

GREEN HOUSE EVIDENCE ON DEVOLUTION

Summary

- Devolution for England as a single block would have the effect of further entrenching the centralising power of Westminster within England, in a contrary trend to the decentralisation of power to Scotland, Wales, and Northern Ireland. We argue that this is undesirable.
- Power should be devolved within England to 'sub-regions': cities, counties, and city-regions.
- This should be within a framework to ensure fair allocation of finance and the reduction of adverse environmental and resource impacts.
- Other changes should include electoral reform and new constitutional arrangements to safeguard the interests of future generations.

Green House

1. Green House is a think-tank principally concerned with exploring ways of securing the inclusion of ecological issues in political and economic debate and policy-making. Our publications, including some on aspects of constitutional reform, are available at:

<http://www.greenhousethinktank.org/page.php?pageid=recentpublications>

Overall considerations

2. If the West Lothian Question was the most important aspect of the failings of the current UK political system, there would be a strong case for the fairly immediate exclusion of Scottish MPs from voting in the Commons on matters which have been devolved to the Scottish Parliament.

3. However the consequence of this would be to transfer the problem elsewhere. Within England, there would then be resentment at the injustice of MPs from more prosperous areas deciding policies for parts of the country which are less prosperous and have political cultures of their own which are different from the culture of Westminster. "English votes for English laws" would immediately create a demand for devolution within England, and this demand should be anticipated in any redesign of the constitution.

4. The Scottish referendum raised a far more important question than the West Lothian one: what we might call 'the Westminster Question'. There is clearly extremely widespread dissatisfaction with the political representation, debate and leadership provided by the Westminster bubble and those who inhabit it. The bubble retains its political power, but it is less and less trusted and representative. It is likely that "devolution for England" would simply reinforce London's centralising power within England, and Westminster's power within that, at the same time as power is decentralised further for Scotland, Wales, and Northern Ireland.

5. There are a number of causes of this decline in trust and confidence in Westminster: including the real complexity of many current issues, which makes the task of governing genuinely very difficult; the whipping system, which reduces MPs' scope for contributing their real opinions; the extent to which the exchange of soundbites has replaced serious debate; the electoral system, which sets up high 'barriers to entry' for new political parties and independents; the incentives for short-termism and for shying away from key long-term questions such as climate change; and the unrepresentative and to some extent corrupt nature of appointments to the House of Lords.

6. There are a number of resulting symptoms of public dissatisfaction, which include: opinion poll findings showing declining public trust in politicians; the fall in voter turnout in elections; the fall in the average percentage of the vote achieved by elected candidates; the fall in membership of the three political parties with the most MPs; the shift in political activism away from political parties and towards NGOs, direct action, and 'clicktivism'; and the effectiveness of the SNP and UKIP campaigns which have stressed their opposition to 'the Westminster elite'.

7. We conclude from this that there is an urgent need for thorough reform of the UK political system. The honouring of pledges made for greater devolution to Scotland should be part of this process of reform. The other parts are currently less clear, which is why we support proposals for a UK Constitutional Convention to examine all the relevant issues in a democratic and participatory way. We would like to see this select committee inquiry begin to set in motion the process for convening such a Convention. This should be followed by the convening of citizens' juries, in order to ensure that the process is not dominated by existing political elites and political parties. In the remainder of our evidence, we will put forward some proposals which we would like to see such a Convention consider.

Devolution within England

8. Proposals to establish an English Parliament, or England-only votes within the House of Commons, on the basis of a parallel with devolution to Scotland, Wales, and Northern Ireland, carry the danger of completely unbalancing the UK constitution. English government established on these lines would dominate the rest of the UK, thereby threatening to cancel out the gains the other constituent countries are achieving from devolution, and creating the likelihood of permanent conflict between the government of England and the UK Government, making it very difficult to achieve anything like stable and consistent government in England.

9. The alternative to this is to establish a system of devolution within England, dividing it up so that no one part of the UK would dominate the rest. There are essentially two versions of this idea, which we can call 'regionalism' and 'sub-regionalism'. The regionalist version was put forward in the White Paper 'Your Region, Your Choice' (2002). This envisaged following up the creation of the Greater London Authority with elected authorities for other regions of England. However the referendum held in North-East England in 2004 showed a lack of public support. It is evident that the public generally do not identify with the 'standard regions' which were used to define Regional Development Agency boundaries and are still in use as the areas for the election of the Members of the European Parliament. Regionalism on this basis also has the disadvantage that it generally lacks support from local authorities, which fear that it may, rather than decentralising power, take power away from them.

10. The other version might be called 'sub-regionalism'. This envisages devolution within England to cities, counties, and 'city regions', all of which enjoy much higher levels of public identification. There are several different sets of proposals which have been put forward for dividing England on this basis (going back at least as far as Derek Senior's 1969 minority report from the Redcliffe-Maud Commission), and in this evidence we will not be going into the degree of detail necessary for considering their relative merits. In some cases, existing local authority boundaries would be appropriate; and there are likely to be cases where two or more existing local authorities might combine. It would also be crucial for democracy to maintain and reinforce district, town and parish councils below the sub-regional level.

11. The North of England is an exception to this general pattern. Whilst there is a limited degree of loyalty to the three standard regions (North-East, North-West, Yorkshire & Humberside), there is a powerful sense of identity for the North as a whole, which should be reflected in any new arrangements, perhaps through a combined voice and co-ordinating committee linking the sub-regions within this area.

12. Powers that should be devolved to sub-regional level are of three types: the sorts of areas currently devolved to the GLA and proposed in the 2002 white paper, for example over planning, transport, and environmental issues; some areas of expenditure (involving housing and transport for example) where choices can be made as to allocation between different public services and infrastructure; and the convening power to bring together public, private, and third sector partners for joint activities.

13. In any system of devolution, the question of resources is crucial. This is true in two ways. First, it is important to combine devolution with redistribution, in order to secure social justice. If regions or sub-regions were required to be financially self-sufficient, existing patterns of severe inequality would become further entrenched and exacerbated. A new funding formula would be required within England, operating alongside the Barnett Formula (or its successor) for devolution in other parts of the UK.

14. Second, there should be an organised process for analysing and discussing the real dependence of sub-regions on each other, and on other parts of the world, for example as regards water supply, energy supply, food supply, and the absorption of carbon emissions. It is important to recognise that merely seeking to represent these dependencies and flows in money terms does not capture the full reality of the situation. Sub-regions should be required to draw up plans to steadily reduce their negative impacts on other areas, including their 'footprints' overseas.

Other reforms

15. Devolution by itself will be limited in its effectiveness unless there is also action taken to loosen up the current centralised party system. Electoral reform is an essential part of this, inclining us towards advocating Single Transferable Vote. There also needs to be a reduction in the power of party whips, and greater amounts of time for backbenchers to bring forward proposals for legislation.

16. The existing composition of the House of Lords is indefensible and to some extent corrupt. Recent reforms, whilst rightly reducing the role of heredity, have reinforced the power of party leaders, who are able to reward party loyalists and donors with peerages. We would like to see a primarily elected House of Lords (perhaps 80%), based on multi-member sub-regional constituencies elected by STV, together with possibly 20% selected by an independent commission responsible for appointing specialists, for example from law and science.

17. The current political system includes many incentives for focusing on the short-term and shying away from consideration of long-term issues and implications. We would like to see concern for future generations embodied in the UK constitution in two ways. Firstly, this should be part of the remit of a reformed Upper House. Secondly, it should be part of the remit of the Supreme Court, which should be empowered to strike down as unconstitutional any piece of legislation found to be clearly contrary to the interests of future generations. The Court might take advice on this in each particular case from a citizen's jury. There also need to be changes in the way in which the Treasury calculates and advises on the assessment of costs and benefits over long time-periods (current methods are a massive form of discrimination against future generations).

18. All democratic reform ultimately depends on the energy and involvement of the general public. We seek the repeal of the Lobbying Act, which currently restricts democratic involvement at a time when it is particularly necessary.

19. Democracy also depends on information. We seek the splitting up of major concentrations of media ownership, as well as the replacement of the self-regulatory Advertising Standards Authority by a statutory body with power to limit misleading and intrusive advertising.

Conclusion

20. The public very obviously lack confidence in the current UK political system. However, the Scottish referendum debates and campaigns indicate that there is no lack of public interest in political issues. Allegations of "apathy" are merely an excuse. There is a clear need now for citizens and their elected representatives to set about the task of creating a new political system and a new constitution for the UK. This committee inquiry could be a significant step in that direction. The most important step which should follow is the convening of a Constitutional Convention.