions would be to engage wider publics in these issues, and to work with politicians, media, civil society stakeholders and other interest groups to stimulate the kind of debate about governance and democratic control that has been brought to the fore in every other part of the UK for some years. Such a body could also play a key role in prompting, and scrutinising, the completion of the devolution framework across England. We therefore recommend that it is initially established until 2030. If successful, it could well be made a quasi-official body that oversees the different levels of English government, in similar vein to such bodies as the Boundary Commission or Electoral Commission.⁴

5.3 An English Governance Bill

We would suggest too that government should put before parliament legislation that would more clearly set out the powers and responsibilities of local and devolved government in England, and provide a clearer articulation of the relationship between the different tiers of government. This may not amount to the kind of constitutional protections afforded in codified federal constitutions, but it would raise the political stakes for any future government that sought to alter this relationship in fundamental terms. Labour's Commission on the UK's Future has called for legislation to ensure the

autonomy of local government in addition to “an obligation on central government to promote economic development so as to reduce disparities between different parts of the United Kingdom”.⁵

There is, however, a need for such principles to be balanced against the requirement for some flexibility in central–local relations as these continue to evolve. Any such legislation should provide a framework setting out in general terms the rights of local government that should be protected, rather than aspiring to define specific features of the relationships between local councils and Whitehall, or be overly prescriptive. The starting point for such legislation would be to clarify, in statute, the existing relationship between central and local government, setting out relevant responsibilities and areas of common interest. In 2014, the Political and Constitutional Reform Select Committee offered three substantive documents that each offered an option for how to codify the constitutional position of local government.⁶ These focused on the territorial coverage of local government, its multiple tiers, the structure of its democratic institutions, its functions and responsibilities, its tax-raising powers, and its general powers of competence. Many of these features are laid out in the Local Government Act 1972, the Local Government Act 2000 and the Localism Act 2011.

New legislation would need to begin by drawing together this existing legislation and putting into statute those features that have emerged outside the scope of that legislation, particularly the mayoral combined authorities. Currently, there is secondary legislation – sometimes multiple instruments – for each of the devolved areas, and all except London have been established with time-limited funding arrangements, which adds to the sense of impermanence that still haunts the metro mayors model.

A final element of this bill would be to clarify the relationships between central, devolved and local levels of government with the result that future attempts to encroach upon the remit of local government would carry a higher political price, and also potentially be justiciable. The courts have historically been an important safeguard for the limited autonomy of local institutions, for instance during conflicts over reforms introduced in the 1990s. One possibility would be for the bill of the kind we propose to be declared a constitutional act, following recommendations set out in the Brown commission. Legislation of this kind would be a small, but important, step towards the constitutional strengthening of the position of local.

5.4 Representing local government at the centre

There is also a strong case for attending to the relative lack of standing and voice that subnational government enjoys at the heart of the UK’s government and politics. This weakness is underlined by the absence of constitutional protections for local government in this setting, and the structural imbalance caused by the reliance of local councils on annual funding settlements determined in Whitehall. The highly centralised character of governance outlined in this report, and elsewhere, is both cause and reflection of the immense asymmetry between local government and the centre. Giving subnational leaders an official role at the political centre is an important step towards finding counterweights to this model.

Various proposals to address this asymmetry have been advanced, with some making the case for institutionalising a collective voice – for mayors in particular – within central government. A recent report from the Institute for Government recommends “the establishment of a ministerial–mayoral committee involving metro mayors and ministers from key departments”,⁷ while the Electoral Reform Society proposes an “English Leaders’ or Intergovernmental Forum [to] bring together local and combined authority mayors, council leaders and UK ministers”.⁸ Separately, the think tank Onward proposes a ‘National Mayors Association’ focused on building better local capabilities;⁹ another, the IPPR, suggests a ‘Joint Devolution Panel’ with local and central representation.

More recently, the Labour Party’s Commission on the UK’s Future has proposed a ‘Council of England’ “to bring together English local government and metro mayors with central government”.¹⁰ The rationale for establishing such a body is one that we endorse. There is, though, still room for further thought and debate about the form and function of such a body.

Our proposal is for an ‘English Devolution Council’ made up of England’s elected mayors. This could be developed in the immediate future, with the prospect of all parts of the country being represented on it by 2030. There may be a need for interim arrangements for those areas without a mayor until that point. New directly elected leaders would be invited on to it following their election. And this element would provide an important further incentive for local areas to strike devolution deals.

The primary function of this council would be to provide advice and input into central government thinking. Beyond this consultative role, however, there may well be a case for developing a more formal representative role for it. One option to be explored is whether this English Devolution Council could be given a right of veto over any attempt to amend or abolish the English Governance Act proposed above, a right that would need to be written into a separate piece of legislation.

Just as importantly, the council would be tasked with debating a range of issues relating to local and devolved government – and calling ministers and experts to provide evidence. It might also well develop an advocacy function, promoting key policy arguments and ideas. For such a model to work, mayors may well need to nominate a delegate to perform the day-to-day duties of the council, with mayors retaining the option to appear themselves. Each delegate would likely need a small staff, and the council may well itself need a secretariat and the capacity to engage with local and devolved governments right around the country.

The development of an English Devolution Council of this kind would in many ways represent an incremental extension of existing practice, not a brand new innovation. Some of the functions suggested above are currently performed by a medley of existing bodies, including the Local Government Association and various other network institutions, such as the County Councils Network, the District Council Network, Core Cities, Key Cities, the LEP Network – and, most recently, the M10 Council

of mayors. The latter is the closest to the kind of body we propose here, though it remains significantly under-powered at present, and its status in relation to central government somewhat hazy.

Once established, this new body might come to play a key role in relation to the recently reformed machinery regulating intergovernmental engagements across the UK. The structure and legitimacy of these has long been dogged by the problem of the conflicting territorial mandate of UK ministers – required to represent both the UK as a whole in these negotiations and the English people, at the same time, in discussions with counterparts from Northern Ireland, Scotland and Wales. The establishment of a legitimate and functional council of English mayors brings with it the prospect of tackling this issue head-on. If it carried a formal negotiating role in relation to the UK government, tasked for instance with negotiating funding settlements for local and devolved governments, it would provide an important countervailing force to the enduring pattern of British centralism.

5.5 An England Office and new cabinet committee

Confusions and occasional tensions arising from England's continued occlusion within the Union state model, especially since devolution was introduced elsewhere, are increasingly hard to ignore, not least as parts of the British governmental machine are much more preoccupied by England's affairs. Both constitutionally and practically, there are reasons to think that the English territory, and the interests of its economy and society, require more transparent and coherent representation within the systems of UK governance. And, relatedly, the different forms and tiers of subnational government within England need a primary point of contact with the centre. As the recent report from the Public Administration and Constitutional Affairs Committee suggested: "The Government [should] bring forward proposals for how the distinct interests of England can be represented effectively both within the legislative process and within Government and Civil Service structures."¹¹

We propose a number of reforms to the Whitehall machinery to ensure that England is recognised in the wider governance of the UK in a way that maximises the chances of a meaningful and effective devolution process, and in the longer-term improves the ability of the centre to work with local government on day-to-day policy issues.

A territorial office for England

We propose that DLUHC be replaced with two new departments: an England Office, and a newly constituted Department for Housing and Communities.

The former would be headed by a new secretary of state for England and its remit modelled upon the Scotland, Wales and Northern Ireland offices. These departments are widely viewed as relatively unimportant parts of the Whitehall machine. But their role in binding the Union, and ensuring that parts of the centre are systematically engaged with different parts of the UK, is often overlooked. They are repositories of knowledge, wisdom and relationships that are not held elsewhere within the state.

An England Office might play a similar role, and be particularly important in brokering solutions to problems arising in 'English' departments like education, or in hosting and driving forward cross-cutting policy initiatives that do not sit easily within existing departmental structures. More generally still, there has been an ongoing debate within Whitehall about the case for bringing these different offices together within one larger structure – a Department for the Union, as suggested, for instance, by the report of the Dunlop Commission in 2021. The establishment of a new England Office would provide an important additional reason for establishing such a department, which would in turn address one of the most obvious weaknesses in the British state's approach to devolution and territorial politics: the absence of a single institutional location from where an 'all round,' strategic view of the Union and its constituent parts can be developed.

These reforms are an important prerequisite for the development of a more stable and comprehensive model of devolved government. The creation of an England Office would provide a locus for more considered policy making, and an important new interface between local and devolved governments and the central state. Such an office could be responsible for a range of functions, including funding, evaluation and strategic partnerships, and provide a much clearer and more coherent 'funnel' for central–local interactions and engagements than currently exist. It should also be equipped to provide oversight of subnational funding in England, and would be in a position to deliver and manage a much-needed shift to multi-year funding settlements for local and devolved government. It would also provide oversight of moves towards fiscal devolution, and be the institutional location responsible for negotiating and overseeing devolution arrangements, one of the many functions currently undertaken by DLUHC.

It might also be charged with undertaking the vital task of building much needed capacities – in terms of data analysis, policy development and public engagement – at the local and combined authority levels. It is only through the transfer of resources from central government that the capability question can be meaningfully addressed at local and devolved levels. This would entail provision for training, secondments and potentially the transfer of civil servants between central and local government, as well as the development of a national policy evaluation and research capacity which devolved institutions could access. Finally, this new office should carry particular responsibilities for monitoring and supporting the evaluation of policies across these layers of government, in order to spread best practice and develop better 'early warning' systems in relation to potential failings at the local level. In performing these functions, it would work closely with the English Devolution Council discussed above (see Section 5.4).

A new cabinet committee

Second, we suggest the creation of a powerful new cabinet committee on England, chaired by the new secretary of state for England. Such a body would face outwards across Whitehall, playing an important role in co-ordinating the work of other England-focused departments. It would be encouraged to draw other Whitehall departments into cross-departmental working on matters of English governance and to consult on and initiate policy in areas that cut across existing departmental mandates. Perhaps most importantly, it could be tasked with identifying policy areas that could be devolved within England to the combined authority level or below. Bringing together other England-focused departments – such as health and education – into this type of forum might well help lay the groundwork for further future devolution.

Both of these innovations would do much to bring into the heart of central government a clearer and more concerted focus upon England's governance and public administration, addressing an increasingly notable absence in the wake of devolution elsewhere. Their introduction would clear the path to achieving greater clarification in terms of the territorial geometry of different parts of Whitehall. Relatedly, there is a good case for departments that are essentially English in their coverage to declare themselves as such. There is, for example, a very strong case for the rebadging of departments like education and health and social care as English-facing entities. These changes would cause little disruption to the existing machinery of government, but have the significant benefit of encouraging policy makers to think more carefully about the territorial impact and implications of their decisions.

Led by our proposed England cabinet committee, a more ambitious and longer-term goal should be to disentangle the territorial remits of Whitehall departments on a more systematic basis. This might entail the removal of Union-wide functions from those departments that currently have an almost entirely England-only remit, such as health and education. The UK-wide functions extracted from these departments could, depending on their extent and nature, be reallocated to the Department for the Union, and integrated too within the business of the inter-ministerial groups established in the new intergovernmental machinery.¹² Whenever further powers are devolved to Scotland, Wales or Northern Ireland, the England cabinet committee should consider the consequences of these decisions for England.

5.6 Conclusions

There are a number of sensible and important ideas for reform that have been proposed and justified at length elsewhere, which deserve careful consideration – for instance, the case for multi-year budgets for local councils and devolved authorities, and the idea of devolved authorities having more flexibility and scope in terms of prioritising and directing resources supplied by central government. Our own analysis leads us to identify and give emphasis to particular ideas that have so far not been central to the emerging debate about English devolution. And we have here provided a preliminary sketch of how these might be taken forward.

A much wider and deeper debate about potential reforms is increasingly required in this area, not least because more politicians and a larger part of the UK policy community appear ready and willing to give devolution more serious thought – motivated in part by fallout from the very apparent failings of the current centralised model of government. One of the most abiding dysfunctions associated with the latter is that local government in England has been systematically degraded, under-funded and reorganised on the premise that it can and should deliver better the priorities of the centre. The notion that this level might also be a crucial part of a wider system of governance that needs nurturing, building up and developing, so that the benefits of locally developed policy and governance might be reaped, has been buried beneath the accumulated weight of British centralism.

By pretty much any measure, England's governance is now one of the most centralised in the developed world. And the administrative landscape is harder to grasp and tougher to navigate than almost any comparable country. There is also increasingly an abiding sense of instability and fragility associated with local authorities and the political life that underpins their work. To start addressing these problems, we have argued, there is a real need to rethink the ways in which England is administered in the heart of central government. To unlock the potential benefits of creating a layer of devolved government right across England, we suggest, those at the centre need to start by getting their own house in order.

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