

The Local Parliament: A Liberal Democrat approach to devolution





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DISCLAIMER: Inclusion of an essay in this report does not imply that the author fully agrees with all the views expressed.
Edited by Seth Thévoz.

Foreword

Cllr Richard Kemp

Leader, LGA Liberal Democrat Group

Localism – hard wired into our DNA

Whoever wins the next General Election the next ten years are going to be depressing for those of us who deliver local services. We know that the Government has borrowed massively to avoid a depression – we know that money needs to be paid back. To pay that back we either have to grow the economy by more than we have ever been able to grow it before or we need to reduce what we spend.

The best we can hope for is managing with 10% less in real terms than we have now. Note I used the word services – it is not just councils that will be affected but all services delivered in our communities.

So what can we do to mitigate these problems? Find more efficiencies in local government? Yes of course we can. We are good at this. The Treasury tells us that local government is already the most efficient part of the public sector and we have been achieving 3% efficiency savings for 7 years. But you can only take efficiency so far. The time has come when we will inevitably cut our services and our choices will not be about what we expand but about what we retain.

The savings needed will not come from more efficiencies within councils but more efficiencies within the public sector working together. Yes, out there are bureaucracies and quangos that could be cut. Take one recent ludicrous decision; closing down the work of the LSCs and putting the care of 16-19 years back into the hands of councils is a good decision. Replace the LSC with three new quangos is manifestly a bad one!

We now need to build up the totality of public sector delivery around the real and not the perceived needs of the people and neighbourhoods in most need. Why is it that 13 different people from 9 departments of 7 agencies are supposed to stop recidivism in people leaving prison but fail manifestly to achieve that aim? Why can an elderly person have a succession of low paid visitors from various parts of the public and private sectors caring for their needs instead of a local community based, community led service which will wrap the community around those people?

The only way we can realise this close relationship between local need and local delivery is to empower councils and councillors who are the only people with a mandate to develop both long-term and short-term strategies and delivery mechanisms. Resist siren voices calling for more democratic bodies such as directly elected health and police boards. Instead we should argue that more democracy means giving the already existing body – the council – more power and authority.

Councils and councillors do not want to run everything. We don't want to 'control' the police or health services. We do want to direct those services so that they join up, so that they meet the needs of people and not producers – so that they become more efficient.

That is what The Local Parliament is all about. Putting councils at the heart of all decision making in their areas; enabling them to hold to account all agencies delivering services; allowing them to develop a long-term view of where their community is going and what it should look like in the future.

Other parties talk about localism and devolution – good! But for Lib Dems it should be hard wired into our DNA. You cannot be a Lib Dem and not believe in more effective democracy – in devolution to town halls in devolution from town halls.

We believe – now let's go out and do it!



Introduction

Seth Thévoz

Seconded from the Leadership Centre to the LGA Liberal Democrat Group

This is a pamphlet about localism. This may at first seem unnecessary to a party that's been deeply rooted in 'community politics' since at least the early 1970s.¹ But as the term 'localism' has mushroomed into an all-party buzzword in the last few years, understanding of the idea has blurred.

Conservatives claim to be localists. Labour claim to be localists. Even fringe parties like UKIP and the BNP claim to be 'local'. The argument is beginning to degenerate into the 'Royston Vasey' school of politics, and loses sight of why localism is inherently good. This publication sets out to show how and why the Liberal Democrats have so much more to say on the subject than 'we were here first'. If we are all localists now, then what is the big fuss about? The problem is the 'false choice' and token gestures being offered on localism. In recent years, both other parties have come up with 'localist' proposals. And while I personally harbour deep doubts as to whether reforms like open primaries will amount to anything more than a gimmick, the fact remains that the Liberal Democrats are no longer the only show in town, and that what we once regarded as being exclusively 'our' patch has become a contested space.

At a time when the gap may have never been greater between government and governed, real localism offers a vital path to restoring both trust and effectiveness in the political process.

But how? The very language we use to talk about local politics is centralised. Whenever a local government story erupts, you can almost guarantee it only makes the headlines if the story is 'Minister intervenes', or at least, 'MP intervenes'. This should be a last resort. (And I suspect most MPs will agree on this – among the many powers we want parliament to exercise, I'm not sure macromanaging the health service and benefits payments was in anyone's 'grand design' of constitutional effectiveness. It scarcely makes for an efficient use of parliamentary time. If we follow this trend towards our MPs being 'supercouncillors' to its logical conclusion, then we would be well on the road to total centralisation, and the abolition of any devolved power or accountability.) Consequently, we need to be clear that just as MPs have a job to do, so do councils. The status quo, where we expect councils to have responsibility for services without real power, is untenable.

What this publication hopes to do is provide a framework for Liberal Democrat arguments on localism. It is not an exhaustive catalogue of every single policy area where further devolution is possible – nor should it be.

Indeed, there are large subject areas left untouched, better discussed elsewhere.² Instead, it is a look at the key arguments for localism; how it is being practiced, and how it could further be practiced.

The report comes in two sections. Section 1 looks at the 'here and now' – leading councillors look at how Lib Dem councils

are already stretching their powers to the very limit, to fulfil their democratic mandate. But it is frankly meaningless to look at this in isolation. Liberal Democrats are currently devolving powers because they aspire to devolve so much more – as Alan Beith said twenty years ago,

“ We are the only party which seeks power so that we can give it away.”³



² David Boyle and Bernard Greaves, *The Theory and Practice of Community Economics* (Association of Liberal Democrat Councillors, Hebden Bridge, 2008) offers a goldmine of ideas on economics as a mechanism for delivering local objectives.

³ Alan Beith, speech to 1991 Liberal Democrat conference.

¹ See Bernard Greaves and Gordon Lishman, *The Theory and Practice of Community Politics* (Association of Liberal Councillors, Hebden Bridge, 1980), a seminal text on the topic

Section 2 fleshes out where all this is going; Bridget Harris writes on why local authorities have a unique mandate for overseeing local services; Richard Grayson looks at a concrete example of how healthcare provision could be better delivered locally; Jessica Hambly looks at successful European precedents for further devolution; and my own conclusion draws the common strands together.

A common thread in these chapters is that there are no 'holy cows' in local government – local government is there for people and communities, not the other way round. This publication is not even about local *government*, but local *governance*. Councils are not, and should not be, the replacement of a Whitehall empire with a Town Hall empire. This booklet is not an argument to centralise power in the town hall. It is about genuine dispersal of power. Indeed, as we will see, devolving power shouldn't just be from Westminster to councils, but from councils to even smaller communities as well.

While councils have a distinct democratic mandate which gives them a unique form of legitimacy, this does not mean they should micromanage every service in their area. But it does give them a right to oversee and scrutinise local services; one that is arguably not developed enough. Indeed, public expectation is already heavily skewed towards holding councils to account for services they have little formal power over. Greater thought is needed in rationalising these relationships. Effective governance is not about dominating the area, but leading a close alliance of the veritable alphabet soup of agencies and authorities which all serve a community.

Consequently, the most successful Lib Dem councils do not just fill out the 'job description' and do exactly what they're meant to do – they inspire other local groups to experiment and innovate. Councils which seek to do everything will inherently fail. Councils which seek to inspire everything hold out hope for us all. This publication seeks to show how this line of thinking has worked so far, and where it could lead.

NOTE: So as to make this a succinct read, the print version of this report has been heavily abridged – to read the full, unedited report, with more detailed versions of the following articles, please see:

<http://www.libdemgroup.lga.gov.uk/lga/core/page.do?pagelid=17530>

Section 1

How Liberal Democrat councils are already maximising their powers

A new localism

Cllr John Shipley, Leader, Newcastle City Council

The current crisis in public confidence over Westminster politics provides a golden opportunity for local councils to lead democratic renewal through a new localism agenda.

In England, the Court of Appeal has just rejected the assumed power of councils to act in the general interests of community well-being. Financial savings will no longer be enough as justification; a decision must deliver a specific, defined benefit.

In Scotland, the Calman Commission has advocated that half of income tax generated in Scotland should be raised by the Scottish Parliament. Support for the concept has come from Westminster.

The contrast with England is marked. Here, central government over-regulates, over-prescribes and allocates most of our money. It is hard to see how such centralism can last in England when Scotland is treated so differently.

It remains to be seen whether the proposal of the new Communities Secretary to introduce a locally enforceable charter to prevent unwarranted interference by central government comes to fruition. He does

seem to understand that the starting point for any successful democracy must be an individual citizen's right to influence what happens in their own immediate areas and thus to have a local council with real power and autonomy.

That England is over-centralised seems generally agreed. If Total Place is to succeed, councils – the only elected, directly accountable body there is at a local level – must be at the core. Those elected need the powers to deliver local agendas and that will require extra powers over raising revenue together with the right to commission services from other public sector agencies within the local strategic partnership. This isn't about post code lotteries; devolution can end them as long as we accept the existence of post code differences which reflect local needs.

Councils are expected by the general public to be in charge of what happens in their area. People elect councillors as their champions. For that reason, councillors are key in rebuilding trust in our political processes. Empowering them through the Total Place initiative to lead ward planning and delivery across the LSP should be central to our aims. As should a power of general competence to permit councils to do whatever they wish under the law. All this would get decision-making closer to people. You cannot govern the whole of England from Whitehall and you cannot govern every ward from a town hall.

We stretch existing powers as much as we can. Prudential borrowing is an obvious example though it is surprising that only 60% of councils seem to use these powers. In Newcastle, we used the powers recently to purchase the new Northern Rock Tower for over £20 million to provide a home for another expanding Newcastle-based company. It was a good investment and it also helped to underpin the property market across the city.

In terms of further powers would we like, we must use the Sustainable Communities Act to take action to improve the sustainability of neighbourhoods. Our own area of focus is to increase powers to arrest the decline in local community facilities – shops, pubs, post offices. At present, neither well-being or planning powers are sufficiently robust to prevent property owners removing assets of value to the community for short-term commercial gain.

Secondly, we are looking for more radical financial powers, where councils can borrow against future projected business rate income to forward fund large scale infrastructure development. This is about councils taking managed risks and incentivising economic growth proposals.

With other English core cities, we have been lobbying for the introduction of Accelerated Development Zones (ADZ). The Government would allow the Council to borrow money for infrastructure improvements which would be repaid using a proportion of extra business rates generated by businesses which locate to the site.

At the heart of democratic renewal lies devolving power to residents. This is how we are trying to do this in Newcastle upon Tyne:

i. Community Empowerment Framework

Newcastle is one of the first cities in England to develop a Comprehensive Empowerment Framework (CEF). Prepared by the Newcastle Partnership (LSP) it shares a future vision for community empowerment and engagement across the City.

ii. Citizens' Assembly

Our Citizens' Assembly, to be launched in October 2009, will provide an additional level of empowerment to provide a way in which people from communities of place, identity and interest can each come together, particularly those who do not normally participate in existing engagement mechanisms.

At the heart of the Citizens' Assembly is the opportunity for dialogue between people and agencies. The aim is to ensure people are listened to, their issues are heard in the most appropriate places and evidence is provided that those issues have been considered and, where possible, that action has been taken.

iii. City Council Community Engagement Strategy

The Council's existing Community Engagement Strategy has been built on five principles – giving information, consulting, deciding together, acting together and supporting independent community initiatives.

These are put into practice by means of: an engagement toolkit, new structures in wards, community development, our customer service strategy and children's services – which sees participation as a key priority (for more information on these please see the full report)

In addition, the Council has a Statement of Community Involvement (SCI). The main objective of the SCI is to encourage wider involvement in the land-use planning process by setting out when and how people can have their say on both the city's statutory planning documents (Local Development Framework) as well as planning applications (Development Control).

We also have 'Civic Pioneer' status which demonstrates to government, and the public, that we are committed to developing and sustaining opportunities for local people and groups to influence what happens in their communities.



iv. Ward based governance

The Council has expanded the role of the city's 26 ward committees with delegated functions, powers and budgets. Ward committees meet in local community venues and on at least a bi-monthly basis. An informal session is held before the meeting, called a 'carousel'. This enables residents to raise 'matters of local concern' directly with all local service providers. They can also see local planning applications and talk to their local councillors.

There is a monitoring system to ensure all matters of local concern are progressed and reported to the ward committee. Ward committees' voting members are the three local councillors. They are chaired by a councillor, supported by a ward coordinator (usually part-time) and meetings are formally recorded by a member of democratic services staff. Each ward committee has a number of local ward budgets:

- **An Environmental Ward Stewardship Fund is split equally (£27k) to support the delivery of small-scale environmental and other improvements.**
- **A further ward budget is allocated according to a formula. This allocates a 20% fixed sum, 40% on population and 40% based on deprivation data. The three elected members agree the proportion of this budget that is to be used for ward support – to fund council and external partners. The rest goes to ward grant aid which must go to the voluntary and community sector. This part of the budget is used to support a wide range of local community activities. Across the ward committees, 1,200 grants are administered every year and around £50k can be available to an individual ward.**

- **Additional prudential borrowing is also available for highways and footpath improvements (a minimum of £100k per ward) and a further budget supports priority investment.**

v. Localised service delivery

In May 2005 we introduced more responsive and localised management and operation of mainstream environmental maintenance services. Each ward thus has a team of about eight environmental staff and two vehicles. They are able to deliver a range of services, including removal of graffiti and litter, fly-tipping, emptying litter bins and grounds maintenance.

vi. Petitions and calls for action

The Council has a well developed and long-standing option for individuals and communities to present petitions to the council.

Councillor 'Calls for Action' became an option for communities to lobby councillors on areas of concern that remain resistant to improvement.

vii. Neighbourhood Charters

The charter is a ward-based local service agreement between the Council, its public sector partners and the community. Draft Neighbourhood Charters are being introduced across all wards of the city during 2009-10 to set the direction for a whole ward for the forthcoming three years. The charter will provide a new focus for ward meetings assisting in setting agendas, conducting business and accounting for performance across the LSP. The charters identify issues requiring a response, define activity to remedy those issues, make clear who is accountable for delivery, from where it will be funded and by when it will be delivered.

viii. Participatory Budgeting

Participatory Budgeting (PB) is a key technique in the drive to pass more power to local communities and help re-invigorate them.

The benefits of PB can include greater community cohesion, increased budget understanding, improvements in the relationships between councillors, officers and residents, more responsive services and improved resident satisfaction.

It is a long-term approach to decision-making which has the potential to be applied widely across a range of public spending areas or services.

Three years on, Newcastle's PB programme – branded UDecide – is going from strength to strength. There is a growing demand from wards for UDecide to work in their areas using ward committee money and other matched funds, as well as opportunities to work on more strategic projects. We are also exploring e-participation techniques through a new UDecide online discussion forum.

ix. Asset transfer

We are continuing to work with the Development Trust Association to develop our approach to community asset transfer. This includes developing criteria for the measurement of community benefit. This assesses the benefits of transfer which allows a comparison with market disposal.

Concluding comments

We believe our efforts to re-connect people with the day-to-day work of government at a local level are really important. We also believe that localism will only work properly if central government devolves more powers to councils. Maintaining control through its powers of taxation and through its Whitehall departments (with their varying degrees of quality) will not drive democratic renewal. If the Government is serious, it needs to give local government the means to drive democratic renewal forward.

Letting go in governance – tough but liberating

Cllr Keith House

Leader, Eastleigh Borough Council

Giving away power is never easy. Local government cries out for Whitehall to let go and create freedoms. Yet local government itself fails to pass power on down to local communities and neighbourhoods. If we are to challenge the status quo and take back powers Victorian civic leaders took for granted, then we must be prepared to change ourselves too. Are we up for that challenge?

In Eastleigh we have a project aiming to give land, facilities, services and more to our most local tier of governance, our town and parish councils. We've handed over green spaces, car parks, community buildings, countryside sites, and are making a start on passing basic grounds maintenance work back to our towns and villages. What's more, we are creating two new parish councils in previously unparished areas. The surprise? It's hard work. Decades of centralising and removing powers have made people suspicious. Why would the Borough Council want us to do more? Is it a wheeze to offload costs to put up taxes? Why would we want to do 'their' job?

The principle Eastleigh has adopted, just as we did when we devolved budgets and decision making ourselves to Local Area Committees, has been that if it can be devolved it will be devolved. Basic subsidiarity demands that the centre does only – and really only – what cannot be done at a more local level, closer to the people most impacted by decisions.

There are challenges here. Letting go means accepting mistakes. It means understanding that some service standards may go down. It won't always be cheaper. A thousand flowers may bloom but some seeds will land on stony ground, some will be trampled on and others eaten. This is not in the recent tradition of local government officers, or their Whitehall equivalents. It's hard work.

Breaking down the barriers has been about reminding people who themselves are elected why they got elected in the first place. It has been about raising sights to use volunteers, to run services in different ways, to take on responsibility. And, after getting into the swing of it, the process of letting go has itself been liberating. It will result in the Borough doing the strategic things it needs to do better and in turn allow us to challenge the centre to let go more.

What do we want to do? On the 'Eastleigh principle' almost everything currently provided by local and regional arms of government. Primary health care ⁴ and full responsibility for

skills, for example, are areas of natural ambition for local communities and thus local councils.

The debacle of the LSC's aborted capital projects has put back plans for world class further education at our local FE College and our 6th Form. An enabled local government would be prepared to borrow to invest in the future.

Unaccountable health bodies inevitably promote fixing illness ahead of preventing illness. An enabled local government would balance education and regulation with inspiration to tackle obesity and fitness. It's cheaper to invest in healthy lifestyles than repairing broken ones.

Yet we keep on failing this test. Two villages lose their local doctors' surgeries because it's more convenient and cheaper for the doctors to work in one practice on a Greenfield site in the countryside equidistant from the villages. So elderly villagers who walked to their surgeries now drive, or have to resort to taxis. Don't ask about buses, they've long since disappeared. The fit elderly become the unfit elderly, spending more on needless travel and polluting the environment. And at the same time even more services get pulled back to regional hospital campuses – ours in Southampton is the size of a university with an on-site Burger King in the foyer. No, I haven't made that up.

That's why we need local government and local accountability in health.

Our communities voice concern about their safety. So why not give communities more influence over policing and justice? Liberals have worried about Conservative proposals for elected police chiefs on a United States model, but why not simply return community policing to elected councils? The role is about reassurance and support for people over and

above the specialist skills needed for criminal investigation and fighting terrorism. We don't need to stop there. If local communities had more responsibility for justice and rehabilitation the sheer cost alone of imprisonment would shift investment to crime prevention and rehabilitation, removing the lack of skills and confidence that leads to criminality.

Whitehall's inspection regime drives out excellence and fails to improve poor performance by measuring averages. It encourages waste and efficiency by removing accountability. Elections can and should be the tool that holds decision-makers to account, rather than central government quangos from the Audit Commission to the Standards Board. Competitive elections for real powers need fair votes to avoid new fiefdoms of fear and entrenched power. And with those powers can come financial freedoms too. Let's not stop at business rates and an end to capping; what local government needs is the freedom to set local taxes and be challenged on these.

Local sales and green taxes can promote business and sustainability. Eastleigh has already achieved its first target of being carbon neutral in its own activities three years ahead of our Olympic ambition, and is setting new recycling targets and for waste minimisation having reached a 50% recycling rate. Why not a carbon neutral Borough, with incentives to be green replacing incentives to consume, degrade and destroy? The freedom to experiment is the freedom that's most needed. No more running to the Secretary of State to ask permission to do something just a little bit different.

The innovation that used to put public health first, and encouraged people with sparky ideas and commitment to their communities, will only come from giving power back.

⁴ For more on this, see Richard Grayson's chapter.

How devolution can be green

Cllr Alexis Rowell

Chair, London Borough of Camden's all-party Sustainability Task Force

Over the last three years it has been my privilege as Camden Eco Champion to have a remit to scour this land for best practice on the environmental agenda. Two things have struck me forcibly: the best practice out there is mostly being done by Lib Dem councils, and none of the leaders on this agenda are doing what central government is telling them to do.

York pioneered smart meters in libraries which the Energy Savings Trust is now rolling out across the country. Woking, Camden and Lambeth all created low-carbon exemplars by retrofitting Victorian houses with energy-efficiency measures. Camden, Sheffield and Kirklees all offer free cavity wall and roof insulation for both social and private housing because it's the cheapest way to reduce carbon emissions across their boroughs. Camden, Kirklees and Woking are looking to pilot energy efficiency loans for residents in solid wall homes. Kirklees also proved that councils could lend money to residents for solar water and recoup it on the sale of the property.

Following an energy audit of its recycling, Camden rejected the tonnage targets set by the government which favour commingled or commingled recycling and went back to separation at source. Cambridge and its neighbouring councils share an excellent

reuse website system. Many Lib Dem councils are now looking at anaerobic digestion as a way of turning food waste into electricity. Camden is running two municipal vehicles on biomethane made out of food waste which means no noxious emissions and 80% less carbon emitted than diesel.

Milton Keynes invented the local carbon offset fund – a planning contribution for developers unable to reach zero carbon through energy efficiency and renewable. Eastleigh added a voluntary component to persuade those businesses offsetting into dubious schemes on the other side of the planet to invest instead in their local community. Camden requires every new building that comes to planning committee to put in a green roof, rainwater harvesting, grey water recycling, CHP or links to CHP, 20% on site renewables and some form of Sustainable Urban Drainage (SUDS).

Sutton is seeking to incorporate One Planet principles into everything it does including procurement. Somerset passed a Transition Town motion which said all the council's budgets should be revised in line with the principles of Transition, a community attempt to address climate change and peak oil (the end of cheap oil). Kirklees has brought in a system of carbon accounting alongside its financial budgets. Camden piloted the Carbon Disclosure Project's public sector programme which seeks to encourage suppliers to disclose their carbon emissions and their emissions reduction strategy.

Many councils are looking at using the Sustainable Communities Act 2009 to try to clear blockages at central government level. There are also the wellbeing powers in the Local Government Act 2000 and the decentralisation powers buried deep in the Local Government and Public Involvement Health Act 2007, which describe the duty

of upper tier authorities to divest budget and resources and assets to lower tier authorities including parishes and community groups if a case can be made that decentralised assets can be managed better.

I just can't stress enough that the leaders on this agenda are not simply doing what the government is telling them to do – they are doing what they think is right for their local area and for the planet. Sometimes that means taking a risk. Sometimes it means spending money that local government increasingly hasn't got. But what choice do we have? If central government won't do what needs to be done on climate change and peak oil, then local communities and councils will have to get on with it. And I would argue that we're better placed to do it. So let's get on with it.



Transport: the equal right to breathe

Cllr Serge Lourie

Leader, London Borough of Richmond-upon-Thames



The equal right of all men to the use of land is as clear as their equal right to breathe the air – it is a right proclaimed by the fact of their existence. For we cannot suppose that some men have a right to be in this world, and others no right.

Henry George, Progress and Poverty

When I found out that Bamber Gascoigne could park his electric car in some London boroughs for free, but not in Richmond, I mentioned this to some council officers and councillor colleagues, and the idea filtered down in such a way that – when they met to work out whether a green strategy for residential parking was possible – nobody at the meeting could agree who had actually dreamed up the big idea: to charge the most polluting cars more in the controlled parking zones (CPZs).

By the time we actually introduced the idea, in April and May the following year, we were pretty confident it would work. It is a tribute to the council that they managed to make it happen in the short space of time between the meeting in my room and implementation. Even without global warming, it seems a shame not to make use of such an inexpensive resources as wind, waves, tide and solar energy.

The energy team on the council are now putting this enthusiasm into concrete form. There are already photovoltaic cells generating electricity on the roof of the Civic Centre, and the next project is to investigate a combined heat and power plant, burning wood pellets from the council's woodlands, to cover half of the council's electricity needs. Meanwhile the weekly recycling rate is now over 42 per cent, one of the highest in London.

But nothing quite caught the imagination like charging 4x4s extra to park. There was a radical element about it, a revolutionary sense of a shift in what was possible which crystallised the great frustration people have about the vast four-wheel drive vehicles, like armoured cars, that move around London's narrow streets.



In some ways, that symbolism was its main importance. My team certainly aimed at a symbolic quick green win, once we had taken office, to show they were serious. Our first act was therefore to pension off the mayor's gas-guzzling Bentley, which was sold off and replaced with a Prius. Symbolism is vital, and so it was with the parking charges.

But making the plans work is also about politics. It means finding ways of knitting the different council services together. If dog mess is a problem for mothers walking their children, then the street officers will have to be involved. So will the animal welfare officer, who can give talks at school assemblies and educate the child dog-owners, and through them, their parents – it's about thinking outside the box.



Some of the other lessons derived include:

Back the pedestrians

Whatever the tabloids might tell you, there are more journeys by foot than there are using any other form of transport. Walking matters, and it particularly matters for the local economy. If people find walking dirty and dangerous then they will stop using the local shops. That is why Islington is creating new pedestrian areas by removing an unsightly roundabout at Highbury corner and working towards a new pedestrian area at the Angel. It is why Cardiff is doing the same in their city centre. It is why Portsmouth has introduced a 20 mph limit on their residential roads, which has succeeded in reducing speeds by about 4 mph – and despite some difficulty getting the police to enforce it – has made the roads there safer.

Back the cyclists

No city has yet gone and taken the example of Paris and provided cycles all over the city centre, though London has shown signs of planning to. Certainly no UK city has come anywhere near the kind of family cycle use that you find in the Dutch or Scandinavian cities. But Lib Dem councils are beginning to see their role as encouraging cycling. Islington has been restoring two-way cycle access in all those places where complex traffic management schemes have undermined it. They have identified about 50 places across the borough where there are barriers to cycling that could be removed.

Back the car sharers

The great benefit of car sharing is that it means people don't have to own their own cars. It cuts traffic, and therefore pollution and carbon emissions, but it also provides a way that poorer households can get access to a car if they need to. Islington's Car Club now has 100 shared vehicles on the road and they are now aiming for 500.

Tackle the council's vehicles

It is more than a decade since South Somerset led the way converting their vehicles, and the possibilities are now endless. Electricity, LPG, oxygen, methane, hydrogen have all been tried by one local authority or other. Probably the only real option now is to end the experiments and review the whole vehicle fleet, as Oldham is now doing. But it still means giving a lead by testing out the latest technology. It also means encouraging finding incentives to get people to give up cars, like bike vouchers or Car Club membership or organising a workplace travel plan for staff (like Sutton has).

Section 2

Devolving powers: How and where should it go; and why?

A look at the theoretical models of representation, and why local is better

Bridget Harris

Programme co-ordinator for the Leadership Centre's Next Generation Liberal Democrats and the 21st Century Councillor programme, and former head of office, LGA Liberal Democrats.

Introduction

People like their politicians to be all-knowing, all-powerful, all-responsible but also all-modest, all-inclusive and all-understanding. And invariably they want them to be cheap (if not free)! Matching these expectations to the actual opportunities a politician has to fulfill them, is almost impossible. In addition - there is no match necessarily between the expected conditions of the job, and the type of person attracted to it. Therefore, politics only of the possible is born. No elected member would say they think they are better than those who vote for them, or that they are only there to carry out instructions, or indeed are better placed to know things because they are female, or disabled; but these principles form the basis of the theoretical models of representation.

When the weaknesses in those assumptions are picked apart, only one thing really becomes clear from the debate – that *only when someone making a decision is likely to be personally affected by the consequences of that decision* are they likely to make a decision that is consistent with what we could call fair, or indeed representative. Therefore this essay argues for one simple conclusion: local is better. Why? Because not only does organising our 'polis' around people and services local to where each of us live, make more intuitive sense, it is also the best guard we have against the pitfalls of what happens when we allow other people to make decisions on our behalf.

The models

Three 'models' of representation can be summed up as – because I'm better than you; because you've told me what to do; because I'm like you.

1. Because I'm better than you – Trustee

Trustee (also known as **guardianship**), where the representative has the freedom and independence to act in the best interests of the represented and is not bound by any form of instructions from them. This is the principle justification underpinning the British constitutional monarchy, the military and the growth of unelected bodies regulating and delivering services outside of democratic (and therefore what is implied as subjective) influence.

Where does this leave local government? There are two objections to the trustee model that more localism would answer – philosophical and practical. Philosophical because most of the trustee theory is entirely inconsistent with democratic theory (or put a different way, electoral representation is a very inefficient way to produce a technocracy), practical because if expert governance is the goal, it does not need to be organised around peculiar institutions such as the House of Lords. There is no reason why local politicians couldn't access equal numbers of experts and technical practitioners to advise on their own actual circumstances, nor why local leaders couldn't decide quite efficiently (and already do) where it would be appropriate to pool resources.

2. Because you've told me what to do – Mandate

Mandate (also known as **delegate**, **functional**, **party**), is almost the opposite, in that it assumes that the representative is acting on behalf of the represented but based on their wishes on what they want their representative to do.

It is probably the most complicated as it has shifting definitions, and no identifiable 'theorists', even if we have to recognise much of the ideas are present in our current political system – political parties, manifestos, election promises and policy development. When applying this to how politics operate at a local level, it becomes clear why the voters become confused. Parties and politicians, pledged to respond and reflect local needs inevitably have to move away from nationally-defined policies or promises. This is no bad thing, even if it is subject to unfair criticism that it leads to 'postcode lotteries'. It is also the reason why it is impossible to argue there is a direct and tangible link between what central politicians say, and what local politicians do. Central politicians often argue about the future – local politicians face real and immediate challenges, local and specific to them with actual outcomes they are responsible for.

But campaigning freely mixes the two – local politicians arguing about Iraq, national politicians arguing about bin collections. When voters look at what's on offer, they also are happy to go along with multiple reactions to the messages put through their letterboxes – "I'll vote nationalist for the devolved assembly, vote Green for Europe, vote Conservative at a general election because we need a change, vote Labour or Lib Dem at local level because

they care most about our community” is a perfectly possible combination. What it confirms, is not only does politics work differently at each appropriate level, voters recognise that and are capable of stepping up to the mark – i.e. more diversity, pluralism and choice is actually embraced by voters. Two dimensional politics at a national level is only now enjoyed by Westminster journalists who like the binary nature of it. Voters are turned off – and the more you apply this the more local politics is the only answer.

3. Because I'm like you – Descriptive

Descriptive (also known as *microcosm*), where the representative acts for the represented because they have similar attributes (such as gender, class, sexuality religion etc) or have been randomly selected so that their characteristics are represented on a statistical basis.

If all members of a society have an equal right to contribute, deliberate and vote on decisions that affect their collective environment, then the political structure should reflect that. If, due to reasons of scale that is not possible then some practical way to *replicate similar principles* needs to be found. The most oft-cited example of descriptive representation is that of ‘direct democracy’ in the classical Greek age.

This model has most tangible relevance to local democracy – as it is a priori that the more local the decision making, the more likely it is that your interests are going to be taken into account in any decision – principally based on shared geography.

All politics is local

The arguments drawn therefore are:

1. Large scale (i.e. national) representation does not produce governance based on the collective interests of the whole. Rather, it acts in accordance with ideas about the superior interests of certain groups acting on behalf of others. The theoretical models of representation operating at a parliamentary level confirm this.
2. Local democracies have the advantage of being much closer to the people who are affected, and are much more likely, therefore, to discover and represent those interests. Problems with this are only at the moment practical – the amount of power, money and resources that currently local authorities are ‘allowed’ through statute to control. But local authorities could themselves, today start consulting and engaging with people – to introduce a strongly defined descriptive element to their local democracy which would enhance, rather than challenge the traditional forms of representation operating at election time.

Localising and democratising the National Health Service ⁵

Dr. Richard S. Grayson

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People love the National Health Service. They value the excellent care they receive. They value the fact that such care comes without a direct bill attached. They like the fact that all taxpayers fund it, and that everyone can use it, whether or not they have paid the cost of their treatment through their own contribution.

So essential is support for the NHS in UK politics that it could even be seen as a defining aspect of Britishness. In so far as we share any values, backing the NHS is one of them. Yet for something so loved, the NHS is also the subject of much criticism. It is argued here that it is the absence of a democratic authority which can take decisions based on meaningful local debate that is the greatest barrier to satisfying public demands on the NHS.

Without such a body, it will always be possible for everyone to blame somebody else without taking responsibility. Ministers can blame local bureaucrats, when those ministers have given the bureaucrats very little independence. Healthcare bureaucrats can point to rigid central controls, but can also blame the public for making supposedly unrealistic demands, when the bureaucrats have little incentive to engage with the public.

The public can blame ‘them’ – usually the government or bureaucrats – despite the fact that the system allows the public to make demand after demand for high levels of local services without ever having to face their real cost. Meanwhile, without local power, demands for higher quality are difficult to balance with fairness, as only the better off can access the ‘more’ or ‘quicker’ health care which is so often what people mean by quality.

Although the NHS is notionally UK-wide, and is certainly funded as such, the system in England post-devolution to Northern Ireland, Scotland and Wales is unique to England. So although an English parliament would stop MPs from the devolved parts of the UK voting on England-only matters, it would do nothing to decentralise decision-making in the NHS, as the Parliament in Westminster already makes decisions on English health matters.

⁵ This is a modified version of a chapter, Richard S. Grayson, ‘Reforming the NHS: A Local and Democratic Voice’, in Duncan Brack, Richard S. Grayson and David Howarth, eds., *Reinventing the State: Social Liberalism for the 21st Century* (London: Politico’s, 2007), pp. 269-286. I am grateful to Joanna Crossfield for providing information on the Danish health system which has become available in English since the publication of that chapter.

The challenge is therefore to prove that counties are large enough units to take on strategic health care functions, or that in the cases of very small counties, there is a way of pooling responsibilities with neighbours. The best example of how to do this can be found in another country: Denmark. The Danish system is radically devolved. Prior to 2007, the Danish health service was run by fourteen counties and two cities⁶. However, even though the Danish public were very satisfied with health care at that point, there was a sense that the system was not as efficient as it could be.

As a result, the Liberal Minister of the Interior and Health, Lars Løkke Rasmussen, pushed a series of proposals through the parliament, the Folketing, in 2005. These measures, a total of fifty acts under a broad 'Agreement on Structural Reform', abolished the counties (including the two city authorities) and replaced them with five regions, analogous in size to English counties. The 273 municipalities were replaced with 98 on revised boundaries⁷. The powers of the new levels of government, which came into being on 1 January 2007, are:

Municipalities:

- **Preventive treatment, and non-hospital care and rehabilitation, including that at home; and**
- **Treatment of alcohol and drug abuse.**

Regions:

- **Hospitals;**
- **Psychiatry; and**
- **General practitioners, specialists and reimbursement for medication⁸.**

State:

- **Planning for specialist treatment; and**
- **Follow-up on quality, efficiency and IT usage.**

The argument here is this: if Danish counties, which were smaller than English counties, could deliver a health care system, funded from general taxation, that was the most popular in Europe, why cannot English cities and counties do the same? Moreover, why is this model not even more appropriate now that it has been established on a working basis in units that even more closely match the English cities and counties in size? The arguments against are only those about whether the units are too small for strategic thinking, but the Danes have shown that a radically devolved system can work, and work well.



To determine what could be devolved in England, the starting point has to be an analysis of the situation as it currently is. There are two main levels of the NHS which ministers regularly describe as 'local' and are concerned with commissioning services: Primary Care Trusts (PCTs) and Strategic Health Authorities (SHAs). Yet neither is democratic in any meaningful sense, as local councillors have very limited powers of scrutiny. Meanwhile, the Strategic Health Authorities are hardly local, as they operate on a regional basis⁹. In addition to PCTs and SHAs there are other bodies which aim to make the administration of the NHS more local. Acute trusts manage hospitals and are sometimes regional or national specialist centres. Other types of trusts include ambulance trusts (which largely match SHA boundaries), care trusts (covering only thirteen very specific parts of the country), and mental health trusts (MHTs). The various bodies cover different geographic areas and there can be a confusing mish-mash of overlapping

boundaries which can bemuse any member of the public who is trying to work out who runs which part of the NHS. But all these bodies have one thing in common: democratic accountability, and the ability of local people to make meaningful choices about levels of service, is extremely limited.

Consequently, the central political problem of this system in the NHS in England is that there can be mass consultation on local health care, but there are rarely the means to implement local people's wishes on the most controversial issues such as keeping hospital wards open. Those running trusts are able to respond to local demands by saying that they would like to do as the public wishes but simply cannot.

⁶ For details, see Grayson, pp. 275-276 and Ministry of Health and the Interior [Denmark], *Health Care in Denmark* (Ministry of Health and the Interior, Copenhagen, 1997, revised August 2002), pp. 8-10 and 15-17.

⁷ *The Local Government Reform – In Brief*, pp. 53-56.

⁸ Note that this category is described as 'health insurance' in the English translation of the Danish documents. However, this is misleading as the 'insurance' is simply funded by taxation, and is not a form of insurance as understood in the UK.

⁹ For further details on roles see Grayson, pp. 278-279.



There are short-term reforms which could be made and which are discussed elsewhere¹⁰. However, in the long term, we need democratic decentralisation which will not only devolve decision-making in the NHS but also create the kind of devolved government in England that is enjoyed in the rest of the UK. Such radical reforms should be centred upon cities and counties, which are historic units of England, and many of which encourage strong feelings of local identity.

Creating a democratic NHS at a city/county level will mean revisiting the boundaries of existing trusts. As part of that, the distinction between PCTs and SHAs should end, with their commissioning powers given to elected local people who are in touch with local needs and have the ability to raise extra funds to meet local demand. That will mean centralising some functions which currently take place at a level below that of counties (or a similar level of

government), and decentralising those which are dealt with at a regional level. But it will mean democratisation all round, giving real power to elected local people.

The last thing the public wants is another level of government. Indeed, in many places, the number of levels is already being reduced with the introduction of unitary authorities. So instead of creating regions, the powers of SHAs and PCTs should be given to more local levels. The most obvious boundaries, very much in line with the Danish model, are those of the thirty-four counties, six metropolitan counties, or forty unitary authorities across England. London is a special case which is discussed opposite.

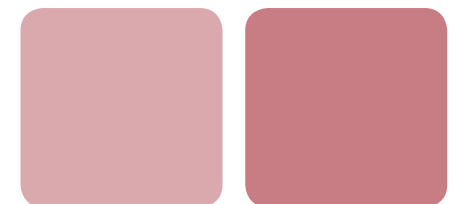
There is one important caveat to the proposed radical democratisation of the NHS in England. We need to recognise that some local authorities may feel that they are not the right size for taking sole responsibility for health care because they feel themselves to be too big or too small. It may be that larger counties wish to split the geographic areas they cover into two or more units. If so, they should be able to do that. But smaller counties may wish to work with others. So they should be given the opportunity to collaborate with other authorities by agreement. Two smaller counties may decide to commission hospital services together, and that may well make sense.

The precise nature of boundaries is a problem that will be faced by Londoners in particular. The current London SHA covers a population of over 7 million people. It may well be that Londoners would wish to run health on a city-wide basis, and if so, the Greater London Authority and Assembly already exist. However, to ensure that the potential benefits of devolution and genuine local accountability can be enjoyed across the city, London boroughs should be offered the same powers and choices as counties, or the chance to pool their powers with other boroughs. The result may be London-wide decision-making, or the city may be split into smaller units, but that will be for Londoners to decide.

City/county-level devolution is not the end of the change that needs to happen in the NHS. There also needs to be a new system for funding the NHS, and a system for maintaining core national guarantees, as this author has argued elsewhere.¹¹ Within such a reformed national framework, a reformed local NHS can flourish. Without local power, local people will be continually asking for health care that is not on the menu, and for which they have not been given a price. Without local power, people have no chance to pay for the quality they want, and monitor the quality of local services. Radical devolution has happened in Denmark, and it works. The challenge in England is to sweep away swathes of unaccountable local bureaucracies and give their powers back to the people through elections in which local health care can be thoroughly debated. As regards the NHS, that does not mean reducing the overall size of the state, but relocating it.

¹⁰ Grayson, p. 280.

¹¹ Grayson, pp. 282-285.



Empowering local authorities: lessons from Europe

Jessica Hambly

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Hybrid democracy with elements of both representation and participation, and ethical public life are recognised as the benchmark for good governance across Europe. If and when the Lisbon Treaty comes into force, it contains significant effects for local authorities including, for the first time, recognition of the ‘principle of local governance’ and secondly, ‘human rights’.

The 47-member Council of Europe has a Department devoted to Local and Regional Democracy and Good Governance. In 1985 the European Charter of Local Self-Government was opened for signature, laying out the principles aimed at bringing public power as close as possible to the individual. One may also look to the individual constituent member states of Europe in order to draw from examples of local authority reform. The absence of a written constitution in the UK is no obstacle to providing a guarantee of protection of the rights of local authorities. Developing a constitutional convention would, however, be insufficient as it would not be legally binding. Similarly with the 2007 Central-Local Concordat, one reason for it having little impact is its non-legal status. So, ordinary legislation ought to be the preferable method of distributing public power so as to ensure protection from central interference. Thus there is no clear-cut distinction between a ‘legal’

and a ‘constitutional’ protection in the UK as opposed to other states with written constitutions. Yet it must be noted that legislation dealing with devolution issues tends to be thought of in some sense as ‘constitutional’ given that it does challenge the old adage that parliament may not bind its successors and induces the paradox whereby the sovereign state purports to limit itself. But such legislation is not impossible, one need only think of the 1998 Devolution Acts, and need not be intricate or technical. What is most important is a genuine commitment to cooperation and participation in government by the individual by means of stronger local government.



Of course there must be a limit to independence – even in a European federal state such as Germany the Länder are denied independent legal identity. Multi-level governance will necessarily involve some kind of hierarchical power as long as the nation-state remains, rightly or wrongly, the protagonist on the international stage. It is undeniable that independence and autonomy of local authorities is a question of degree. France is significantly more centralised than federal Germany and the more provincial Spain and Italy. Yet it is clear from the lack of independence that is afforded to English local authorities that there is scope for much greater devolution from central government without threatening national unity.

Thus far, the UK commitment to local governance rests largely symbolic. For instance, despite being a signatory to the European Charter of Local Self-Government which, though not legally binding, commits states parties to guaranteeing the political, administrative and financial independence of local authorities, the UK remains attached to centralised taxation. The 2007 Central-Local Concordat agreed between the government and the Local Government Association sets out the rights and responsibilities of central and local government vis-à-vis one another. Yet it is devoid of any key shift in the balance of power, and is largely concerned with reaffirming the status quo: “Acting through Parliament (central government) has the over-riding interest in matters such as the national economic interest, public service improvement and standards of delivery, and taxation.”

Experimentation and subsidiarity are two concepts introduced by the 2003 French reforms which English local government could seek to use in the future. The latter refers to central deference in favour of the local authority. This goes further than the 2007 Sustainable Communities Act in that it implies that even where central government may be opposed in principle to an act of a local authority, it may allow such an act to proceed. The former concept, that of 'experimentation' is more interesting. Article 72 § 4 allows for unilateral derogation from the ordinary statutory and regulatory regime providing public freedoms and constitutional rights are not infringed, and providing this derogation is done in an 'experimental' manner. So although permission is required and the provision must be limited in time and scope, there does seem to be a genuine pledge to give local authorities the power to self-administrate in accordance with their varying needs.

The legitimacy of local government derives from the same location as that of central government – voting by individual citizens. Thus, given that local authorities govern on the same electoral mandate as central government it seems strange that their power is so limited in comparison.

In March 2009, the French Balladur Committee for reforming local authorities, presented its report. The committee's remit included the simplification and clarification of the structures and competence of local authorities, and the resulting report lists twenty propositions. Of most interest here are propositions one and two concerning 'regroupements volontaires' or voluntary groupings of territorial units by way of referendum or decision of the regional council, without the need for parliamentary approval. This relates directly to the aforementioned idea

that ultimate authority to decide on regional groupings ought not to pertain uniquely and exclusively to central government since this is to undermine the principle of democratic mandate. Where an individual has voted in a local election or referendum and a national election, it is not self-evident that the national vote ought necessarily to trump the local vote. In any case, the local vote may have greater democratic legitimacy than the national one owing to differences in proximity and voting method.

To conclude, the UK could learn from European countries in taking a new normative approach to reforming local government and reinforcing commitment to empowering the citizen through his or her voice in the local community. As highlighted by the European instruments, local government is not only a tool of central government for improving efficiency. It is a crucial embodiment of public power whereby the individual is given greater control of the community. Local government is as much about personal individual autonomy as about economic and technical efficiency, thus it is not enough to forge agreements between central and local government without shifting the balance of power in favour of local authorities. Experimentation and subsidiarity are transferable concepts, and the scope for increased use of referenda means loss of central power is not a foregone conclusion but citizens must be given a stronger role in deciding how, and by whom, they wish to be governed.

Conclusion

Seth Thévoz

Recent governments have not exactly distinguished themselves (through pursuing creeping centralisation – for example), nearly thirty years ago, Jo Grimond already observed "the results of the planning laws of the central government can be seen all over the country. Bad planning has laid waste the cities, urbanized villages, and led to follies...the same planning laws cannot make sense all over the country."¹² Who can disagree with him?

But this report is about remedies. To recap, the move to 'localism' is already well underway, out of sheer necessity. Liberal Democrat councils are pushing their powers as far as possible, and the ideas outlined in Section 1 provide many lessons. For example, Newcastle's measurement of Asset Transfer allows it to include services technically within the private sector (i.e. key shops or pubs) which provide such a public benefit that their loss cannot be countenanced. The more we read about such schemes, the more we realise how much of the received wisdom on local government is wrong. Many of the 'big' objectives which we think of as needing central government co-ordination – such as action on climate change (as outlined by Serge Lourie and Alexis Rowell) need local action, with centralised targets being meaningless and inapplicable.

Indeed, as Richard Grayson has outlined in his chapter on health, local authorities can (and do) pool resources when economies of scale are necessary. Localism can be more, not less, efficient.

A recurring demand of council leaders is a power of general competence – something which councils are rapidly getting an informal approximation of anyway, through case law precedents in the courts. Full statutory recognition of this would go a long way in allowing councils to properly oversee local services. Indeed, the 2007 Local Government and Public Involvement in Health Act defines the many agencies which work with a local authority – as we now have a formal legal definition of who these bodies are, a legal 'duty to co-operate' would go a long way to ensuring effective governance continues as a safeguard against relationships breaking down. At the moment, such a duty is only partial, applying to Leaders' Boards, but not Regional Development Agencies. As the agencies defined by the 2007 Act are providing a public service, paid for out of public funds, they should be subject to the same standards of openness and accountability as local councils are; for example, holding their board meetings in public.

Some of these demands are relatively unambitious and commonsense. Indeed, they're also not inherently liberal – for while there are liberal arguments for them, they're just questions of effective, accountable administration, which any party could implement.

¹² Jo Grimond, *A Personal Manifesto* (Martin Robertson, Oxford, 1983) p.40

But as Liberal Democrats we can go further – it's worth outlining how we are different. A common refrain which hinders such discussion is that those who favour localism 'shouldn't get too hung up on structures'. I couldn't disagree more – the devil is in the detail. What we shouldn't get too hung up on is prescriptive structures. But it is obvious that the present structures are overstretched in many parts of the country.

One counter to this, referred to by several writers, is the 2007 Sustainable Communities Act – a landmark piece of legislation, co-sponsored by Lib Dem shadow communities minister Julia Goldsworthy. But for all its many strengths, it was a cross-party compromise. It was not the bill a Liberal Democrat government would have written. While there is every reason to laud its aims in letting councils decide which powers they want to use, the mechanisms are relatively unambitious: the Act currently depends on a threshing-out process involving the Local Government Association picking and choosing some powers to recommend to the government, with the Secretary of State for Communities and Local Government having the power of veto. Why?

Why does this process need to be the default mode? If we're really serious about localism, if we really want to see the devolution of powers, then why not have the assumption that (barring obviously ring-fenced areas like foreign policy and defence) most services can be devolved, if desired? This does not mean that they should be devolved – for all its faults, the centralised status quo produces 'winners'

as well as 'losers'. Some councils may rather like the status quo, and adhere to it.

The logical conclusion of many of the arguments outlined here is a beefed-up, Mark II Sustainable Communities Act. Why not? It took three (arguably five) Reform Acts to get the Westminster franchise right – there is no shame in revisiting the theme of the 2007 Act. But what would this act say, so as to not be just another piece of red tape?

Firstly, we need to accept the inherent good of diversity and anomaly. We must avoid the fallacy that anomaly is a bad thing. Anomalous councils are good – certainly preferable to conformity. The right to be an anomaly gives councils the freedom to experiment, which communities so desperately crave if they are to find their own solutions to immediate challenges, especially in the current economic crisis. True, freedom to experiment also means the freedom to fail – that is a risk. But the democratic process is the best check and balance against that, and at the moment we are stuck in the rut of almost guaranteed failure if we continue with Britain's centralisation, unparalleled in Europe¹³. A Mark II Sustainable Communities Act would empower councils to claim whole swathes of powers to oversee locally-delivered services.

But if we want to devolve, we come to the prickly issue of boundaries. Nobody likes discussing boundary reorganisations – the last big local government reorganisation of 1973 pleased no-one, while the recent creation of unitaries has produced its fair share of headaches for all parties. But we

must acknowledge that there is a tension between the most appropriate level at which bodies like strategic health authorities, local education authorities, fire authorities, police authorities, local authorities, regional development agencies, and quangos operate – especially in multi-tiered councils. Often, there is a fundamental disconnect between where democratically accountable politicians are elected, and where decisions must be taken. This is difficult to justify. But how should we remedy the situation?

A recent proposal by David Heigham to the 'Ideas Factory' of the Social Liberal Forum was that 'a local authority should be whatever size the people of the area want', with the further localisation of revenue¹⁴ – this seems an admirable starting point, maintaining the unique legitimacy of the council, but with wide-ranging consequences for service delivery. A Mark II Sustainable Communities Act enshrining this would allow councils to either fission or amalgamate, at the level most appropriate for the bulk of local decisions. Councils would not be subjected to any forced change – but they could claw back powers from Westminster, and hold referenda on whether they should change their size accordingly.

This approach would also provide a solution to the persistent West Lothian question. Scotland, Wales, and Northern Ireland already have far more devolved service delivery than England. The Liberal Democrats had much to say on this ten years ago, amidst the 'Brave New World'

of Scottish and Welsh devolution¹⁵, but we have invariably found since then that the most effective solution is not the neat, tidy, arbitrary partition of England into unnecessary, excess 'regional assemblies'. The principle that local authorities could determine their scale and powers could truly revolutionise the constitution, and stem the discontent mounting at England being 'left out' of the devolution process.

The virtue of this approach is not in securing one particular outcome – it is in the process itself. If we can get the liberating process for council's right, then they can find their own outcomes, and as Paddy Ashdown frequently argues, we can "let a thousand flowers bloom". Indeed as Grimond wrote, 'Liberalism is a way of doing things – this is one of its strengths.'¹⁶

This approach has been argued as a logical conclusion for anyone who claims to really be a localist. Consequently, while this is a Liberal Democrat approach to localism, this pamphlet also ends with a challenge. We have laid down some ideas on the table. If the other parties really are serious about localism; if a hypothetical incoming Conservative government really wants to make things more accountable; if Labour really want to renew themselves during a hypothetical fourth term; if either party really wants to stop us from capitalising on this issue – then do they dare to outdo us on localism? If not, then we will be able to lay claim to the fairest, most effective, most democratic, most liberal, and most committed approach to empowering people and communities in British politics.

¹³ As Chris Huhne is fond of reiterating, in the EU only Malta has a higher rate of government revenue which passes through the central rather than the local government – see, for example, Chris Huhne, 'The Case for Localism: The Liberal Narrative' in Duncan Brack, Richard S. Grayson and David Howarth (eds.), *Reinventing the State: Social Liberalism for the 21st Century*, p.243

¹⁴ <http://socialliberal.net/2009/03/01/a-full-blooded-commitment-to-going-local>

¹⁵ See, for example, Jackie Ballard, *The Politics of Community* (MPS, London, 1999), which advocated further multiple tiers of local government. Events since then (not least North-East of England's 2004 rejection of a regional assembly) have made it abundantly clear that there is little or no appetite for these extra layers, and democracy has to find a different solution.

¹⁶ Jo Grimond, *The Liberal Challenge: Democracy Through Participation* (Hollis and Carter, London, 1963) p.29



Local Government Association

The Local Government Association is the national voice for more than 400 local authorities in England and Wales. The LGA group comprises the LGA and five partner organisations which work together to support, promote and improve local government.



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