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Devolution, Evolution, Revolution...Democracy?

What's really happening to English local governance?

David Blunkett and Matthew Flinders*

The Cities and Local Government Devolution Bill 2015-2016[HL] was introduced into the House of Lords as Bill No.1 in the 2015-2016 parliamentary session. The Bill forms a critical element of the Government's high-profile policy of devolving powers and responsibilities to local areas within England. The transition from first generation 'city deals' to second generation 'devolution deals' within five years provides a sense of the pace and development of the reform agenda but there is also a strong sense that something is missing. 'Missing' in the sense of an understanding of the specific type of devolution on offer, 'missing' in the sense of how an explosion of bilateral new 'deals' will be offset against the obvious risks of fragmentation and complexity, and 'missing' – most importantly – in relation to the democratic roots that might be put in place to counterbalance the economic thrust and market logic that is driving the reform agenda. It is in exactly this context that this article argues that the full economic potential of the current devolution agenda will only be realised when David Cameron fulfils his September 2014 commitment to wider civic engagement about how England is governed.

There is something understandably romantic about the creation a new industrial revolution in Orgreave on the outskirts of Sheffield. What was once the site of violent clashes between striking miners and police is now the site of a world-class Advanced Manufacturing Park that employs many of the sons and daughters of those miners who once fought on the land. It is not over-stating the case to suggest that a new industrial revolution is taking place in South Yorkshire. The partnership with the University of Sheffield and a number of global businesses (Boeing, Rolls Royce, etc.) that underpins the Advanced Manufacturing Research Centre, for example, is a testament to George Osborne's belief that the Sheffield region really is 'the manufacturing cradle of the future'. In this context the question that has dominated recent political debates has not been so much about fostering innovation but in how to allow the innovation that was already building to bloom and flower. For the current Conservative Government the answer lies in devolving power and setting areas of England free under the control of powerful new mayors. As such, the Sheffield City Region deal marks one of a number of 'devolution deals' that have been signed in recent months (see Table 1, below). But despite this undoubted activity and a great deal of ministerial rhetoric the debate concerning decentralisation and localism has arguably generated more heat than light. Should the current reforms be interpreted as a 'revolution in devolution' as the Chancellor of the Exchequer has argued? How will the emphasis on local diversity be reconciled with the need to maintain national standards in some policy areas? And – critically – what role does democracy have in this process? Although the reform agenda is developing momentum the thorny questions about democratic engagement, legitimacy and accountability have yet to be addressed. It is for exactly this reason that this article asks, 'what's really happening to English local governance?' and argues that although the current focus on devolution represents a huge opportunity for the governance of England it is unlikely to fulfil this potential unless the demos is also engaged in a meaningful manner.

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Put slightly differently, although the government’s devolution agenda may well offer huge opportunities in terms of economic growth, employment and market innovation its true potential will only be fulfilled if the new city regions have democratic roots, it has to take the people with it. This argument can be traced back directly to the Prime Minister’s statement on the 19 September 2014 in the wake of the Scottish independence referendum when he recognised that irrespective of the referendum result there was a need for a new territorial settlement in the UK, and one that devolved power not just to the constituent nations but also to the English regions. ‘It is absolutely right that a new and fair settlement for Scotland should be accompanied by a new and fair settlement that applies to all parts of our United Kingdom’ the Prime Minister stated ‘I have long believed that a crucial part missing from this national discussion is England... It is also important we have wider civic engagement about to improve governance in our United Kingdom, including how to empower our great cities. And we will say more about this in the coming days’. But the days (and weeks, and months) passed and no plans for wider civic engagement about how to empower English cities or English regional governance were forthcoming.

	Greater Manchester	West Yorks	Sheffield	Cornwall
Further education and skills	New FE system	New FE system	New FE system	New FE system
	Apprenticeship Grant for Employers	Apprenticeship Grant for Employers	Apprenticeship Grant for Employers	
			Adult Skills funding	
Transport	Funding	Funding options	Funding	Funding + buses
	Bus franchising		Bus franchising	Smart ticketing
	Smart ticketing	Links with Network Rail and Highways England	Links with Network Rail and Highways England	
Business support	Trade support funding	Integrated services	Integrated services	Integrated services
	Funding from 2017	Funding from 2017	Funding from 2017	Funding from 2017
Work Programme	Possible joint commissioning in 2017	Possible joint commissioning in 2017	Harder to help claimants joint commissioning in 2017	
Public land commission	Yes	Yes	Yes	Yes
Health & social care	Integration	-	-	Integration business plan
Policing	Mayor to become Police and Crime Commissioner	-	-	-
Housing	Some funding	-	<i>Under discussion</i>	-
Fire service	Mayor to take over	-	-	[Cornwall Council]
Spatial planning	Yes	-	Yes	[Cornwall Council]
Economic development	Mayoral Development Corporations; compulsory purchase	-	Mayoral Development Corporations; planning call-in powers	-
EU structural funds	Intermediate body	-	<i>Under discussion</i>	Intermediate body

Table 2. Proposals in Devolution Deals agreed by September 2015

Seen from this position it could be argued that the devolution and ‘localism’ agenda represents more continuity than change in the sense that it reflects the British political tradition’s preference for elite, top-down policy making with limited (if any) public engagement. The opening section explores this historical argument through a brief analysis of local government and local governance since the 1970s. The second section then develops this argument through an analysis of the contemporary reform agenda and the argument that the British political tradition appears dominant and that, if anything, ‘the revolution in devolution’ might – in its current format – be best described as a ‘new central-local partnership’. The third and final section examines the implications for this argument and how the debate concerning city regions can be viewed as a debate between the ‘idealists’, who hanker after a more meaningful devolution of power, and the ‘pragmatists’, who accept the dominance of the British political tradition but see the current ‘devo deals’ as an opportunity that should not be rejected. Part of the pragmatists narrative is a belief that initial cracks and wedges in local-central relations through these deals might be expanded and built upon over time towards something more significant. We argue that this is unlikely to occur unless the government accepts the merits of thoroughgoing public engagement from the very beginning of this reform process.

I. EVOLUTION

In order to understand the history of local and regional government in England it is necessary to understand the British political tradition in the sense of those principles, values and constitutional moralities that infuse the policy-making process and make certain processes and relationships more likely than others. David Easton refers to the dominant political tradition as the ‘legitimizing ideology’ – ‘the ethical principles that justify the way power is organised, used, and limited and that defines the broad responsibilities expected of participants or particular relationships’.¹ A short-cut description might label this ‘the rules of the game’ and in relation to the UK the work of William Greenleaf on the British political tradition provides arguably the most detailed analysis. It is therefore possible to draw upon the work of Greenleaf (and a range of later scholars) to identify five core elements of the ‘rules of the game’ as they have traditionally existed in the UK.

1. Belief in the value of an unwritten, organic, ‘small-c’ constitution.
2. An emphasis on pragmatic adaptation and flexibility.
3. The ‘Good chaps’ theory of government.
4. A political constitution.
5. Power-hoarding majoritarianism.

Many of these elements will be familiar to the readers of *Political Quarterly* and need not form the focus of further discussion apart to make the rather obvious point that these are the defining characteristics that have set the relationship between central and local government in the UK. Power rests in Westminster (and therefore generally Whitehall), local government has no constitutional identity of its own and executive discretion is almost total in terms of reform capacity, this one-sided balance of power can (and has) been particularly important when parties of differing political persuasions control different levels. The British political tradition is therefore one, that as Antony Birch argued, that favours *responsible* over *representative* government, it is a quasi-elite model of governing in which deals are often brokered between rival elites but rarely with the public, it is a system in which the ‘rules of the game’ are written, applied and changed only by the executive. Two caveats are worth noting: (1) this description of the British political tradition is in itself something of a shorthand descriptor (like ‘the Westminster Model’) that can be challenged at certain points and in relation to specific issues; (2) in recent decades the constitutional configuration of the UK has been

significantly reformed towards a system of ‘modified majoritarianism’. However, notwithstanding the existence of these significant shifts it could be argued that the British political tradition in terms of the underpinning values and the political culture of national politicians and their senior civil servants remains remarkably unchanged. Indeed, this is exactly what we argue the analysis of the contemporary English devolution agenda reveals.

Put very simply and as revealed in the scholarship of a number of academics, the modern political history of local government (note local and *not regional*) is a narrative of executive dominance and local decline. Central governments of all political persuasions have generally viewed local government with a degree of suspicion and concern and have sought to exert greater control while also reducing their powers and responsibilities. A common theme has also been structural in the sense that that labyrinthine patchwork of local governments that emerged from the nineteenth century was widely viewed as too granular to deliver efficiencies of scale. Some forty-five years ago, for example, a substantial debate took place in England (there were separate inquiries in Scotland and Wales) into the shape and form of local government. One report related to management structures (the Bains Report of 1972) and the other very substantial inquiry (the Redcliffe-Maud Commission) focused on the structure, method of consent and functions of local government itself. The outcome was a consolidation of small local authorities (the urban and rural district councils), the creation of Metropolitan City and District Councils, and the emergence in the urban conurbations of urban sub-regional Metropolitan County Councils (a development from the old London County Council and the Greater London Council). In the mainly rural areas, the former County Council structure, consolidated with District Councils beneath them, continued with somewhat different distribution of functions and in some cases with reconstructed boundaries. Historic large-scale councils such as the West Riding of Yorkshire disappeared, with the new Metropolitan County Councils taking on some of the wider macro-economic role of the larger of such councils and the new Metropolitan District or City Councils picking up the service delivery areas such as education and social services. In these new metropolitan areas, there was clearly an emphasis on infrastructure such as transport policy (imaginative developments in relation to public transport and not just highways) but also emphasis on jobs and economic development. Local Enterprise Boards were established in some parts of the country (and in London the extremely well-funded equivalent) and these bigger authorities took on a political identity and standing in their own right.

In Margaret Thatcher’s second term as Prime Minister, the irritation of having larger (Labour-controlled) local authorities (which included the major cities as well as the Metropolitan Counties) challenging the top-down determination of Westminster (not only on policy but even at the right to raise and spend a local rate) led to the abolition of the Metropolitan Counties and the Greater London Council. What became known as ‘rate capping’ involved central government refusing local authorities the right to raise and spend money beyond a cap placed on them by central government. In addition, the levy on local businesses (the Business Rate) was centralised in the hands of national government, and therefore the rate was set and the funds were diverted to the Treasury. Elsewhere a range of local services were removed from local control and placed in the hands of centrally appointed ‘local public spending bodies’ (to use Lord Nolan’s phrase for what Professor John Stewart famously labelled ‘the new magistracy’). The principles and values underpinning local government shifted as market-based forms of accountability replaced traditional models of democratic accountability. This shift was captured in the debate between Professor Stewart and William Waldegrave but the debate was to some extent ‘academic’ as the powers and responsibilities of local government were gradually ‘hollowed-out’.² Furthermore, although the specific tools of this evisceration altered from government to government (one of the first acts of the Conservative Government in 1979 was to create Urban

Development Corporations, one of the first acts of the New Labour Government after the 1997 election was to create a new network of centrally appointed Regional Development agencies) the direction of travel was relatively constant. The exception was – and to some extent remains – London. But, then again, London is an exceptional city in all sorts of ways. Nearly nine million people speaking over 300 languages accounting for 12.5 per cent of the UK population (the London city-region embraces nearly 23 million people). A cultural capital, a global financial hub, a global travel gateway, arguably the world’s most cosmopolitan city and – the rise of the Scottish National Party apart - the political focus of the nation.

This ‘difference’ explains why the governance of London has in recent years been very different to the governance of cities, towns and communities beyond the South East. In 1998 Londoners voted in favour of a directly elected Mayor and the *Greater London Authority Act 1999* established not only a new mayor for the capital but also an elected Greater London Authority to oversee and scrutinise the new mayor. London Boroughs would continue to function beneath this macro structure but with more joint working across traditional boundaries emerging as a key element of this new configuration. Local politics after the millennium was heavily influenced by the European and U.S. model of city mayors and this was reflected in the *Local Government Act 2000* and a clear central government shift towards nudging, pushing or shoving local authorities towards an executive-led (rather than committee-based) model. Powers were therefore centralised into the hands of local mayors and cabinets and the role of the majority of local councillors was diminished to something resembling a weaker version of a backbencher at Westminster.

The impact of economic change and rising unemployment, notably in the old industrial and urban areas of the country, did foster greater collaborative working by local authorities. Common challenges and shared opportunities could only be addressed through co-operation rather than competitive working arrangements and as a result new partnership arrangements emerged through a bottom-up process. The Association of Greater Manchester Authorities, for example, was established as an informal arrangement after the abolition of the metropolitan county council in 1986 and reflects the roots of inter-authority co-ordination and capacities that have fed into the Greater Manchester Combined Authority (GMCA) thirty years later but overall the story of local government and local democracy has therefore been a story of emasculation and decline. Or as Tristram Hunt MP really suggested, ‘[B]oth Labour and the Conservatives then colluded in the century of centralisation’ and this was a process that was very much driven and facilitated by the existence of the British political tradition discussed above.

The seed of a new approach to local politics was, as has already been mentioned, sown in London in the form of an elected mayor and elected regional assembly but this was very much the exception rather than the rule. The situation changed during the second Labour Government under Tony Blair as the Deputy Prime Minister, John Prescott, a long-time advocate of some form of elected regional government, persuaded the Cabinet that there should be an indicative referendum in the North East of England. Geographical distance, regional identity and evidence of a commitment to greater independence amongst the public was thought sufficient to carry a ‘yes vote’ and, through this, deliver elected regional government beyond London. The model of regional powers on offer, however, was not like those of London and there was a lack of clarity and purpose about the proposals. Many observers thought that what was really on offer was little more than an additional layer of bureaucracy rather than a flourishing new model of democracy. It was not surprising that in November 2004 the people of Darlington, Durham and Derwentside decided to reject the government’s proposal – with 78 per cent of the million or so people who voted ‘blowing’ the idea of elected regional government in England ‘out of the water’ for decades ahead. This result undoubtedly set back the cause of a genuine

review of the way in which an arguably over-centralised state in England could be satisfactorily devolved and decentralised at a time when Scotland, Northern Ireland and, to a degree, Wales were moving towards ever more significant forms of devolution. Indeed, there was a certain paradox about the emergence of a debate about the ‘dis-united kingdom’ in the context of devolution at exactly the same time that ‘the English Question’ remained stubbornly unanswered.

II. REVOLUTION OR EVOLUTION?

The previous section outlined the contours of the British political tradition and argued that this could be seen as central in terms of explaining, legitimating and to some extent driving the ‘hollowing out’ of local government that has been so meticulously documented and analysed in the work of leading scholars.³ Two elements of the central-local relationship are therefore noteworthy in the context of any analysis of the contemporary reform agenda as set out in the *Cities and Local Government Devolution Bill* of October 2015: (1) it would be hard to describe the traditional central-local relationship as being one of *partnership* and more accurate to possibly define it as one of mutual suspicion; (2) the historical evolution of local government was defined throughout the second half of the twentieth century by *a gradual reduction in capacity and power*. These two elements provide useful marker- points through which to tie-down and compare narratives of ‘revolution’, on the one hand, and ‘evolution’, on the other. Indeed, ‘revolution’ would by definition have to involve a *sudden and far-reaching increase in the capacity and power of local government as part of broader shift in the balance of power between the centre and the periphery*. The political rhetoric surrounding the ‘devo deals’ are certainly impressive in the sense that ‘a revolution in devolution’ is being promoted by members of the cabinet. However, the degree to which a ‘rhetoric-reality gap’ exists is itself to some extent blurred due to the British political tradition’s predilection for informal or elite-elite modes of policy development and this has been particularly obvious and acute in relation to the city-regions devolution agenda. As such, the core argument of this section is that the vaunted ‘revolution in devolution’ reveals all the hallmarks of the British political tradition and is being imposed *within* an already fragile conception of the Westminster model. More specifically this section is making a number of inter-related arguments about the post-2015 devolution agenda:

1. The current plans for devolution to city-regions with elected mayors is rolling forward with great speed but with little sense of the desired endpoint of this agenda or the unintended consequences for other parts of the constitution.
2. The current offer is not ‘devolution’ in the true sense of the term but should more accurately be labelled ‘a new partnership’ between central and local government with power still firmly vested in the former not the latter.
3. How greater regional diversity will be accommodated within those national frameworks that guarantee certain levels of equality in terms of service provision remains unclear.
4. The risk of the new partnership is ‘the devolution of austerity’ and the transfer of responsibilities without the necessary powers.
5. It is a ‘devo deal’ that relies on the perpetuation of the ‘good chaps theory of government’.
6. The reforms therefore open the political space for complex ‘blame games’ between local, regional and national actors at a time when the public apathy and frustration with political processes, political institutions and politicians is already high.

The sum-total of these six arguments not only aids understanding in relation to what is happening to local government in England but also leads the debate to a concluding focus on two issues. The first is a focus on *the democratisation of devolution* as part of a discussion regarding social roots and non-economic values. The second is a debate between *pragmatism* and *idealism*. Indeed, those pragmatists that are schooled in the British political tradition may well argue that if the ‘devo deals’ are the best and only deals on the table then it would be foolish not to sign-up in the hope that a mixture of economic logic and democratic momentum might lead to the gradual transfer of more significant powers. The more idealist counter position is one that will be examined in the concluding section and the aim of the remainder of this section is to put a little flesh on the bones of the six points made above. A useful starting point for this argument is David Marquand’s 1998 Mishcon Lecture in which he discussed New Labour’s approach to constitutional and democratic reform under the title ‘Populism or Pluralism’. With the benefit of hindsight it can be argued that a weakness of the Blair governments was, as Marquand argued, its inability to understand how reform in one area of the constitution would inevitably have unintended consequences for other elements of the system. Indeed, Marquand’s characterisation of New Labour’s reforms as that of ‘a revolution of sleepwalkers who don’t quite know where they are going or why’ seems to resonate with the current Government’s approach to decentralisation in England. It is messy and muddled in the sense that what is often labelled as ‘devolution’ or ‘decentralisation’ might actually be more accurately labelled as a new form of ‘partnership’ with central government. The ‘devo-deals’ agreed so far are highly specific in the sense that they clarify central government’s desired outcomes and then provide greater local discretion in the context of achieving those goals. It is for exactly this reason that Lord Heseltine used his July 2015 speech to the Local Government Association to dampen expectations around the current reform agenda.

When one talks of devolution its not realistic to talk about freedom. This is a partnership concept. Central government are elected and they are entitled to have their manifestos implemented and it cannot be contemplated there is a sense of freedom at a local level which can actually frustrate the clear mandates upon which governments are elected... I am sympathetic to the word ‘partnership’ rather than ‘freedom’ or ‘devolution’.

But ‘partnership’ implies a very different situation than the ‘revolution in devolution’ promised by members of the government and on this specific point two important issues deserve brief comment: one involving clarity and power, the second focusing on complexity and blame. The first issue reintroduces the theme of the *ad hoc*, messy ‘muddling through’ that forms a central element of the British political tradition. In relation to the current devolution agenda there is a clear tension between the government’s vaunted position that they are not imposing elected mayors and the reality of the position that if ‘devo deals’ are to cover significant issues then in reality only a application to H.M. Treasury (and to a lesser extent to the Department for Communities and Local Governmnt) that includes a mayoral model will be successful. As Table 1 (above) illustrates, the Cornwall Devolution Deal that was announced in July 2015 does not require the county to adopt a mayoral model. But then again the characteristics of the Cornish ‘devo deal’ are fairly limited (a multi-year transport budget and bus franchising powers) and where more substantial powers have been agreed then an elected mayor *has* been required. A less messy and muddled reform agenda might offer greater clarity in relation to the point at which the devolution of powers reaches a point at which central government requires an elected mayor to form part of the deal but such clarity is absent. The Conservative government frames this very much as ‘letting a thousand flowers bloom’ or as Baroness Williams of Trafford told the House of Lords when introducing the Bill,

Any one-size-fits-all model is destined for failure. Every city and council is different. Through the decentralisation that the Bill will enable, each city will be empowered to forge its own path, to play to its own strengths and to find creative solutions to the particular challenges that they face.⁴

And yet at the same time the government's commitment to the mayoral model where significant powers are devolved suggests that there *is* some sense of a 'one-size-fits-all' model. The tension between a government rhetoric based around the notions of local freedom and choice, on the one hand, and the strong and directing shadow of central government, on the other, was made obvious by the Chancellor of the Exchequer's statement that 'with these new powers for cities must come new city-wide elected mayors who work with local councils. *I will not impose this model on anyone. But nor will I settle for less*' [emphasis added].⁵ The tension between 'will not impose' while at the same time 'not settling for anything less' contains an obvious tension that reveals the raw balance of power between the centre and periphery. A second tension relates to complexity and blame due to the simple fact that city-regions will inevitably have to operate *within* a number of national policy frameworks. And yet even here the specific boundaries of the reform process and the extent of local discretion remain opaque. The issue of health services, for example, within 'devo deals' is contested. Will devolved health services, such as those included in the Greater Manchester deal, no longer be subject to national standards? Baroness Williams, speaking for the government, has stated that 'whatever the devolution arrangements' health and social care services must remain firmly part of the NHS and social care system and 'all existing accountabilities and national standards for health services, social care and public health services will still apply'. Not only does this suggest significant limits on any notion of local or regionalised healthcare but it also suggests that a significant chunk of the Greater Manchester 'devo deal' is actually more of a new partnership approach rather than a transfer of powers. The former Health Minister, Lord Warner, noted the potential conflict arising from devolving power *within* centrally defined national frameworks:

The Minister has said that all decisions about Greater Manchester will be taken 'with' Greater Manchester – in other words, not 'by' Greater Manchester. [Baroness Williams] makes it clear that the Secretary of State is responsible for decisions about health in Greater Manchester. What I am struggling with it this: what is the purpose of devolving some of these health responsibilities to the Greater Manchester Combined Authority if the Secretary of State reserves a right to overrule or vet those decisions?⁶

In her reply for the Government Baroness Williams did little to assuage those who fear the residual shadow of central government control.

Greater Manchester will have the powers necessary to participate in a collaborative partnership...if within that partnership the Secretary of State that feels that all of them collectively were making the wrong decision, I am sure that he would have something to say about it.⁷

'A new partnership' is therefore emerging but it is one in which the centralised power-hoarding traditions of the British constitution remain thinly veiled beneath the rhetoric of 'revolution'. A second and related dimension of this debate concerns the role of elected politicians *vis-à-vis* the independence of professionals and experts. At the national level the Conservative Party contributed to a coalition government that created NHS England in 2013 as an arm's-length body that would be independent of ministerial influence in day-to-day decisions about healthcare choices and priorities. And yet – to continue with a focus on health – the Greater Manchester devolution deal will have the effect of enabling locally elected councillors to have far greater influence in the running of health and care services. The rationale for depoliticising healthcare at the national level but then implementing reforms that will inevitably politicise healthcare decisions at the local level remains unclear and, as the Chief Executive of the Kings Fund, has argued, 'This is one of the many important issues that will need to be worked through in 2015-2016, which will be the build-up year'.⁸

A second important issue in ‘the build-up year of 2015-2016’ that reflects the arguably one-sided nature of the ‘new partnership’ is that of credible commitments in the sense of the power of local authorities to compel Whitehall to honour its commitments from what is to some extent an arguably weak constitutional position. The ‘devo deals’ are themselves established upon ‘a good chaps theory of government’ – to paraphrase Peter Hennessy – that states that central government can be trusted to deliver on its commitments. The historical relationship (as the previous section emphasised) has been founded less on trust and more on mutual suspicion and resentment and therefore possibly offers a weak foundation for any ‘new partnership’ or ‘deal’. The constitutional position of local government puts it in a very weak position in terms of forcing central government to make good on its commitments, especially where those commitments may have been made by a previous government that is no longer in power. ‘Promises’ as the well-known corporate logo states ‘mean nothing until they are delivered’ and the Conservative Government’s devolution agenda has already been accused of renegeing on core commitments. The ‘Northern Powerhouses’, for example, were intended to embrace both sides of the Pennines and provide a conduit for driving forward large infrastructure programmes and in particular an East-West improvement to rail and road communication. But after the 2015 General Election the promised improvements and electrification were put on hold whilst the very substantial investment in infrastructure in London and the South East continued. This is not to say that significant resources will not be released in the future or that infrastructure projects launched but it is to highlight that the balance of power remains firmly located within Whitehall and not the townhall. Or to put the same point slightly differently, devolution to city regions could involve the delegation of responsibilities without the delegation of the resources necessary to fulfil those needs: power without responsibility at the core, responsibility without power at the periphery. Nick Forbes, Leader of Newcastle City Council, made exactly the same point with his ‘Don’t pass the buck without passing the bucks’ argument to the Chancellor of the Exchequer.⁹

Pragmatists may well reject this interpretation as naive, overly cynical to the extent that a significant opportunity may be lost and this may well be a valid point. But even this brief discussion highlights at least three important issues that locate the focus of this section back *within* the previous section’s discussion of the British political tradition. The first issue is relatively clear and straightforward in the sense that the ‘devo deals’ have emerged as if by magic through a process of elite insider politics: ‘the deal-making process is currently almost entirely secret’.¹⁰ Furthermore, these discussions have not been held between politicians at the centre and councillors at the local level but between politicians at the centre and a local business elite at the local level. It is Local Economic Partnerships (LEPs) that have led the way in discussions and negotiations to the extent that in Sheffield, for example, a large number of councillors within the governing Labour Group were only made aware of ‘the deal’ when it was announced by Whitehall. The future relationship between LEPs and the combined authorities to which varying powers will be devolved remains unclear but does at least shed light on the distinct possibility that one outcome of the devolution process will be the emergence of increasingly complex ‘blame games’ between elected and unelected actors at the local, regional and national levels. Blurred governance and blurred accountability may, without careful, open and strategic planning become the unintended consequence of ‘the revolution in devolution’.

For many communities and towns the ‘devolution’ on offer is actually a form of ‘centralisation’ from the locality to a far larger regional entity but setting this aside for the moment there is also a question about the pace of reform that further dovetails with the British political tradition. Put very simply, the pace of reform is almost breath-taking with local authorities having to submit devolution plans by the end of October 2015 so that they can be considered in time for the Spending Review. Around forty applications were received – with some authorities included in several different bids – and at the time

of writing a new ‘devo deal’ for the North East is expected to be published at any moment. This is ‘muddling through’ at pace and in a way that few countries in the world could replicate due to the more common existence of more rigorous constitutional safeguards. But what is equally important is the apparent willingness of local authorities to compete in this devolution frenzy when the actual specifics of what they might gain, how any new partnership might work or what the long-term implications of this deal might be. Scared of being viewed as too slow to react in a process that just might deliver increased powers or financial capacities a sense of “me-too’ism” has gripped large swathes of local government. To interpret this as ‘sleepwalkers following sleepwalkers to a destination currently unknown’ might be unfair but it would at least capture the strong sense of uncertainty that certainly exists. And yet to focus on the internal dynamics of central-local relationships risks perpetuating what has already become a somewhat technocratic debate about devolving power to release economic growth and innovation. The possibly more important questions that need to be discussed concern not *homo economicus* but *homo politicus* and the democratic and social implications of the devolution debate. We live in an age of ‘disaffected democrats’ where questions around the future of representative democracy rotate around the analysis of ‘new’ and ‘old’ politics but what is arguably most stark is the absence of any civic dialogue around the devolution plans in England. This, in itself, reflects the British political tradition’s longstanding antipathy to public engagement but it also leads to a broader discussion about what might be termed ‘devo demo’ or the democratisation of devolution.

III. ‘DEVO DEMO’

The government’s devolution agenda may well offer huge opportunities in terms of economic growth, employment and market innovation its true potential will only be fulfilled if the new city regions have democratic roots, it has to take the people with it. The central argument of this article is therefore that the current plans for English devolution cannot be taken forward on the basis of economic logic alone. Moreover, the economic potential of these plans will only be realised if the new city regions possess a democratic legitimacy that is currently not present. That is, a role for the public in the *decision to implement* or at the very least *a meaningful debate* about a new model of governance at the English regional level (i.e. the primary question) as opposed to a *role in the selection* of the first city region mayors (a secondary question arising from a decision already being made about the primary question). One logically comes before the other and the current risk is that the failure to engage with the first may underline public support for the latter. The risk being that, as has occurred with previous mayoral elections, the Police and Crime Commissioners and with elections to Foundation Trusts in the NHS, the turnout for the first mayoral elections in 2017 could be so low that the incumbents are effectively undermined by the lack of a democratic mandate. However, in adopting this argument we could be criticised for adopting an idealistic position that fails to acknowledge the inevitably messy, disorganised and ramshackle nature of politics in the ‘real world’. A pragmatist schooled in *the reality* rather than *the theory* of government, in general, and British governance, in particular, may therefore offer a set of counter-arguments that simply acknowledge that ‘yes’ the current plans are unprincipled, there are lots of loose ends but this policy was included in the Conservative Party’s general election manifesto and is therefore legitimate.

The pragmatic position vis-à-vis English regional devolution might also argue that the problem with democracy is that there is an innate aversion amongst the public for changes to the status quo and, as a result, it may be far better to implement reforms (i.e. take the primary decision) on the basis that public support will grow once the fruits of the initiative become more obvious. ‘But’ as Daniel

Kenealy has argued ‘But, if we are truly interested in reinvigorating local governance and participatory democracy, that is putting things the wrong way around’.¹¹ Indeed, to adopt this position is arguably little more than a twenty-first century re-interpretation of the British political tradition’s long-standing belief that democracy is over-rated and that the public do not know what is good for them. This might be defined as a preference for an outcome-focused rather than a process-focused model of democracy that has certain merits in terms of expediency and side-stepping the well known dysfunctions of democracy but it is also an unashamedly elitist top-down model of democracy. Indeed, there is a certain paradox about the manner in which global actors, such as the World Bank and International Monetary Fund, promote a model of ‘good governance’ to democratising or hybrid regimes that has public engagement and transparency as driving principles while the British government seems content with a quite different set of principles for domestic political reform.

Pragmatists might argue that adopting such a position is, once again, naïve and idealistic in the sense that local government has been starved of funding and powers for several decades. ‘Taking crumbs off the table’ they might suggest ‘is better than nothing!’ and it is certainly true that crumbs are available. Under the terms of deal announced in October 2015 Sheffield city region, for example, will receive an extra £30 million a year for three decades and advocates are keen to trumpet the ‘near one billion pounds the deal will secure’. But when this £30 million for the whole region is placed in context by highlighting the fact that Barnsley Borough Council is already committed to reducing its budget by £28m in 2015-2016 and Sheffield City Council by £63 million due to central government cuts then the scale of the additional income is if not ‘crumbs’ then it is minimal. This is exactly why the Local Government Association have warned local authorities that government cuts heavily outweigh the extra money and therefore signing-up to taking extra responsibilities may not be a good idea. It is for exactly this reason that the GMCA stands alone in seeking control of health and social care funding as other authorities simply did not want to take responsibility for an area where demand was so clearly outstripping supply against a background of an aging population.

It might therefore be possible to turn the ‘idealist’ and ‘pragmatist’ positions on their heads in the sense that a more pragmatic position might be to reject the ‘devo deal’ until the terms of the deal were more favourable to the junior partner. At the same time those who argue that ‘any deal is better than no deal’, who believe the public will come to support elected city-region mayors once they see the positive impact mayors can have and that a rather meagre offering in terms of powers and funding from central government may, in time, evolve into a more substantial and nourishing partnership might themselves be defined as ‘idealistic’. This notion of ‘nourishing’ takes us back to the issue of democracy and the need to offer a narrative that is both social as well as economic, that is about collective value rather than market price and that understands the importance of regional identity as well as industrial innovation. Put slightly differently, why can’t the plans for English devolution see the regions as innovation labs and knowledge hubs for a new form of politics? Are the plans for localism and regionalism so parsimonious that they cannot look beyond the market to envisage a new phase of democratic reinvigoration to sustain and run in parallel to economic growth? Was there not some link between the first industrial revolution and the growth of new democratic processes and institutions?

With these questions in mind the specific proposals set out in the government’s Cities and Local Government Devolution Bill look somewhat under-developed in the context of a reform agenda that is rhetorically couched in the language of democratic empowerment. Moreover, those ‘loose ends’ that pragmatists acknowledge but feel should not hold back the process are over-whelmingly democratic loose ends. The House of Commons Library has published an authoritative account of the draft

legislation and the related concerns that have been expressed and, as a result, it is possible to highlight the main features of the current ‘accountability gap’ as:

1. The current plans for ‘public consultation’ regarding the introduction of city-region mayors are unclear;
2. The relationship between the proposed mayor and the combined authority is opaque;
3. The combined authority is expected to fulfil both an executive role (with the mayor) and a scrutiny function (over the mayor);
4. How combined authority members will be held to account for their specific roles in the absence of a regional assembly is unclear;
5. The council leaders who sit on the combined authority will have significant responsibilities in their ‘home’ councils and may not for this reason be able to adequately control or oversee the elected mayor;
6. The resources and capacity of the proposed Scrutiny Committees, consisting of backbench councillors from member authorities, appear under-developed.¹²
7. There is a likelihood that the city-region mayors would have to delegate significant roles and responsibilities to their staff but how these staff will be accountable is unclear.¹³

To the pro-devolution pragmatists these are exactly the ‘loose ends’ that should not be allowed to get in the way of the ‘devo deals’ on offer but to the more cautious observers the ‘loose ends’ look like fairly major issues and in this regard the issue of comparisons and capacity is important. The government is very clear that it sees strong city mayors around the world as a driver of economic growth and urban renewal. But at the same time the dominant city-mayor model is also being reconsidered in many countries due to concerns regarding the rise of personality politics and vanity projects. This, in turn, brings us back to the issue of London exceptionalism and David Cameron’s belief that ‘every city needs a Boris’. The issue, however, is that the London mayor operates within an institutional architecture that imposes clear limits and controls. The Greater London Assembly is the most obvious manifestation of this machinery but the London boroughs themselves provide a powerful mechanism for local expression. No such mechanisms exist or are proposed outside London. Furthermore, the English regions contain strong historic rivalries that may make collaborative working difficult and, given the lack of a common culture and sense of belonging, make the creation of an elected mayor much more problematic than in London. How, for example, would a single mayoral figure relate to an area like Leeds and West Yorkshire, an economic area that is not simply dominated by one city but actually contains three cities and a large number of proudly independent towns and communities?¹⁴ Historic tensions between Birmingham and neighbouring councils have already meant that it has been extremely difficult to negotiate even the membership, governance and arrangements and even the name of the combined authority.¹⁵ The geographical scope of the regions is therefore a significant issue in terms of democratic relationships, questions of identity and securing accountability.

Closing this ‘accountability gap’ could include the requirement for local ‘Accountability Systems Statements’ that draw upon recent developments in central government and that highlight the different levers and processes that act together to ensure an effective and multi-dimensional accountability framework.¹⁶ Local Governance Frameworks might be an alternative and more prescriptive document that contained clear statements on (*inter alia*) public engagement, partnership arrangements, review

processes, etc. but overall simply provided a map of the governing landscape. A more radical approach might include some requirement to ensure ‘deep’ engagement through mechanisms such as citizens juries, mini-publics, focus groups or even local constitutional conventions.¹⁷ The pilot deliberative assemblies undertaken on the issue of English regional devolution in Sheffield and Southampton as part of an ESRC research project have revealed not only the public’s appetite for engagement but also their capacity for understanding the complexities and nuances of the debate.¹⁸ But the tension is that the use of such ‘deep democracy’ forms of public engagement grate against the logic and values of the British political tradition and this is reflected in the current government’s rejection of calls for a Constitutional Convention.¹⁹ So in answer to the core question about ‘What’s really happening to English local government?’ it is possible to suggest that what is happening is *the introduction of a very centrist and market-focused agenda on a more devolved basis*. This may deliver significant benefits for the villages, towns and cities of England but the full potential of this reform process is unlikely to be realised until the government understands why democracy matters.

¹ Easton, D. 1965 *A systems analysis of political life*, New York: Wiley, 292.

² Waldegrave, W. 1993. *The Reality of Reform and Accountability in Today’s Public Service*, London: Public Finance Foundation; Stewart, J. 1994. ‘Reply to William Waldegrave’ in Flynn, N ed. *Change in the Civil Service*, London, CIPFA, 33-55.

³ See, for example, Chandler, J. 2013. *Explaining Local Government*, Manchester: Manchester University Press; Atkinson, H and Wilks-Heeg, S. 2000. *Local Government from Thatcher to Blair*, Cambridge: Polity.

⁴ HL Debs. 8 June 2015, c.652

⁵ HM Treasury *Chancellor on Building a Northern Powerhouse*, 14 May 2015. See also HL Debs. 8 June 2015, c.653

⁶ HL Debs. 24 June, c.1674

⁷ *Ibid* c.1675

⁸ Chris Ham, 2015. *What Devo Manc could mean for health, social care and wellbeing in Greater Manchester*, London: Kings Fund.

⁹ Quoted in See Toynbee, P. ‘Osborne’s devolution revolution is a savage con’, *The Guardian*, 6 October 2015.

¹⁰ See Centre for Public Scrutiny, 2015. *Devo Why?, Devo How?* London: CPS, p.8

[http://www.cfps.org.uk/domains/cfps.org.uk/local/media/downloads/CfPS_DEVO_WHY_RGB.pdf]

¹¹ <http://theconversation.com/is-devo-manc-a-good-model-for-english-devolution-almost-41643>

¹² Under the current draft legislation the Scrutiny Committees would have to produce a workplan that would have to be approved by the Combined Authority!

¹³ ‘The range of powers is potentially so vast that I doubt one person can do it all, which means in practice that much will be delegated. We need to think very carefully about running policing, social care and health, strategic planning, housing, skills, transport, economic development and regeneration through one person’ Lord Shipley, HL Debs. 8 June 2015, c.659.

¹⁴ See Jon Cronsaw, ‘Elected mayors may be unwanted, but necessary, step towards devolution’, *Wakefield Express*, 25 May 2015.

¹⁵ See Lempriere, M. 2015. *The emergence and implications of Combined Authorities – A Research Report*, Birmingham: INLOGOV.

¹⁶ See DCLG 2011. *Accountability: Adapting to Decentralisation* London: HMSO. [

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6263/1994187.pdf]

¹⁷ Federal Trust 2014. *Devolution in England: A New Approach*, London: Federal Trust.

¹⁸ See <http://citizensassembly.co.uk>

¹⁹ But a private members Bill proposing a Constitutional Convention has been put down and will have its Second Reading in House of Commons on the 4 December 2015. the <http://services.parliament.uk/bills/2015-16/constitutionalconventionno2.html>