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Devolving England

An Online Symposium



Table of Contents

Introduction: Devolving Power in the UK - Guest Article Series

1 - It's a long way to Westminster - Devolving England I

2 - The great English parliament debate: Devolving England II

3 - Subsidiarity, Autonomy and Ockham's Razor applied to Government:
Devolving England III

4 - A Democratic Devolution - Devolving England IV

5 - Devolution or booby trap? The London experience: Devolving England V

6 - Off with their Heads: Time for a significant real devolution of power:
Devolving England VI

7 - Devolving England: The Symposium Conclusion by Garbo.

An online symposium is a series of articles from a range of viewpoints on a common subject over several days. We are experimenting with this as a way of encouraging thoughtful debate amongst bloggers and others.

Each series of articles is published on the Wardman Wire, and also as a PDF download – as a experiment in making blog-debate available more in a more convenient form for later readers.

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[Introduction: Devolving Power in the UK](#)

By [Dave Cole](#) • October 7, 2008 [\[Edit\]](#)

One of the issues that's always bubbling under is devolution in the UK. While three of the four home nations have their own parliaments, England is run from Westminster, where the West Lothian Question still holds - why can Scottish, Welsh and Northern Irish MPs vote on issues that don't affect them? Should we give more power to local councils, or are city regions a better way to go?

Following on from the [House Rules for Parliament series](#) earlier this year, a range of commentators from across the political spectrum will be looking at devolution in general and in the UK and England in particular in a series on 'Devolving England'.

First up - Dave Cole thinks its [A Long Way to Westminster](#).

Following on, Garbo looks at prospects for an [English Parliament](#).

In response, Matt Wardman looks at the multifarious levels of government we now have and suggests a judicious shave with [Ockham's Razor](#).

The Thunderdragon looks at [devolution and democratisation](#).

And Damian Hockney, late of the London Assembly, gives us his take on devolution after his time at City Hall - warning us to be wary of [booby traps](#).





I - It's a long way to Westminster - Devolving England I

By [Dave Cole](#) • October 7, 2008 [[Edit](#)] (10 comments)

Four areas of the UK now have devolved administrations of one kind or another: Scotland, Wales, Northern Ireland and, of course, London. One constituent part is notable by its absence - England.

How far is Westminster?

The UK is dominated - economically, politically, demographically - by England. The Welsh and Scottish nations desired greater autonomy as a way of countering that dominance. That's not to suggest there's anything malign; just that it's a long way from Westminster to Holyrood. Policies set on Whitehall can look rather strange when they reach Fife, Powys or Ulster. By bringing things closer to home, based on traditional, national boundaries, a closer relation between citizen and government was sought.

In the Scottish case, movements for devolution started almost as soon as the Scottish Parliament entered its 292 year sleep in 1707. It was strengthened by the case for Irish Home Rule, but had to wait until 1999 to see fruition. Similarly, when it was clear that Scotland was going to receive some autonomy, the logical case was strengthened for Wales.

The situation in Northern Ireland is complicated by the Troubles, deeply-entrenched ethnic rivalries and the long history of the region. However, one of the main reasons for devolution - closing the gap between elector and elected - holds, even if Stormont faltered in its first few years.

With a combination of rational and emotional arguments, power has been ceded to those three regions. It leaves us with one, obvious question.

Why not England?

You could equally ask 'who are the English?'. That, however, must wait for another day. However, all the British are often called English and Britain is often called England. As by far the largest part, you can understand why the mistakes are made.

It also gives a good answer to the question. In general, the feeling of Englishness is not as strong as the feeling of Scottishness or Welshness. Immigrants to Scotland, for instance, are more likely to identify as Scottish than British, while those to England are more likely to plump for British. Great Britain would still be recognisable as such if Scotland were to leave; if it were reversed, England's departure from the Union would end GB once and for all.

If an English Parliament were set up, it would, given the powers that have been devolved to Holyrood, the Senedd and Stormont, not be that different from Parliament at the moment.

There would be one big change; it would provide an answer to the West Lothian Question. While that would be a good thing, aside from a constitutional nicety, we would essentially have an English Grand Committee. I'm not convinced that setting up another body, even if it were in Birmingham or Manchester instead of London, when there's another, cheaper solution that doesn't involve creating a set of elections in which participation will, like as not, be low. It would be as far to Birmingham as it is to Westminster.





Where we are now: Regional Government in England

Although not many people will be aware of it, we already have regional government in England. Of course, Whitehall delivers the services of some of its departments through the Government Offices that exist for each region. Led by DCLG, they are DfES, DBERR, DEFRA, Home Office, DCMS, DWP, DfT, DoH and the Cabinet Office; the regions are East Midlands, East of England, London, North East, North West, South East, South West, West Midlands and Yorkshire & The Humber.

There are also Regional Development Agencies and Regional Assemblies, although these are being rejigged since 2007's white paper. The end result is that we have a lot of the structures for regional governance in place already but without any direct democratic accountability.

Is London a nation?

The Welsh have the Senedd; the Scots have the Parliament; the Irish have the Assembly. The fourth home nation does not have its equivalent. However, there is devolution within England – to London. London is not a nation – it is a little *sui generis*, given its unique makeup – but it is an area that is reasonably easy to identify that has its own, specific needs and problems. These include housing and transport, but range across all the areas of government where the particularities of the region.

London, in a way, makes obvious sense for devolution. With [7,300,000 million inhabitants](#), it is bigger than twelve of the EU member states - Denmark (5.5m), Slovakia (5.4m), Finland (5.3m), Ireland (4.3m), Lithuania (3.4m), Latvia (2.3m), Slovenia (2.0m), Estonia (1.3m), Cyprus (0.8m), Luxembourg (0.5m) and Malta (0.4m). It also has more people than Scotland (5.1m), Wales (3.0m) and Northern Ireland (1.7m). London, I'd contend, is more than a city; it is large enough that it should also be considered a region. Perhaps Manchester and Birmingham are also sufficiently large. That leads to two particular problems. Firstly, large areas of the country would be stuck outside a region and would suffer for not having part of that weightier voice. Secondly, lots of people travel into (say) Brum for the surrounding regions but don't live within the city proper. They are part of and depend on the local economic centre and should have a say in it.

I would say that just about every region also makes sense. There are commonalities, certainly, between some regions. However, just as London has specific transport needs, the areas around Birmingham or Manchester or the South West or the North East and so on have specific transport needs, for starters, and go from there.

An analogy: Spain

Neither London or England are any less English by virtue of devolution to London. That process was for purely practical reasons and the lack of a national sentiment there means, simply, that the GLA cannot be described as a concession to a nationalist movement.

If we look at Spain, the country is divided up into autonomous regions. The Basque Country and Catalonia are known well enough as nations, but Galicia and Andalusia are also recognised as historic nationalities. Aragon, Castilla y Leon, Castilla La Mancha, Extremadura and Valencia were set up as territories with common historical features based on more than one region; Cantabria, Asturias, La Rioja and Murcia were the same, but based on one region. Madrid, Ceuta, Melilla, the Canary Islands and the Balearics were similarly constituted, but for more practical reasons.





None of this does anything to harm the identity or integrity of the Spanish nation. Certainly, there are challenges to it, notably from independence-minded Basques, but these do not arise (and are arguably ameliorated by) the autonomies.

Wrapping up

Although the first three devolutions were on the basis of some pre-existing national sentiment, there's no particular need for devolution only to occur where there is a perceived national grievance. Regardless of the location, there is a practical need for decisions to be taken closer to where their effects are felt. In a time of increasing cynicism and decreasing trust, moving things closer to the voter but retaining a critical mass to be able to effectively run the various services the state already provides on a regional basis.

If the argument was that it's a long way from Edinburgh, Belfast and Cardiff to Westminster, and if we accept that it's a long way from London to Westminster, I'd say that it's at least as far from Yeovil, York and Yeovil.





[2 - The great English parliament debate: Devolving England II](#)

By [Garbo](#) • October 8, 2008 [\[Edit\]](#) (71 comments)

The raw deal of the English

There is a perceived problem in England that the English are getting the raw end of the deal in the Union. The Scottish have their own Parliament that votes on issues exclusive to them while the English have no such thing. Yet Scottish MPs can vote on English specific issues at Westminster. How can that be right? It just does not seem fair. Well in many ways it is not and it seems there probably should be something done about it. That is until you look at the alternatives.

An English Parliament

The obvious answer here is to create an English parliament. This is one of those ideas that is well meaning, but you can be sure a few years down the line people would be pretty sick of it. It would simply be yet another layer of bureaucracy and government that we can quite frankly do without. For a start there would be the huge extra costs here in wages, expenses and setting up and running the damn thing and a whole other round of elections on top of the local, European and national – all of which suffer from low turnouts as it is.

More importantly, it is hard enough as it is these to get some of our MPs to be accountable, just imagine the government having yet another bunch of second class politicians to blame – because that is what an English parliament would be: a dumping ground for politicians who could not get in on the real deal of Westminster and a bunch of fall guys for others to blame when things go wrong. An English Parliament would be an under-employed talking shop at great expense to the tax payer and of little use to the voter.

English only votes

Well why not just have English-only-votes then, using our current mob of Westminster MPs? Well do you suggest that our executive, the cabinet, only consists of English MPs? Does that mean we can no longer have a Scottish Prime Minister? I suggest it would. How do we expect our government to come up with policy and then not be allowed to push it through the English parliament? Would we really expect Alastair Darling, as Chancellor and Edinburgh South MP, to have an economic policy only relevant to England not to be able to speak on the matter in the England-only debate and not be allowed to vote on the measure either? It would be madness. Would we expect Gordon Brown as PM to stay out of English only matters too? It is just not workable.

The perception issue

Then there is the issue of perception. On the surface the system does appear unfair. But actually it is not nearly as unfair as some like to make out. England has 529 MPs to Scotland's 59. The chances of Scottish MPs scuppering English only issue are remote. Besides, given the voting records of so many of our MPs, votes that are currently only relevant to England tend to attract so few to Parliament these days anyway, that figure of 59 Scottish MPs pails into insignificance.





Furthermore, the argument relies upon the fact the votes are made on a geographical persuasion. Yet politics in the UK is far more related to an ideological battle of left and right rather than Scotland and England. A Scottish socialist is far more likely vote with a London socialist than a Scottish right winger.

No one is suggesting women only votes for issues that only affect women or rural only votes for votes that only affect the countryside. OK, the difference here is that Scotland does have a Parliament, but the point is English MPs did have a strong influence on Scottish issues, not the other way round. I can see that it is unfair that 529 English MPs could vote on Scotland only issues – those numbers are real show stoppers; but the reverse, while on paper appears unfair, is just not worth the hassle to resolve. In fact, of all the solutions I have heard there even more problems created that have even more complicated and far reaching implications.

The real danger in this debate is that we press ahead with full scale devolution. It would inevitably lead to one of two things: a federal UK or the breakup of the Union. The federal approach is costly and, for the reasons above, simply unnecessary. The breakup of the Union will be a disaster for all those concerned both culturally and economically.

Some suggestions

The problem here is not one of under-representation of the English, but of over-representation of the Scottish now they have their own Parliament. When the Scottish Parliament was formed their number of MPs was reduced by 13, though Scotland is, perhaps, still over-represented. A further small reduction would ensure that the small chance that a so called English vote would ever be scuppered by the Scots is even further reduced and would also put the Scottish people on a par with representation to their English neighbours.

I would also suggest that there is an unwritten and unenforced code of conduct that says that Scottish MPs refrain from voting on English only matters. There will of course be exceptions to this, such as if it fell under a minister's or shadow minister's portfolio. But MPs should stick to the spirit of the code when appropriate. It is a far more simple and cost effective solution to what is, in the scheme of things, a relatively small problem.

Wrapping UP

Since devolution began in 1999 we have taken a large step towards to break up of the Union. Suddenly everyone wants their so called fair share which only escalates every time a new measure is made. The backers of an English parliament are playing a dangerous game. Where does it end? The South East demanding independence because they are subsidising the North? It is creating a new form of regional antagonism and localised resentment that could well lead to the breakup of the UK.

I think that devolution to Scotland and Wales has been beneficial to these countries; I do not think that there is such a need for it in England despite the seeming unfairness of the situation. It will create so many more problems than it solves. And while devolution has strengthened national identity in Scotland, Wales and also England, it has been at great expense to the identity of Great Britain as a whole. That will only be further eroded with an English Parliament. There is a problem, but is a small one and sometimes fixing these types of problems just makes things worse. That is why I agree with Lord Irving when he said that *the best answer to the West Lothian Question is to stop asking it.*





3 - Subsidiarity, Autonomy and Ockham's Razor applied to Government: Devolving England III

By [Matt Wardman](#) • October 10, 2008 [\[Edit\]](#) (7 comments)

This is my first contribution to the "Devolving England" series.

After a vigorous the debate from Garbo's [last article](#): "The great English parliament debate: Devolving England II" (58 comments and counting), this article tries to tease out some principles of devolution, after a cook's tour through the different levels of government we may end up with if we simply add an English Parliament to the existing setup.

I sometimes lose track of the sheer quantity and depth of government between my front door and the politicians at the "top", so I have used a a tour through the levels of government to which I am subject to set the context. Sometimes I feel that I am at the bottom of a monstrous wedding cake of layers of government. I admit that I'm not completely clear what all the elements of all the different levels do, and if those of us who take an interest in politics don't know - then someone needs to help the general public.

The Tiers of Government

Me

This tier used to have a lot of autonomy, but is increasingly circumscribed.

Parish Council

To be honest I'm not sure which one I'm in, but they only get a small proportion of the taxes raised for local government - and do strictly community level work: parish halls, recreation grounds and similar. They also comment on planning applications. They are (I think) purely facilitative, without the power to tell me what to do.

District Council - Bolsover District

Our Local Council, delivering local services. In our area they work in partnership with the County Council to deliver some services.

County Council - Derbyshire County Council

Where most of the "Regional" powers exist, and where most of the money raised from Council Tax goes. In the case of Derbyshire (and Nottinghamshire next door) the County Councils employ 5,000 to 10,000 staff.

My bête noire is the disaggregation and dismantling of Local Councils in favour of sub-regional County setups up to 20 miles away. In my opinion Local Councils are already too big as the smallest unit of effective government - never mind abolishing them in favour of a County-level behemoth.

A neighbouring council, Ashfield (in Nottinghamshire), have just had their parking enforcement





taken over by the County Council, with the inevitable result being a “parking ticket on anything that doesn’t move” holocaust and advice from friends to “avoid Sutton-in-Ashfield for the next week”. This is an object lesson in what not to do: drive people away from previously congenial towns, and introduce extra travelling and therefore energy/fuel consumption by council staff.

Government Office for the East Midlands

This tier - based in Nottingham - defines itself as:

Welcome to the Government Office for the East Midlands

With eleven government departments under one roof, GOEM is the hub of central government in the East Midlands.

It is our aim to work with regional partners and local people to maximise competitiveness and prosperity in the East Midlands. We want to bring together government policies for a more inclusive society.

[Wikipedia](#) differs:

The region, also known as the government office region, is currently the highest tier of local government sub-national entity of England, with only one, London, having a directly elected assembly.

Effectively it is the husk left over after “Elected Regional Assemblies” - an attempt to introduce regional democratic structures in England at time the Scottish and Welsh Parliaments were created in 1998 - failed to take off. Appointed Regional Assemblies (i.e, consultative committees) still exist.

National Parliament

This doesn’t exist yet in England, but would be the equivalent of the Scottish and Welsh Parliaments, with wide [devolved powers](#).

UK Parliament at Westminster

A summary from Wikipedia:

The Parliament of the United Kingdom of Great Britain and Northern Ireland is the supreme legislative body in the United Kingdom and British overseas territories. It alone has parliamentary sovereignty, conferring it ultimate power over all other political bodies in the UK and its territories. At its head is the Sovereign, Queen Elizabeth II.

European Structures

Again, from Wikipedia:

European Parliament (Europarl or EP) is the only directly elected parliamentary institution of the European Union (EU). Together with the Council of the European Union (the Council), it forms the bicameral legislative branch of the Union’s institutions and has been described as one of the most powerful legislatures in the world.[1] The Parliament and Council form the highest legislative body within the Union. However their powers as such are limited to the





competencies conferred upon the European Community by member states. Hence the institution has little control over policy areas held by the states and within the other two of the three pillars of the European Union.

Problems and Principles to Solve Them

In summary, it's a bit of a mess: too many tiers trying to collect power in different ways at different levels, all driven by their own lobby groups and supporters. I'll try and identify a few problems, and principles that need to be accepted to solve the problems.

Make-work for Politicians

There are just too many of them away from the local coal face. They all need to justify their existence by "doing things" and "making a difference". Personally, I'm tired of so many people needing to convince voters of their ability to make things change.

Equally, the desire of politicians to tinker cripples the work of those parts of government they are wondering about making the subject of that tinkering. I have seen that in local authorities under threat of abolition in favour of centralising services at County Level: for several years service development stops, staff start watching their backs to protect themselves in the "transition", all the previous work to build an effective organisation is thrown out of the window, and energy is put into reorganisation rather than serving the public.

So one of my principles is this:

If a reform results in more politicians, don't do it. Or, at least, don't do it without abolishing more politicians than you create.

Power and Responsibility are too far from the Bottom

It is truly remarkable that with all this structure, **in the UK** our lowest effective unit of government (the District Council) is still much larger than those in some other European Countries. And even at that level the trend of recent years has been to move power up the tree rather than down.

We hear a rhetoric of local empowerment and support for devolution to local level from national politicians. Meanwhile, most recently Ministers making these speeches have been busily abolishing dozens of local councils - often over the heads of the local people who indicate support in local ballots.

My second principle (this may be overoptimistic):

Find national politicians who will slash their own rights to micro-manage, and take their hands off the levers of power.

Lack of interest in local politics is a recognised problem. Moving power (and the taxes that pay for that power) down the tree is the only way to reawaken that interest in local politics. To put it another way, the Electorate will take an interest when there is something worth taking an interest in. My favourite suggestion is to reverse the Local Council revenue split - change the 25% or so currently raised locally to 75% and the Council Tax will treble; **then** they will take an interest.





Jam The Centralisation Ratchet

This is a difficult one. There is a tendency where any decision can be taken to the “next level up” by the losing side, or by those wanting uniformity on their pet issue - whether Regional / National or International. At each stage, if a local decision is countermanded by a higher authority, it can then become binding (or influential) across a wider domain, and subsidiarity and local autonomy are reduced.

Let me take just one example: Max Mosely won a case against the News of the World, and he is now taking a case to the European Court of Human Rights to seek to compel writers and publishers to check with their subjects before publication, and seeking to have a hearing before a judge before publication. Leaving aside the implications for free debate - any such ruling would reduce national and local autonomy in the area of privacy law.

Subsidiarity means Diversity: Live with it

This is linked with the tendency to increasing centralisation.

Mr A living in area 1 sees that Mrs B living in area 2 is treated differently in some aspect of life. So Mr A demands the same as Mrs B for the sake of “fairness” and to protect “equality”.

The problem is that every time a decision is made at a “higher level” or in a Court of Law that a universal standard must apply subsidiarity is diluted, diversity is undermined, and autonomy is reduced.

We need to accept that at least **some** Postcode Lotteries are simply the other side of the coin of a belief in local autonomy. So here’s my third principle:

Accept variation, don’t try to impose sameness.

The rub is in which areas of life and governance the same practice must be applied everywhere. That, and the demand by every single issue group or campaign in the country that it must be done for **their** hobby-horse because **their** campaign is the fountainhead of justice.

Wrapping Up

I’ve thrown up quite a few questions; I hope that Dave will let me speculate about a few answers later in the series.





4 - A Democratic Devolution - Devolving England IV

By [The ThunderDragon](#) • October 12, 2008 [\[Edit\]](#) (18 comments)

I'll start this post off with a very quick round-up of the online symposium so far:

- **Dave Cole** argues that it's "[a long way to Westminster](#)" and the English devolution should be provided on a regional level - but he doesn't deny that it is needed;
- **Garbo** claims that we [don't need](#) an English Parliament, and can't have one due to them complications; and
- **Matt Wardman** considers the way(s) in which we are governed and the the [potential role](#) of an English Parliament.

I'll be taking the debate in a slightly different direction, with a greater consideration of the democratic implications of devolution. After all, democracy is a subject [in which I am interested](#).

The West Lothian Question

This is the fundamental issue that underpins all the claims for an English Parliament - that Scotland and Wales have a far greater amount of say in the UK than their population warrants in a democratic system, and was first raised in 1977 by former Labour MP Tam Dalyell:

For how long will English constituencies and English Honourable members tolerate... Honourable Members from Scotland, Wales and Northern Ireland exercising an important, and probably often decisive, effect on British politics while they themselves have no say in the same matters in Scotland, Wales and Northern Ireland?

For how long indeed?

There is **no denying** that the current system with a Scottish Parliament and Welsh and NI Assemblies is not acceptable and not democratic. This is also exacerbated by the fact that MPs in Scotland and Wales **still** represent smaller constituencies than those in England.

The crux of the issue is that people in Scotland and Wales have two votes - one for Holyrood or Cardiff and another for Westminster, whilst those in England have just one, for Westminster. That alone is undemocratic, and when Scotland and Wales have more MPs than their population warrants, it becomes even more so.

A West Lothian Answer?

There are plenty of potential answers to the West Lothian Question, but few which are practically workable. Let's take a quick look at a few:

1. Abolish the Scottish Parliament and Welsh Assembly;
2. Reduce the number of Scottish and Welsh MPs **below** that their population warrants;
3. Have English MPs-only votes on legislation which will not affect Scotland or Wales;
4. Create an English Parliament;
5. Dissolve the United Kingdom.

These are the main options, and pretty much any other is variation on the above. Yet how many of these are actually workable? Option 1 will not happen, and so can be easily written out; option 2 would be equally unacceptable, and contrary to the Act of Union; option 3 would only partially fix





the issue, but not entirely resolve it; and option 4 is the only workable solution - it's just the details that are complicated [I'm not even going to dignify option 5 with an answer].

So, an English Parliament it is.

The only credible answer to the West Lothian question is, as briefly demonstrated above, an English Parliament. Only an English Parliament can correct the democratic deficit that is suffered by 84% of the population of the UK. The devil is, as they say, in the detail.

Any creation of an English parliament must meet the following criteria. It must:

- Maintain the Union;
- Leave England as a single entity;
- Create equality amongst all devolved governments; and
- Not create an extra expensive layer of politicians.

It must, of course, also win a referendum. But that's not relevant at this unfortunately entirely theoretical stage.

Creating Democratic Devolution

Democracy is the principle that underpins the West. Without it, we no longer have any claim to legitimacy on the stage of the modern world. How, for example, can we claim to have invaded Iraq in order to give them [or impose] democracy when we don't even properly have it at home?

Of course, bringing democracy into things complicates matters even more due to the inherent intricacies and differences of opinion over precisely what it entails - eg. which is the more "democratic" electoral system - [SMSP](#) or [PR](#)? But for this topic, I'm going to base it on a simple premise: **equality**.

The current devolution system isn't equal, as I have pointed out earlier in this article. And the only way to make it equal is through the addition of an English Parliament to the equation. But would this not make it unequal? Would not then the English Parliament become more important than the one at Westminster? Possibly, yes it could. Hence, how do you create devolution that is democratic?

All the national parliaments should have the same powers - Wales should have the same powers as Scotland and England - to claim otherwise would be the height of hypocrisy. An equal amount of influence for each country in the UK

The only real solution I can see is to make the UK federal, controlling only national taxes and setting out the parameters within which the national parliaments work. To be honest, this would probably have to mean a reduction in the authority of the Scottish Parliament in order to prevent Westminster becoming almost completely irrelevant.

But not yet another set of politicians?

So we have an English Parliament as the only solution to the West Lothian question and the democratic issue of devolution. But how can we do this without creating yet another tier of expensive politicians?

One solution would be to have the same politicians represent us at national and Westminster levels.





Yet this would mean that each country would have to have the same electoral system and a population-equivalent number of members. Another would be to have part-time Westminster MPs. But each of these raises its own issues.

What should happen though is that Westminster Palace becomes the home of the English as well as UK Parliaments. There's no way we should pay for an entire new parliamentary building.

Wrapping Up

The change that I propose is more than just the creation of an English Parliament, but the fundamental realignment of the UK political system. Each constituent country of the UK must have the same amount of control over internal activities and the same influence of federal UK policy.

Ever since 1999 and the creation of the Scottish Parliament and the Welsh Assembly has there been proper democracy in the UK. When one - albeit significant majority - of the population has such a smaller amount of influence over its future than what are frankly tiny minorities there are problems that need to be addressed. This issue would not have achieved its current status had not

There can be no doubt in the minds of any intelligent person that the current system does not work and is not fully democratic. However, the way in which we should deal with it is an entirely different question. And none of these are necessarily inherently wrong or correct.

I personally think that an English Parliament is the only way to go, as I hope I have shown in this article.

There are of course many potential issues that I have either skated over or entirely ignored thus far, so please raise them in the comments or in your own article in this symposium.

Should interesting comments arise, I hope to investigate some further potential solutions in another post.





5 - Devolution or booby trap? The London experience: Devolving England V

By [Damian Hockney](#) • October 13, 2008 (6 comments)

Former London Assembly Member Damian Hockney brings us the fifth installment in the Wardman Wire's series on 'Devolving England'. It follows on from pieces by [Dave Cole](#), [Garbo](#), [Matt Wardman](#) and [the Thunderdragon](#). If you would like to contribute a piece, please [blog AT davecole DOT org](#).

As a London Assembly Member for the last four years of the Ken Livingstone era, my experience showed that what is called devolution is a front for greater central control of law making, not less. It's remarkable that there appears to be little understanding of the degree to which government makes a great show of pretending to devolve power at exactly the time when more power is being away from local communities, and it is a shame (but not surprising) that commentators are not more cynical.

We don't have devolution

Devolution might work but we haven't got it. And in our developing system of government, we can't have it either - not real devolution of power. In fact, we have steadily moved in the opposite direction. What we have is devolution of responsibility for administering powers which are ever more tightly defined and owned by the centre. The confusion lies with emotive perceptions of Westminster as the 'centre' and its own clear loss of power. Ergo, 'the devolved bodies have more powers'. Wrong. The powers have gone the other way. Upwards to a 'superior' body, the EU. And the confusion also lies with the relentless public focus on personalities, as in the recent issue of the London Mayor and the Met chief. This gives an impression of power which is belied by the reality.

I sat on the London Assembly until May, and a defining four year summary for me was that a little influence is OK but is no substitute for even the tiniest power. And we had no power at all. Commentators incorrectly state that the Assembly can 'throw out the Mayor's Budget'. We could not. We could amend the bottom line of the individual elements of the Budget (police, fire, TfL, LDA and GLA) but could not affect the actual content. Which means you cannot throw out the Budget. In fact you dare not amend even the bottom line. Why?

Give you an example. My group wanted to scrap £70 million earmarked for initiating the Western Extension Zone of the C-Charge. Had we been successful in removing that £70 million from the Budget with a two thirds majority, the Mayor could simply ignore the specific...and cut the £70 million from something we might WANT him to spend it on. Indeed he made clear he would (which is what anyone would do if they were Mayor). That's the power then - to shoot yourself in the foot and possibly have something cut that you want to be in the Budget...and then get blamed in Bateman cartoon style. "The man who cut £70 million from the kiddies' pet's home...". It's no power - it's a booby trap.

All rules made by the EU

Increasingly, powers at every level are being transferred to supra national bodies - in particular the EU - down to the most micro level. And the supposedly devolved bodies simply have to function within those rules and laws and administer variations that are allowable (if any). On every





committee I sat, I was struck by the total powerlessness of even the supposed 'dictator' Ken, other than in the administering of his big budgets. The micro-detail of the C-Charge had to be cleared with the EU (which indeed introduced the rules and encourages its adoption), our big row over GLA pensions (exciting stuff, hmmm) was totally dominated by the EU rules (even though no-one actually wanted to talk about them - because 'the EU is nothing to do with London') and of course the scrapping of the Routemaster ("only a ghastly dehumanised moron would want to get rid of the Routemaster", Ken Livingstone, a year before he had to scrap them). Now I might use that description of the EU, but I'm not sure it is what the former Mayor had in mind. But his officials simply had to obey. Every which way you turned, you would read commentators of every shade pontificating about "what Ken should do" or not do. "But, er, he can't," we would say, sending over to them the Directive which specifically banned it (usually on page 1 in big letters). Or "no he can't scrap that, it's against the EU rules". The EU is the proverbial elephant in the room here.

Interestingly, had we had genuine devolution in the 70s when it was on offer, there would have been far fewer supranational barriers - a Scottish Assembly as offered would have provided far more opportunities for creative thinking and legislative adventure - even though it was theoretically less powerful.

Obviously politicians do not want to tell you that they have fewer powers for their increasing salaries and perks. In recent weeks, an impotent Metropolitan Police Authority, openly and shabbily being treated as an adjunct to the Mayor's office, voted for itself a massive increase in members' earnings...at the very time when proof of its powerlessness was spread out for all the world to see. We can but hope that its new money will lead to a greater push for oversight and power - we will hope in vain. And a shame because these are good people, as indeed were the members who have recently left.

Assemblies barred from access to info

The London Assembly is supposed to hold the Mayor to account. But how can it do such a job when it is barred from having access to the important papers that would enable it to do it? The case of Bob Kiley and TfL was a demonstration of just how absurd this is. My group on the London Assembly wanted to ask what he was doing for his fee of several thousand pounds a day for a fixed number of days. A reasonable stand for a scrutiny body. We wanted to ask, based upon the contracts. But we were not allowed to. We were not allowed to bring up the question of his contract, we were not allowed a copy, we were not even allowed to refer to it in the meeting...So of course when the contract appeared spread all over the pages of the Standard on the morning of the meeting, the Assembly's own pathetic lack of power were also spread out all over the floor of the grand Chamber.

All dressed up and nowhere to go was the polite version of what my group said. So, not even the right to be consulted. Then of course next time it was brought up we were permitted to talk about it - because it had "been in the papers". So that's where we are then - the Assembly can comment on things because they've "been in the papers".

And that is a common occurrence. All the cards are held in the hands of 'government', and apologists for this fraudulent version of devolution clutch at straws in the wind to pretend that somehow these impotent bodies are building their powers, and coming of age. But they are not. What happened recently, opposed alone by my colleague and I on the Assembly, was a review of Greater London Authority (GLA) powers which took powers away from local communities (local authorities) and gave them to a centralising Mayor...a Mayor who is dependent upon Government for his cash and has no real check on his power apart from government. And what did the





Assembly get? The right to have hearings about things. The right to receive a letter from the mayor. Cor. This new structure is functioning as a barrier to true local democracy and is cleverly designed to do so. You lose local authorities with long standing (if already eroded) rights to do something and then get an Assembly whose power is to “receive a letter” about it and comment. As we made clear in our submissions, holding to account has been left to central government, with the Assembly a meaningless and expensive sideshow.

And now they're talking about reviving the dead corpse of parishes in the capital. What a wheeze. And their powers? For people to act as “champions” for things. Whatever that means.

La Suisse - douze points

When Switzerland's politicians tried (yet again) to persuade their people to go into the EU, for three months they collectively refused to answer questions about the effect of membership on the role of the canton and referenda. In case anyone needs reminding, these administrative divisions have the strongest and most enshrined devolved powers in the western world, powers which they jealously defend. But then an extraordinary and funny interchange on Swiss tv landed all the old parties on their backs as one after the other of the recent referenda were described as “unlawful” by a stony faced EU official unaware that he was being set up. The best piece of all was when the poor sap said: ‘this will of course be barred on accession because it is not right that Switzerland should exercise these powers let alone a small and insignificant part of it’. You cannot hand a superior lawmaking body sole competence in whole areas of the legislative process then pretend you are devolving powers in those areas to lower levels.

And of course this highlights where our devolved bodies are. Why should we be any different? And we are not. Small and insignificant in powers, large and highly important in their costs and charges. Well dressed, in half a billion pound buildings, big glass testicles by the Thames, posh names and posh frocks, but where can they go? Certainly not to the heart of real power. The pretence at this heart is painful, when you listen to those involved talking about themselves as “London's government”. Slap wrist. You are not. The EU is London's government for 70% of the laws (and growing), Westminster the rest (and declining).

Wrapping up - let's get real

But just in case you should wonder, at the end of this diatribe: yes, I had a great time, I enjoyed working with some of the brightest and most enjoyable colleagues (both in my own party and in other parties, and in the staff at every level in City Hall)...I just think they all deserve better. Better from the system, better from government...and we need to stop pretending. The politicians above all have to take this lead and expose the fraud. They fear that doing so will erode their own positions, minimal though they are. But starting the process of acknowledging the enormous limitations will pave the way for understanding what might have to be done to achieve more real power at local level, more accountability and more participation. Privately they often acknowledge such things, in a rather guarded way, and the justification is “that's how things are”. But just because something currently is the case, that doesn't mean to say that is how it should be forever and ever amen. And we need to have a strategy for dealing with Jumbo.





6 - Off with their Heads: Time for a significant real devolution of power: Devolving England VI

By [Matt Wardman](#) • October 18, 2008

This is my second (and last) article in the series “Devolving England”. In the first one I took a tour through the up to 7 different levels of government, and concluded that there were just too many politicians to allow for the possibility that the rest of us can exist reasonably undisturbed.

This article has a few suggestions for how we could reduce the amount of government. Some suggestions might be slightly tongue-in-cheek.

Four Problems

I suggested that there were four problems:

1. Make-work for Politicians

There are just too many of them away from the local coal face. They all need to justify their existence by “doing things” and “making a difference”. Personally, I’m tired of so many people needing to convince voters of their ability to make things change

2. Power and Responsibility are too far from the Bottom

It is truly remarkable that with all this structure, in the UK our lowest effective unit of government (the District Council) is still much larger than those in some other European Countries. And even at that level the trend of recent years has been to move power up the tree rather than down.

3. The need to Jam The Centralisation Ratchet

There is a tendency where any decision can be taken to the “next level up” by the losing side, or by those wanting uniformity on their pet issue - whether Regional / National or International. At each stage, if a local decision is countermanded by a higher authority, it can then become binding (or influential) across a wider domain, and subsidiarity and local autonomy are reduced.

4. Living with Diversity

The problem is that every time a decision is made at a “higher level” or in a Court of Law that a universal standard must apply subsidiarity is diluted, diversity is undermined, and autonomy is reduced.

Three Principles

And suggested three principles that should help:





1. Politico delenda est

If a change results in more politicians, don't do it. Or, at least, don't do it without abolishing more politicians than you create.

2. Politicians who hate controlling things

Find national politicians who will slash their own rights to micro-manage, and take their hands off the levers of power.

3. Accept variation, don't try to impose sameness.

Localism is impossible without postcode lotteries. We need to accept that postcode lotteries cannot be avoided if we believe in real local autonomy.

Move Power and Responsibility Down the Ladder

I'm not prepared to be quite as radical as the Queen of Hearts - "Off With their Heads", but I think there is a considerable need for simplification and devolution. In my previous article I identified up to seven tiers of government (this is slightly different in different areas of the country as local government structures are not standard):

1. Parish Council
2. District Council - Bolsover District
3. County Council - Derbyshire County Council
4. Government Office for the East Midlands
5. National Parliament
6. UK Parliament at Westminster
7. European Structures

Of these seven, potentially they could all require elections - which is totally absurd.

Wielding Ockham's Chainsaw

As a thought experiment, I would like to reduce the six or seven representative tiers of government to three or, at most, four. I want to move power and responsibility far down the tree.

1. Give more power to Parish Councils re: local environment etc.
2. Devolve much more power to town/area level district councils. Make Districts responsible for raising at least 50-60% of their funds locally.
3. Emasculate County Councils and turn them more into co-ordinating bodies, maybe even appointed by District Councils rather than direct elections. On the other hand in some areas - such as London Boroughs or Unitary Cities - something of roughly County size may be the natural unit of government.
4. Leave the existing regions largely alone, which seem to work well in some ways (speaking from my experience of the East Midlands). It may be that some strategic County Functions could be transferred to a regional level.
5. Make "national" (i.e. to be created English, Scottish, Welsh, Northern Irish) Parliaments more equal to help resolve the current shambles. I'm quite attracted by the idea of simply





abolishing all the local Parliamentarians (Welsh AMs, Scottish MSPs and Northern Irish MLAs) and have the relevant MPs sit in Holyrood / Cardiff / Stormont / Westminster for one or two days a week or one week a month.

6. Consider the European Parliament to be a “Democratic Surplus” and needs removing, rather than beefing up in an attempt to cover a “Democratic Deficit”. Abolish it and turn the EU into more of a co-ordinating body rather than an embryonic country. But it would be fun trying to achieve that now that we have given away ultimate control over our own laws unless we invoke the nuclear option of withdrawal.

By my reckoning that reduces our tiers of elected politicians to three - Parish, District, National (or four if we still keep the EP) - rather than six or even seven.

I do not know what the savings would be, but the Scottish Parliament and Government alone had [cost more than a billion pounds between its launch and 2005](#); that money represents the opportunity cost of devolution. What else could have been done with it for the people of Scotland? That question has to be answered for every element of government.

Wrapping Up

I quite like the example of Texas, where a population of 24 million has a state legislature that formally meets once every two years.





7 - Devolving England: The Symposium Conclusion by Garbo.

By [Garbo](#) • October 16, 2008 [\[Edit\]](#)

Over the past week or so the Wardman Wire has been running [a symposium](#) on the question of English devolution. It turned out to be a far more fiery issue than anyone first thought it might...

It seemed the only common ground that any of the writers, or those who commented for that matter, had was that the current situation of the West Lothian Question was not satisfactory. It creates a democratic deficit and has handed too much democratic much power, albeit sometimes theoretical, to Scotland. Surely, between us the great and the good from the WW could come up with a solution.

Well, between us we came up with an [English Parliament at Westminster, more regional democracy in the UK, reform is needed but we don't need more politicians, making some small tweaks but generally sticking with the status quo](#) or [not bothering do anything because our government has no powers to devolve any more anyway as they are in Brussels](#). In short, we all had our own ideas to sort out this rather strange thing we call the British constitution.

I suppose therein lies the problem. Britain has never had a constitution. It has never had a revolution. It simply evolved over time with little bits of democracy added here and the odd conventions slowly creeping in there. There was no master plan. There was no end goal. It was just something that happened over time very pragmatically and as events changed and demanded. The result is a web of contradictions, confusions and rather odd ceremonial moments. It is this very nature of the British system that on the surface seems its greatest weakness yet in reality is actually its greatest strength: it is flexible, malleable and can respond effectively to change.

Look at the EU Treaty – they tried to write a constitution to encode our rights and liberties. In theory it is a great idea and you would have thought the cornerstone of democracy. The problem is, it is fantastically long, complex and boring. Your average MP hasn't read it nor understands it – let alone your average man on the street. We should be proud of this wonderful unwritten constitution in the same way we are proud of the mad, eccentric greats that make up our long list of Great Britons. It is just brilliantly unconventional.

It is bonkers that we call it a democracy in many senses, yet we have more control over our future than a country like the US who has a democratically elected representative at just about every level you can imagine. They just lack the flexibility though thanks to their Bill of Rights and two thirds majorities.

But what has this to do with English devolution I hear you ask. Well, we have all these solutions and yet no agreement. I suspect polls would show that most people in England now do want to have their own parliament and, as is the British way, if that is what we want, then we shall get it – because we can do these things so easily and democratically without having to worry about constitutions and the like. It is how Scotland and Wales got their Parliament/Assembly and it will also be the reason we get ours if we so wish. So be it Dave's solution or Thunder Dragon's or anyone else's, what we can take comfort in is that we are still the masters' of our destiny (Mr Hockney may disagree here!).

But a word of warning: The more we try to engineer democracy rather than let it evolve I fear the closer we get to losing what makes British democracy so unique. Personally, I think that would be a shame.





A.1 Who's Who in this Debate

Dave Cole lives and works in London, although he hails from Somerset and has arrived by way of Brazil, the USA and Spain. A Labour party member, he is a jack of all trades and a master of none. He also occasionally writes for [Liberal Conspiracy](#) and his own blog at davecole.org.

Garbo is a political enthusiast working in the politics industry in Westminster. I do not take a partisan view of politics and reserve the right to be critical of all parties and none. He can be contacted directly on poliblogs@hotmail.co.uk for all queries including media and blogging inquiries.

Matt Wardman is an internet consultant, commentator, freelance writer and Project Manager based in the UK. He is available for hire. Matt edits the [Wardman Wire](#), and writes at [Poligeeks](#), [Total Politics](#), and occasionally in several other places. He is especially interested in encouraging bottom-up (or low down) politics, and does not like people who send generalised Cease and Desist letters. He is also tired.

Damian Hockney is a magazine publisher who was elected to the London Assembly for UKIP in 2004. He and his colleague set up a free market anti-regulation group, One London, on the Assembly and were never afraid to fight completely alone on issues.

The Thunderdragon is a blogging pseudonym for Chris Hawes. He is a member of the Conservative Party, and was the Conservative candidate for the local council ward of Leavesden in Three Rivers District Council in the 2008 local elections. He is a recent graduate of the University of Essex, with a degree in Modern History and Politics. He writes a personal blog at [The Thunderdragon](#).

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