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Power to Change

WHAT POWERS WHERE?
Achieving the 'devolution revolution'

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ABOUT REIMAGINING THE STATE

After a decade of disruption, the country faces a moment of national reflection. For too long, Britain has been papering over the cracks in an outdated social and economic model, but while this may bring temporary respite, it doesn't fix the foundations. In 1942 Beveridge stated: "a revolutionary moment in the world's history is a time for revolutions, not for patching." 80 years on, and in the wake of a devastating national crisis, that statement once again rings true. Now is the time to fix Britain's foundations.

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Reimagining the Local State is one of the major work streams within this programme.

ABOUT REIMAGINING THE LOCAL STATE

This paper is part of the *Reimagining the Local State* work stream. English local and regional government stands at a turning point. There are signal opportunities for local innovation, close community engagement, and ambitious devolution of powers and responsibilities from the centre. There are also unprecedented challenges, driven by years of fiscal retrenchment and rocketing service demand. This programme will develop policy ideas for the future of devolution, the role of communities, and the structures, practices, and leadership of local government itself. This paper explores the structural challenges and gaps present across the English local government system in order to set out principles and priorities for foundational reform.

Reimagining the Local State Advisory Group
Reform is grateful to the expert members of the *Reimagining the Local State Advisory Group* who provide invaluable insight and advise on the programme. Their involvement does not imply endorsement of every argument or recommendation put forward.

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Recommendations

Recommendation 1: Expand the scope of mandatory 'local growth plans' to become ambitious and strategic 'Regional Plans', coproduced with all tiers of governance and the community-led actors within a region. These should encompass economic growth and the integration and improvement of all local services as well as plans for the best use of local assets and resources.

They should explicitly reflect a set of foundational design principles such as those set out in this report, and an initial mapping process showing how devolved powers will be distributed through every tier of the regional system, enabling wider support for devolution. Joint governance groups, operating semi-independently from the Combined and Constituent Authorities, should operate a schedule of regular reviews at the regional scale to support and monitor delivery against Plans and recommend updates to them.

Recommendation 2: As part of the adoption of Regional Plans, all tiers of governance within a region should also adopt a formal framework that explicitly entitles all tiers of government to propose the 'drawing-down' or 'drawing up' of specific powers when this would allow them to better fulfil the objectives agreed in the Regional Plans. These proposals must demonstrate feasibility and close consultation with relevant communities and community groups. Each tier of governance, including central government, must consider and respond to these subsidiarity requests from other tiers in a timely way.

Recommendation 3: Replace deal-based devolution at lower 'tiers' of the devolution framework with a 'by default' system based on demonstrated institutional maturity in line with a clear set of criteria (as proposed in Devolve by Default (2024)). Implement intergovernmental systems to oversee and support this process, and complement with a comprehensive peer learning and accountability function for continuous improvement, supported by an operationally independent Office for Local Government (Oflog).

Recommendation 4: Ensure that subsidiarity and effective power-sharing is embedded as a key metric within the monitoring and evaluation framework as this is developed around England's regional authorities.

Recommendation 5: Establish 'one-stop' regional coordination points to streamline interactions with central government. These should be reinforced by embedding seconded central government officials. These officials should provide on-the-ground support to engage with and advocate for local actors within Whitehall, navigate central systems, access grants, implement policies effectively, and support the production of Regional Plans.

1. Introduction

A consensus is emerging in British politics around the merits of devolution in England, based on growing recognition of the ways in which overcentralisation has contributed to declining public services and collapsing trust in the institutions of the State. The 'levelling up' agenda that dominated regional policy between 2019 and 2024 set an ambitious target that "by 2030, every part of England that wants one will have a devolution deal",[1] and now the new Government has promised to extend and deepen that programme of devolution as part of a "revolution" for local government.[2]

This programme of devolution, however, is rife with complexity. It has so far been dominated by Whitehall-brokered deals and the allocation of administrative functions to Combined Authorities (CAs) in a way that, with some exceptions, has not greatly affected central control.[3]

Local authorities often find themselves trapped, unable to build their capacity to satisfy the conditions for devolution without first realising some of the capacity-building that is itself made possible by devolution: a 'catch-22' scenario that holds back the wider programme.[4] Moreover, there is as yet little scope for lower tiers of local government to make the case for greater direct control over particular powers.

The development of regional governance across England has been patchy, incremental, and narrowly focused. Local communities face significant obstacles in navigating this system or accessing public services or other kinds of support as they face an increasingly complex and varied local government landscape with an unpredictable distribution of powers.[5]

Meanwhile, there are parallel calls for subsidiarity — devolving powers to more local levels — in order to create the conditions for a dynamic and active community sector.[6] Devolving power from national to local government is not in itself usually considered to be enough to unlock community empowerment, but doing so with an explicit aim to then share power with communities themselves in a process of 'double' or 'triple' devolution could be.[7] Thus, there is a growing agreement that devolution in England should be "built from local communities and councils, rather than imposed from the centre…[and] not simply combined authorities, and mayors."[8]

1.1 Asking the right questions

[1] Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government, 'Levelling Up the United Kingdom: Executive Summary', 2022.
[2] Prime Minister's Office, *The King's Speech 2024: Background Briefing Notes*, 2024.
[3] Simon Kaye and Rachael Powell, *Devolve by Default: Decentralisation and a Redefined Whitehall* (*Reform*, 2024).
[4] Charlotte Hoole, Simon Collinson, and Jack Newman, 'England's Catch-22: Institutional Limitations to Achieving Balanced Growth through Devolution', *Journal of the Academy of Social Sciences* 18, no. 3–4 (April 2023).
[5] Public Administration and Constitutional Affairs Committee, *Governing England, Third Report of Session 2022-23*, HC 463 (London: The Stationary Office, 2022).
[6] Local Trust, *Manifesto for Community and Neighbourhood Governance Reform*, 2023.
[7] Jenevieve Treadwell et al., *Double Devo: The Case for Empowering Neighbourhoods as Well as Regions* (Onward, 2021).
[8] Treadwell et al., 2.

With further devolution promised in the years ahead, and an evident need for reform in the wider system of local government, many questions arise. What responsibilities and decisions should be held by different levels of governance in England? By what principles and procedures should such 'ownership' of different powers be decided? How might this benefit local places and help to create the conditions for community-led activity?

Ideas for the redistribution of various powers are already emerging from the policy debate raised by these questions – ideas such as devolving the administration of jobcentres, major moves on fiscal autonomy, and regionalised adult skills strategies.[9]

This report addresses the challenge differently. Instead of asking which specific powers should be devolved to which particular places as part of an issue-specific policy debate, it sets out the *design principles* for a process that would identify the best scale of administration for different kinds of decisions and services. These principles provide a set of rules to guide a reimagined local government structure, and to inform the continuing devolution of powers through the current one. These are accompanied by a set of recommendations that are intended to decisively shift official behaviours and promote power-distribution through the whole local government system.

The paper ends with a guideline proposal for a more optimal distribution of powers in a reformed system, inspired by how these powers are often organised in other countries, the emerging case from the policy literature and the experience of community groups. It provides a guide for immediate action, and a basis for more radical structural change in the future.

1.2 About this report

Section two of this report sets out the features of current local and regional systems in England: the variability of experience in different parts of the country, and the kinds of powers that tend to be held by different tiers of local government at present.

Section three categorises the main benefits of an approach that seeks to situate 'ownership' of different powers and responsibilities at the most appropriate scales of local or regional governance, and design principles to guide policy in this area.

Section four sets out the report's core recommendations, including the idea of wide-ranging regional planning as an intrinsic component in the process of devolution.

Section five offers an indicative plan for the kinds of powers that could be placed at hyper-local, local, and regional scales respectively.

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[9] Anthony Breach, Stuart Bridgett, and Olivia Vera, *In Place of Centralisation A Devolution Deal for London, Greater Manchester, and the West Midlands* (Resolution Foundation, 2023); Katy Shaw, *A New Britain: Renewing Our Democracy and Rebuilding Our Economy: Report of the Commission on the UK's Future* (Labour Party, 2022).

2. The lay of the land

Local governance structures in England are complex, with upper and lower-tier, single and two-tier councils, and parish and town councils layered through the system alongside an emerging "intermediate" level of government in the form of combined authorities.[10] This has resulted in varying and asymmetrically devolved powers across England, and a patchwork of powers and overlapping jurisdictions which have led to responsibility for specific functions becoming less clear over time.[11]

2.1 Causes for concern

As this section shall explore, local systems in England, though at times well-adapted to serve the needs of local people, produce a series of unintended consequences, all of which undermine the prospects for further devolution or realising the potential benefits of better-empowered local systems.

- **Inconsistency and opacity.** Local systems are highly variable, so that different parts of England have very different governance arrangements. This undermines public engagement.

- **Lack of hyper-local governance and direct community facilitation.** For most of England's population, the smallest unit of governance is some form of unitary local authority, with an average population size of just under 170,000. In contrast the average population size of local governments in Italy, Germany Spain and France is 5,667.[12] Denmark, which recently consolidated its local government system into larger municipalities, still has a basic unit of local government that is around a third the size of that in England.

- **Lack of strategic regional governance.** England is introducing a tier of combined authorities with highly variable sizes and powers, and these are not yet present everywhere. Most countries have a regional or 'meso' tier of government with direct responsibilities across a broad range of policy areas and decisions. This allows for a more strategically focused central government, as well as coordination of activities and decisions taken over functional economic geographies.

- **Unfunded mandates**. English local government has very limited ability to raise its own revenues, and much of the available resources are consumed by highly costly statutory duties (e.g. adult social care). Beyond core statutory responsibilities, local authorities have many other mandates and responsibilities, and in many places these are underfunded.

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[10] PACAC, *Governing England,* 3.
[11] David Torrance, *Introduction to Devolution in the United Kingdom* (House of Commons Library, 2022).
[12] Colin Talbot, 'Local Government: Too Big and Too Small?', *The MJ*, 26 January 2022.

2.2 Mapping complexity

In England, most strategy, policy formulation, and financial decision-making is managed directly by central government. Local government, meanwhile, features a complexity of overlapping systems, often tasked with implementation of policies but seldom empowered to act strategically or autonomously in the interests of local residents. The map of English governance is therefore marked by two particularly important features: it is overcentralised, and it is a highly layered patchwork.

By contrast, many other countries have simpler or rationalised arrangements, with different degrees of granularity. France, for example, has much more granular arrangements, with 36,000 basic units of local government in operation (compared to the UK figure of around 380), some of which involve very small population sizes. This system is consistently arranged into a three-tier system comprised of hyper-local *communes*, larger *departments*, and strategic *regions*.[13]

In England, a person living in the city of Bedford[14] is within the jurisdiction of just two distinct tiers of government.[15] Their local authority is the Borough of Bedford, a unitary authority with responsibility for the full range of services and functions statutorily held by local government in England, including delivery of social care, administration of local housing and planning, waste disposal, registry functions, public health, and highway management. Above this local authority, there is only central government.

By contrast, a person living in Stratford-upon-Avon, some 50 miles away, is within the jurisdiction of five layers of government. A civil parish Town Council takes responsibility for areas including aspects of crime prevention, green spaces, and cemeteries. Stratford-on-Avon District Council is responsible, among other things, for housing, planning, and waste collection. Warwickshire County Council is responsible for services such as social care, highways, libraries, waste disposal, and public health. West Midlands Combined Authority – of which the County and District councils are constituent members with reduced voting rights – directly manages a growing range of strategic objectives for the area, including net zero policies, house building, public transport, adult skills, and strategic economic development. And then there is central government.

As things stand, England has the following layers of local governance (see Figure 1, below):

- A hyper-local tier, which does not cover most of the population of England and is highly variable in terms of use of powers and level of activity.
- A mid-size tier of local authorities – universally present, though at times split across multiple institutions – which reaches across the gamut of local government roles: hyper-local activities, major public service delivery and statutory duties, and even (at upper-tier/county level) strategic oversight of quasi-regional issues such as strategic economic planning.

[13] Tony Travers, 'Tony Travers: 1974 Reform Heralded a near Permanent Revolution', *Local Government Chronicle*, 2 April 2024.

[14] With the sole exception of the Brickhill area, which has had a parish council since 2004.

[15] Setting aside the more specialised administrative structures that cover the area, e.g. the Bedfordshire, Luton, and Milton Keynes Integrated Care System (NHS).

- A regional tier, which is not universally present and has highly variable powers – which takes on strategic, convening, and co-ordinating activities.

Some public services are split between different tiers of government, and effort is replicated, and efficiencies missed, as a result. This is, in part, the result of the large diversity of structures in different parts of England. Some areas experience governance arrangements that are simple and streamlined, while other areas experience simultaneous governance at the ultra-local, hyper-local, local, regional, and national scales, with functions and services unpredictably shared between these different tiers.

2.2.1 The hyper-local tier (Town and Parish Councils)

Where they exist, Parish and Town Councils represent the most grassroots level of local governance in England, typically presiding over villages, small towns, and sometimes urban districts. Historically rooted in the ecclesiastical parishes of the Church of England, their evolution into civil institutions during the 19th and early 20th centuries marked a significant shift towards local democratic governance. These councils are entrusted with addressing very localised concerns. Responsibilities typically encompass the management of community assets and services such as allotments, burial grounds, public conveniences, and litter bins.

Under the Localism Act 2011, these hyperlocal councils are entitled — if most members are elected and the Clerk is appropriately qualified — to the same 'general power of competence' as that enjoyed by larger local authorities.[16] As with local authorities, this opens the door to a variety of council activities beyond core statutory duties (of which Parishes have few). This has also led to some Parishes taking on aspects of services as local authorities reduce their own provision.

Parish councils are present across more than 90 per cent of England's geography. However, because they are less frequently present in urban areas with higher population density, they cover only around a third of the population (for example, they are extremely rare within Greater London, Birmingham, and Manchester).[17] When local authority consolidation occurs (converting a two-tier county/district area into a unitary authority — see below), new parish or town councils are sometimes introduced as a part of the process. This reflects the idea that the presence of a hyper-local tier of governance becomes more important if smaller district-level authorities disappear. Notably, however, this 'tier' of governance also experiences an effective democratic deficit. Parish and town councils are sometimes organised and managed opaquely, with little direct engagement with the public.

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[16] Local Government Association, *The General Power of Competence: Empowering Councils to Make a Difference*, 2013.
[17] Mark Sandford, *Why Do Parish Councils Only Exist in Some Parts of England?* (House of Commons Library, 2022).

Figure 1: The delivery and administrative powers of local government in England

Column headers (left to right): Adult Social Care, Children's Services, Museums & Galleries, Leisure Centres & Parks, Libraries, Markets & Fairs, Parking, Public Conveniences, Arts & Recreation, Tourism, Housing, Building Regulations, Local Planning, Education & Related Services, Highways & Roads, Transport, Concessionary Travel, Birth, Deaths & Marriage, Burials & Cremations, Trading Standards, Economic Development, Strategic Planning, Licensing, Consumer Protection, Coastal Protection, Environmental Health, Public Health, Emergency Planning, Street Cleaning, Waste Collection & Recycling, Waste Disposal, Community Safety, Electoral, Tax

Power	Parish*	District	County	Unitary	Regional Scale Authority**
Adult Social Care			✓	✓	
Children's Services			✓	✓	✓
Museums & Galleries	✓	✓	✓	✓	✓
Leisure Centres & Parks	✓	✓	✓	✓	
Libraries	✓		✓	✓	
Markets & Fairs	✓	✓	✓	✓	
Parking	✓	✓		✓	
Public Conveniences	✓	✓	✓	✓	
Arts & Recreation	✓	✓		✓	✓
Tourism	✓	✓	✓	✓	✓
Housing		✓		✓	✓
Building Regulations		✓		✓	✓
Local Planning		✓		✓	✓
Education & Related Services			✓	✓	✓
Highways & Roads			✓	✓	✓
Transport		✓	✓	✓	✓
Concessionary Travel			✓	✓	✓
Birth, Deaths & Marriage	✓	✓		✓	
Burials & Cremations				✓	
Trading Standards		✓	✓	✓	✓
Economic Development			✓	✓	✓
Strategic Planning		✓	✓	✓	✓
Licensing			✓	✓	✓
Consumer Protection				✓	
Coastal Protection	✓	✓	✓	✓	✓
Environmental Health		✓	✓	✓	✓
Public Health			✓	✓	
Emergency Planning					
Street Cleaning, Waste Collection & Recycling	✓	✓		✓	✓
Waste Disposal			✓	✓	✓
Community Safety	✓	✓		✓	✓
Electoral		✓		✓	
Tax		✓		✓	✓

* Powers listed reflect usual areas for Parish and Town Council involvement, when present and active

** Strategic oversight, rather than full ownership, at regional scale (when present), i.e. combined authority; powers listed reflect those held by most mature local systems

The ability to establish new parish and town councils, or to organise to take control of inactive ones, has led to the emergence of community-led efforts to use their capabilities in innovative ways.[18] There are calls for the empowerment of town and parish councils, for example by allocating large parts of Infrastructure Levies to boost their funding, or expanding their access to the 'general power of competence', or putting these systems into parity with local authorities for service provision, depending on their capacity.[19]

In the absence of consistent hyper-local governance — which, even when present, is not always very active in England — community-led organisations in many places are required to navigate a variety of divergent systems. They tend to encounter significant bureaucracy and administrative 'friction' from their interactions with the larger structures that are present.[20]

2.2.2 The lower tier (District Councils)

There are 164 'lower tier' District Councils in England, all of which operate within the jurisdiction of one of the 21 'upper tier' County Councils (see below). Districts primarily manage a variety of services within their jurisdictions, excluding those areas governed by unitary authorities.

Emerging from the Local Government Act of 1972, which sought to create a more efficient and understandable system of local government by establishing the two-tier system across most of the country, these entities were originally designed to ensure populations of more than 40,000 and focus on the administration of services directly affecting residents' quality of life.[21] In 1994, before a wave of 'unitarising' reorganisations began, there were more than 300 district councils.

Today, their key areas of responsibility include processing local planning applications, operating leisure and recreation facilities, managing council housing, and overseeing environmental health and waste collection. District Authorities often handle more localised services, leaving significant statutory responsibilities in the hands of Counties. And, when present, they are responsible for producing 'local plans', which can have an important bearing on progress toward social, environmental, and economic goals. Arguably, because of their relatively localised scale of operation, Districts are poorly positioned to deliver on the local plans that they produce.

2.2.3 The upper tier (County Councils)

The 21 remaining County Councils in England are responsible for provision of statutory, high-cost public services (such as Adult Social Care), as well as playing a more strategic role (particularly in places that do not yet have a regional authority present). They serve populations of, on average, around one million residents. Kent County Council's population of

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[18] Public Square, 'Flatpack Democracy: Reclaiming Local Politics', Webpage, n.d.

[19] Treadwell et al., *Double Devo: The Case for Empowering Neighbourhoods as Well as Regions*.

[20] For example, interviewees from two Leicester-based community organisations, operating within different local government jurisdictions and therefore structures, experienced very similar setbacks in their attempts to navigate or collaborate with the local state.

[21] Mark Sandford, *Long Shadows: 50 Years of the Local Government Act 1972* (House of Commons Library, 2022).

around 1.6 million makes it the largest council in England (larger than several regional authorities).

Their evolution, deeply rooted in the administrative counties established in the 19th century, reflects ongoing reforms aimed at improving the delivery of public services on a larger scale. These councils are often responsible for significant aspects of regional infrastructure and welfare, including the administration of social care, public libraries, and the maintenance of major road networks.

Today, much of the upper tier's ability to deliver on its priorities and statutory duties is undermined by the fact that many of the relevant 'levers' are held centrally or by subnational institutions over which local authorities generally have little influence, such as Integrated Care Systems.[22] This also holds true for 'single tier' or unitarised authorities, where there is no district/county distinction.

2.2.4 Unitary Authorities (including Metropolitan Districts and London Boroughs)

More than 60 new Unitary Authorities have been created through the consolidation of District and County Councils in a sequence of reorganisations since 1995. Such 'unitarisation' is intended to streamline local governance, reduce administrative duplication, and provide a clearer and more transparent accountability structure. Unitary Authorities represent a consolidated form of local governance, wherein the functions of both District and County Councils are amalgamated into a single administrative body, offering opportunities for more efficiencies and integration of services.

This effect does at times play out in practice. Despite feeling concern at the process of unitarisation — and therefore the disappearance of smaller-scale District Authority governance which might be expected to offer more granular enablement and support for third-sector and neighbourhood-scale projects — some community-led organisations have found that working with a new unitary can lead to an improvement in the quality of relationships with local government.[23]

Unitary Authorities created in this way join the pre-existing 'Metropolitan Districts' and London boroughs which, to all intents and purposes, have the same powers and structural role within their jurisdictions. They deliver a comprehensive suite of local government services, ranging from local planning and development to social care, education, and environmental management. By consolidating responsibilities, these authorities aim to enhance service delivery efficiency and responsiveness to local needs.

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[22] Skeena Williamson, 'Integrated Care Boards: What Do They Look Like?', *The Health Foundation* (blog), 24 January 2023.

[23] Interviewees from community-led projects, including one Somerset-based social enterprise, reported that the transition to Unitary governance paradoxically led to *more* attention being paid to smaller towns and places within the jurisdiction, as the now-larger authority felt the need to demonstrate its capacity to work granularly. For some interviewees, this suggested that ultimately the internal culture and leadership of local government tends to be more important for successful collaboration than structure itself.

2.2.5 The regional tier (Combined Authorities and the GLA)

English devolution is occurring at a greater pace now than at any previous modern point. Yet it remains a narrowly defined project, particularly focused on the creation of what has previously been a 'missing' aspect of governance: regional authorities.

The current model of devolution revolves around deal-making between self-selected groups of local authorities coming together to form quasi-regional bodies: combined authorities. These regional institutions draw 'up' certain powers from their constituent councils, and otherwise draw 'down' capabilities from Whitehall through a process of tiered, iterative agreements. Regional governance, long the 'missing piece' from England's complex patchwork, remains highly uneven. It has not yet arrived everywhere (only around half of the English population is currently covered by a combined or regional authority).[24] In the places where it does exist, regional governance has wildly variable powers, budgets, and levels of institutional stability.[25]

The two extant forms of regional authority are Combined Authorities (of which there are now 11, with a further four awaiting parliamentary approval) and the older Greater London Authority (GLA). These both oversee broader geographical areas and tackle strategic issues transcending individual local government boundaries, and are particularly aimed at fostering economic development, improving transport infrastructure, and strategic coordination. The GLA possesses a broader range of powers and a more complex governance structure than most Combined Authorities.

2.3 Regionalism reviewed

The emergence, and growing power, of regional authorities in England has been the area of greatest recent change for local governance.

Most large, complex countries have a regional tier of government. The USA has fifty states that vary greatly in size and population (mean average population of a little over six million); as does Germany (mean average population of a little over five million). Even smaller unitary states, such as Denmark, have regional governance at a smaller population size (one to two million). This is sometimes referred to as a 'meso'-governance layer. Neither the home for hyperlocal self-government and local area coordination, nor for the nation-scale strategic functions expected of a nation-state. Meso-governance is a consistent feature within developed countries.[26]

Between 1994 and 2010, Regional Development Agencies played a partial governance role at something resembling the larger 'meso' scale of operation. Once abolished, some of these

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[24] Duncan Henderson et al., 'English Devolution', Institute for Government, June 2024.
[25] A future *Reimagining the Local State* report will set out detailed proposals for the future of regional authorities in England.
[26] Philip McCann, *The Fiscal Implications of 'Levelling Up' and UK Governance Devolution* (National Institute of Economic and Social Research, 2022).

economic planning functions were redirected to Local Enterprise Partnerships, which have now in their turn been discarded.[27]

2.3.1 London's example

London has long been treated differently to the other parts of England: a site for metropolitan quasi-autonomy and experimentation in municipal governance. Between 1965 and 1984, the Greater London Council played a strategic governance role similar to that seen in regional governance in other countries. Then, in 2000, a major precedent was established with the re-introduction of regional governance for London. The Greater London Authority (GLA) was and is unique, combining a directly-elected mayor with a full assembly of representatives, mirroring the executive/legislative balance found in most presidential systems.

The establishment of the GLA presaged the emergence of a much deeper shift. The first attempt to roll out regionalism more widely in England would have seen the introduction of large-geography regions across England, each with an elected assembly. The first step — setting up indirectly-elected regional 'chambers' with few direct powers — was accomplished in 1998.

The first elected regional assembly, planned for England's North-East, was put to a local referendum having been selected on the basis that it was the most likely to meet with public approval. Instead, it was firmly rejected, with only 22 per cent of people voting in favour.[28] Unlike in Wales, this defeat was too emphatic for any second attempt, and there was little indication of any significant public warmth to the idea of regionalism in other parts of the country. The Conservative party, then in opposition, argued that this made clear that the public had no interest in having "more politicians".[29] All of this left the New Labour devolution project unfinished, generating a governance asymmetry between England, Scotland, and Wales that persists to this day.[30] The last regional chamber was abolished in 2010.

2.3.2 Regionalism by the back door?

2004 saw the end of the last concerted effort for the creation of consistent regional governance in England. In 2009, an alternative approach began to emerge, with legislation enabling the creation of something new: a combined authority, where geographically contiguous groups of local authorities voluntarily come together to establish a regional tier of governance. By definition these new systems would be varied, the product of specific local agreements (and deals with central government). Since 2016, these combined authorities have been able to add the role of a directly-elected mayor; of the eleven currently operational combined authorities, ten have now done so.[31]

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[27] Kwame Boakye, 'Government Will End Support for LEPs', *Local Government Chronicle*, 4 August 2023.

[28] House of Lords Select Committee on the Constitution, *Referendums in the United Kingdom, Twelfth Report of Session 2009-10*, HL Paper 99, 2010.

[29] Caroline Spelman, 'Abolition of Regional Assemblies, 2005-06' (2005).

[30] Gary Wilson, 'Constitutional Reform in the UK: A Note on the Legacy of the Kilbrandon Commission', *Liverpool Law Review* 38 (September 2017).

[31] OECD, *Education Policy in Japan: Building Bridges towards 2030*, Reviews of National Policies for Education (OECD, 2018).

As regional devolution has evolved, the 'menu' of policy areas and administrative responsibilities under negotiation for Combined Authority control has changed. Greater emphasis is now placed on the regionalisation of housing policy, as well as public transport policy and major 'missions' such as the drive toward net zero. At the same time, areas such as place-based development and the promotion of growth, while still crucial, are no longer the dominant focus of all regional authorities.[32]

While few would advocate for regional government as the primary relationship-holder with communities, regional governance can be organised to operate alongside highly democratised or 'bottom-up' policy processes. Japan is often considered to be a highly centralised example of a unitary state, though an estimated two-thirds of decisions are taken at a local or regional level.[33] In an explicit programme of "regional revitalisation", Japan's 47 regional prefectures are themselves becoming more open and responsive to approaches to urban planning and development that are driven by small municipalities and the residents within them: the strengthening of the regional tier in turn making smaller scales of governance more active and vital by reducing dependence on the national government as their default interlocutor.[34]

Extant combined authorities are also questioned in terms of their emphasis on big cities, and whether they are appropriate for governance in more rural areas and can adequately support neighbouring areas outside city centres.[35] In response, county-scale devolution deal making and a new model of County Combined Authorities — which can be established without direct involvement from any lower-tier Districts within their jurisdiction — are now emerging.

2.3.3 Inventing the regions?

The emergence of England's regional tier is occurring in an incremental way, with all the advantages and disadvantages that such an approach entails. The voluntary nature of combined authority agreements helps to ensure that they are the product of 'bottom-up' processes. However, the resulting unevenness (and indeed absence) of regional governance in some places presents a major challenge when seeking to realise the benefits of devolution and decentralisation, particularly when there is evidence to suggest that this 'patchwork' actively contributes to the reservations that Whitehall departments sometimes feel about giving up power through devolution.[36]

Other countries have undertaken structural change to achieve regional governance in a more direct way. In 2007, Denmark undertook a radical reform programme, which saw 271 small local authorities consolidated into 98 larger municipalities, while 14 counties were replaced by five larger regions.[37] This was an explicit attempt to create a layer of strong governance, capable of dealing with complex tasks at subnational levels, but at the larger strategic scale —

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[32] Mark Sandford, *Devolution to Local Government in England* (House of Commons Library, 2024).
[33] OECD, *Education Policy in Japan: Building Bridges towards 2030*.
[34] Martina Rotolo, 'The Japanese Way of Urban Planning: The Machizukuri Approach', *The Urban Media Lab*, 7 November 2019.
[35] Dan Turner et al., 'Why Hasn't UK Regional Policy Worked? The Views of Leading Practitioners', *M-RCBG Associate Working Paper Series* 216 (October 2023); Patrick Diamond et al., 'Levelling Up the UK: If Not the Conservatives, Will Labour Learn the Lessons from Past Policy Failings?', *The Political Quarterly* 94, no. 3 (September 2023).
[36] Kaye and Powell, *Devolve by Default: Decentralisation and a Redefined Whitehall*.
[37] European Committee of the Regions, 'Denmark', Webpage, Division of Powers, 2023.

more conducive to economic development — than was achievable with the old counties.[38] Other formally county-level responsibilities were absorbed by the new municipalities, partially in response to a subsidiarity principal where "what can be dealt with on a local basis is dealt with on a local basis".[39] This left the regional authorities to manage healthcare, economic development, and some aspects of the education system.[40]

These reforms have been broadly deemed a success. A 2013 review found that the new structures had the effect of strengthening the professionalism and budgetary discipline of most public services.[41] Meanwhile, the now mid-sized 'municipal' tier, with an average population size of just over 60,000 (considerably smaller than the average English local authority), has become associated with a tendency to work closely with communities. They are encouraged to identify productive place-based strategies and partnerships and to foster community development, playing a role in the population's high levels of institutional trust and social responsibility.[42] A significant degree of direct community input is expected in policy decisions ranging from the school system and climate action plans to the maintenance of pavements.[43]

There are no inherent reasons why English local systems should not also realise the benefits of proximity devolution. However reform is achieved, a nuanced framework for how to design and distribute powers through the evolving local government system will be required.

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[38] Danske Regioner, 'Regional Denmark', Webpage, 2024.
[39] Kommunernes Landsforening, 'Municipal Responsibilities'', Webpage, 2024.
[40] OECD, 'Denmark EUROPe', Webpage, 2016.
[41] The Congress of Local and Regional Authorities of the Council of Europe, *Local and Regional Democracy in Denmark*, CG(12)12FINAL, October 2013.
[42] Maja Neergaard and Rikke Skovgaard Nielsen, 'Cohesion on the Ground: Perspectives and Experiences', *Institut for Byggeri, By Og Miljø (BUILD)*, June 2021.
[43] Stephanie Gidigbi Jenkins, '3 Lessons from Denmark for Investing in People and Places', *NDRC Blog*, 16 August 2017.

3. Design principles for effective devolution

England is often criticised for its highly centralised nature, especially in comparison to other, similarly populous and complex countries. Much policy debate revolves around the potential benefits to be derived from a more decentralised system.

There are three main categories of benefit from a model of this sort, particularly from the perspective of community-led organisations whose progress and ability to achieve outcomes is often strongly dependent on their relationship with various tiers of local government.[44]

Crucially, while regional authorities provide the right scale of operation to achieve these benefits in some instances, in many cases a far smaller scale of state operation will be needed.

Figure 2: Three local advantages from devolution

1. ***Context tailoring and join-up*** is the benefit that arises when local authorities are equipped to identify local assets, needs, and priorities, and specifically design their approach in a way that suits such contextual factors.

2. ***Local accountability and partnership*** is the benefit that can emerge when devolution has enabled conditions where the users of services and communities themselves can have direct input about the quality of the governance that effects them, and contribute to much more rapid cycles of learning and iteration to help bring about improvements in the local state.

3. ***Systemic coproduction*** is a benefit that can only be realised at sufficiently small scales of operation, where the local authority convenes and partners with local businesses, institutions, and communities themselves in order to deliver services and decisions that might involve markedly different behaviours from both citizens and the State.

3.1 Context tailoring and join-up

Decisions and powers placed at a sufficiently localised scale can enable closer adaptation of public services to local needs, improved efficiency in public service delivery, and close information gaps so that locally designed policies can boost economic growth and enhance regional development.[45] At such scales, it is easier to foster strategic alignment between public

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[44] Interviewees from community-led projects
[45] OECD, 'Decentralisation: Its Benefits and Challenges', in *Making Decentralisation Work: A Handbook for Policy-Makers* (Paris: OECD Publishing, 2019).

services which would be siloed at the larger scales – a capability that local government structures can be specifically designed to support.

Sufficiently granular governance systems can also enable more dynamic and innovative behaviours. Public service delivery improvements are often observed as systems decentralise, as they help foster experimentation – as long as this decentralisation is matched by appropriately scaled local capacity and adequate funding.[46] This effect can also be seen in reverse. In Canadian healthcare, where recent trends have been towards increased centralisation, the relationship between decentralised approaches and innovation becomes clear: in the words of one study, "centralised organisational structures stifle rather than foster innovation, specifically during the idea-generation phase of innovation."[47]

Local tailoring also means that decisions are made on a scale with a better chance of benefit from locally distributed or tacitly-held knowledge. Centrally designed policy in England often fails to incorporate the expertise of communities and other local players with a nuanced grasp of the context within which policy will be implemented and brought into contact with the public.[48]

Overall, then, there is potential for many areas of policy to benefit from a more devolved approach.

3.1.1 Is the right scale always the smallest scale?

There are many potential benefits to working in a smaller scale way, and there are evidently many opportunities to realise these benefits by reforming a strongly overcentralised system. However, it is important to note that some decisions and powers might also be best held at larger scales. For example, it seems self evident that some major decisions, missions, and international representation functions should be held by central government by default.

The same holds true for different scales within local government, where some powers should arguably move 'up' a tier as England's regional tier emerges. Decisions on major infrastructure or planning are sometimes too closely entwined with interest groups or politics at the scale of local authorities at present. By contrast, a regionalised decision might be able to cut through these voices, when necessary, to serve the higher-level needs of a wider community.

The point here is not to attempt to concretely establish the 'right' scale for everything, but to accept that at different times and in different contexts the most appropriate tier of governance might vary. A planning decision might be unlocked by hyperlocal approaches if there is enough flexibility and community mobilisation to allow the people involved to trade off their preferences; equally, it could be resolved through the establishment of a strong regional plan that allows the authorities involved to consider overriding community objections on the basis of broader public interest arguments.

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[46] Mousse Sow and Ivohasina F. Razafimahefa, 'Fiscal Decentralization and the Efficiency of Public Service Delivery', *IMF Working Paper* 15, no. 59 (March 2015).

[47] Andrew D. Scarffe et al., 'Centralization and Innovation: Competing Priorities for Health Systems?', *The International Journal of Health Planning and Management* 37, no. 5 (September 2022), 2538.

[48] Michael Hallsworth and Jill Rutter, *Making Policy Better: Improving Whitehall's Core Business* (Institute for Government, 2011).

The key, then, is a process for developing plans that can be accepted as legitimate to all of the relevant stakeholders in a jurisdiction, whether or not they might ultimately 'get their way' when decisions are made. This pursuit of 'meta-agreement', founded upon the exchange of reasons for and against the distribution of powers across a place, is missing from our system at present.

3.1.2 A race to the bottom?

Some critics argue that more granular decentralisation risks a 'race to the bottom' as local authorities at different scales use their autonomy to reduce spending, for example by cutting welfare provision or using any amount of fiscal devolution to radically reduce or increase taxes.[49] This is not supported by the available international evidence. In Germany, an analysis of prisons, care home regulation and public sector pay — all managed through a combination of regional and municipal-scale authorities — found evidence of "different degrees of innovation, reform [and] collaboration" rather than the telltale signs of a race to the bottom.[50]

The hard task of achieving a suitable system of local government finance — combining fiscal devolution, smart investment strategies, long-term settlements, and rigorous audit systems — will also help to ensure that increased autonomy over multiple scales does not simply incentivise rapid cuts.[51]

More fundamentally, highly decentralised countries — even in non-federal systems — must ultimately recognise that local autonomy will involve different approaches being taken in different places. Such difference is not by definition undesirable, but represents a potential source of systemic benefit as innovative and more place-specific approaches are tried in particular areas, promoting learning across the whole system or setting up dynamics of comparative advantage between places.

3.2 Local accountability

Decentralisation can also improve delivery by establishing firmer and more immediate lines of accountability between citizens and the decision-making that affects their lives. This has the effect of transforming the incentives of the authorities that serve local populations.[52]

For example, if residents can directly connect the performance of local services with their payment of local taxes, there are stronger incentives to scrutinise local government.[53] Such scrutiny and oversight could take a variety of forms, and might in some cases need

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[49] Paul E. Peterson and Mark C. Rom, *Welfare Magnets: A New Case for A National Standard* (Washington: Brookings Institution, 1990); Ed Turner and Carolyn Rowe, *A Race to the Top, Middle or Bottom? The Consequences of Decentralisation in Germany* (IPPR North, 2015), 1.
[50] Ed Cox, Graeme Henderson, and Luke Raikes, *Decentralisation Decade: A Plan for Economic Prosperity, Public Service Transformation and Democratic Renewal in England* (IPPR North, 2014), 30.
[51] A future *Reimagining the Local State* report will set out detailed proposals for sustainable finance and audit in the English local and regional government system.
[52] OECD, 'Decentralisation: Its Benefits and Challenges', 2019.
[53] Ibid.

reinforcement by a concerted effort to promote the transparency of the role and working of local authorities.

Organic accountability can emerge rapidly in response to specific issues at local scales. When sufficiently motivated, citizens galvanise community responses to the local state that can lead to direct lobbying of politicians and officials, the establishment of new organisations, pooling of resources to pay for legal action, citizen-driven information campaigns and petitions, and freedom of information requests. Such efforts tend to be more effective when citizens are scrutinising institutions at smaller scales and where they have 'skin in the game', whereas successful influence is far less likely when dealing with national governments.[54]

A more formal, systematic model could involve public authorities going beyond routine consultation exercises. In England, some local authorities are experimenting with the use of citizens' juries or assemblies, on a temporary or standing basis, to help develop policy decisions or to enhance local accountability.[55]

Finally, at a more localised level, a significant policy decision or bureaucratic failure could very well lead to electoral consequences for the controlling party in a local election, whereas the particularities of local issues are less likely to be relevant in a national campaign to elect MPs.

This enhanced local accountability could in turn lead to greater levels of direct participation and coproduction of services, as well as a richer engagement with the trade-offs and rationalisations involved in local government decision-making. The experiences of citizens and service users could be rapidly used to make improvements by small, nimble councils.[56]

Such a scenario would contrast markedly with the current situation, where the complex and unclear arrangement of responsibilities across different tiers of government across England means citizens are often unsure of who to hold to account for their dissatisfactions with services.[57]

3.3 Systemic coproduction

Beyond accountability, a sufficiently localised system can bring citizens directly into matters of decision-making, the design of policy approaches, and direct participation or co-ownership of the delivery or management of services.

Local approaches that are designed specifically for specific places, with citizens as direct participants, can improve policymaking, reduce costs, and strengthen the local social fabric.[58]

The COVID-19 pandemic cast a unique light on the capacity and potential of councils and local communities, contributing to a growing body of evidence that localism can help to drive

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[54] Tate Ryan-Mosley and Jennifer Strong, 'The Activist Dismantling Racist Police Algorithms', *MIT Technology Review*, 5 June 2020.
[55] Democratic Society, '"I Feel Connected for the First Time in a Long While": What We Learnt From the First Citizens' Assembly in Newham', *Medium* (blog), 26 November 2021.
[56] Toni Lennox, 'Share Your Opinion on East Ayrshire Care Services', *In Your Area*, 7 April 2022.
[57] Benoit Guerin, Julian McCrae, and Marcus Shepheard, *Accountability in Modern Government: What Are the Issues? A Discussion Paper* (Institute for Government, 2018), 24.
[58] For example, Local Government Association, '#CouncilsCan: A Local Response to a Global Pandemic', Webpage, 2023.

participatory approaches that help to engineer more prevention and demand-diversion into public services.[59] The rapid success of mutual aid groups — whose involvement often made the lockdown 'sheltering' policies possible in many places — was decisively affected by their relationship with local authorities.[60]

A specific population of service users with deep understanding of the local context could be brought into strategic and spending decisions, helping public authorities to avoid costly projects that don't meet community needs, and redirect resources toward something more useful. Meanwhile, the simple fact of deep citizen participation can help to build confidence, stakeholdership, and personal contribution.[61]

Greater local autonomy can give local government leaders flexibility to, as academic experts have put it, "innovate, take informed risks and operate outside pre-ordained parameters", as well as forge "horizontal structures to promote accountability lines between local leaders and the communities they serve" rather than the "vertical accountability structures [of] ministerial responsibility."[62]

Such structures will make more sense, and be more successful, if they are promoted by the correct tier of local government. Organising a coproduction project, or close partnership with a coalition of businesses, to help deliver on local net zero ambitions may make sense at a regional scale; but a similar effort on tackling litter in a particular neighbourhood should surely be held by a smaller local authority.

3.4 Design principles for English localism

To capture the potential benefits set out above and help to convert them to tangible outcomes, an alternative system of local government would require a set of design principles. These are garnered from the community projects, international examples, and policy experts who have contributed to the research process for this report.

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[59] Grace Pollard, Jessica Studdert, and Luca Tiratelli, *Community Power: The Evidence* (New Local, 2021).

[60] Luca Tiratelli and Simon Kaye, *Communities vs Coronavirus: The Rise of Mutual Aid* (New Local, n.d.).

[61] Simon Kaye, *Think Big, Act Small: Elinor Ostrom's Radical Vision for Community Power* (New Local, 2020).

[62] Sam Warner et al., 'English Devolution and the Covid-19 Pandemic: Governing Dilemmas in the Shadow of the Treasury', *The Political Quarterly* 92, no. 2 (April 2021), 322.

Overarching objectives:

1. Subsidiarity. All other things being equal, powers should always be held at the lowest/smallest scale of organisation compatible with excellent outcomes. This increases the ease of direct community participation, can make systems more readily transparent, and therefore accountable, to citizens, and promotes more context-specific and contextually efficient approaches.

2. Sustainability. The system must be structurally conducive to financial sustainability – not so large as to be unaffordable or to deplete public confidence in how costly the system is. It should also be sustainable in terms of the other kinds of resources it consumes.

Scales of operation:

3. Regionalism. Powers and decisions that depend upon economies of scale, have implications across functional economic geographies, and require more context-specificity than is possible from central government should be held by empowered and autonomous regional authorities.

4. Hyper-localism. Services that particularly benefit from community participation and coproduction will tend to benefit from more localised, informal, collaborative, and facilitative governance.

Enabling principles:

5. Flexibility. Public authorities at any scale should be capable of adapting practices to suit local conditions and community needs, rather than adopting a rigidly bureaucratic or hierarchical approach that inevitably positions residents as passive service users.

6. Specialisation. Much of the challenge faced by communities and third sector organisations (and by central government) are created by the fact that the different tiers of local governance have unclear, blurred, or duplicated remits. Powers should therefore be rearranged in a way that sees specialisation attached to different scales of governance: a collaborative and facilitative hyperlocal tier, a delivery-focused mid-tier, and a strategic and co-ordinating regional tier.

7. Consistency. Alongside the principle that public authorities should have the operational flexibility to adapt their practices to local conditions, there is a strong case for ensuring consistency of the broader pattern of the distribution of powers through a predictable structure. This would build local accountability, strengthen the case for decentralisation out of central government, and makes some aspects of localism, including fiscal devolution, more viable.

8. Join-up. Localism allows for alignment between service areas, as well as connections and collaborations within organisations and between strategic partners. Closely aligned powers should be organised at a single tier wherever possible, rather than spread across two or more tiers. Powers should also be scaled to enable the best chance of collaborative approaches and supportively designed policymaking.

4. How to redistribute power

The design principles in the previous section offer the parameters for a very different system of English local government. Adhering to these would ensure far better engagement with the communities that are served by local government, and which are so often forgotten by the current, overcentralised system. Putting such principles into practice would involve some radical departures from the way that regional and local policy is currently organised, as well as significant shifts in how central government makes use of devolution policy.

Some of the necessary changes have already been discussed in *Reform*'s earlier report, *Devolve by default: Decentralisation and a redefined Whitehall.* The recommendations in this section build directly upon the proposals in that paper, which includes a framework for evaluating the aspects of policy that should be decentralised and tools for evaluating the 'maturity' of different local systems.[63]

4.1 Regional plans and power distribution

For the principles set out above to be realised, and for an alternative power-distribution like the one sketched out in the next section to start to emerge, a commitment to subsidiarity must be fully embedded in the process of devolution as devolved powers are spread and deepened. This would provide clarity for central and local actors about not only the role of regional authorities, but those taken on by constituent local authorities and hyper-local actors within the jurisdiction. To work, the devolution process should establish the incentives required for what will at times be highly complex changes to the practice and powers of governance systems.

The key mechanism for achieving this change should be the expansion of centrally-mandated 'local growth plans' to become wide-ranging Regional Plans. These strategic documents should become the necessary first step for further devolution, and incorporate the various 'plan' documents that are currently produced, in patchwork fashion, by many different tiers of local government. In order to be acceptable for this purpose, they must demonstrably reflect the consensus position of all the relevant actors within a region, across all scales of active governance – in other words, signalling the existence of a coherent and agreed plan for the use of devolved power. This would mean that would-be constituent councils with incompatible visions for the future of regional governance in their area would have to establish firm grounds for agreement before proceeding with further devolution. These Plans should explicitly reflect a set of design principles such as those set out in Section 3.

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[63] Kaye and Powell, *Devolve by Default: Decentralisation and a Redefined Whitehall*.

Recommendation 1: Expand the scope of mandatory 'local growth plans' to become ambitious and strategic 'Regional Plans', coproduced with all tiers of governance and the community-led actors within a region. These should encompass economic growth and the integration and improvement of all local services as well as plans for the best use of local assets and resources.

They should explicitly reflect a set of foundational design principles such as those set out in this report, and an initial mapping process showing how devolved powers will be distributed through every tier of the regional system, enabling wider support for devolution. Joint governance groups, operating semi-independently from the Combined and Constituent Authorities, should operate a schedule of regular reviews at the regional scale to support and monitor delivery against Plans and recommend updates to them.

A crucial aspect of this approach is the adoption of a framework where all tiers of governance have both the right to propose 'drawing up' or 'drawing down' powers, and the responsibility to take such proposals seriously and respond to them properly.

Any such proposed changes should be unequivocally founded upon a comprehensive evaluation of local systems' readiness and 'maturity', based on standardised criteria.[64] At the same time, currently power-holding institutions must demonstrate that they have rigorously evaluated the proposing local tier before taking any decision to devolve further. If disputes emerge within local systems about this process or the appropriate tier for a given power, cases may ultimately be referred to the newly established Council of Regions and Nations for a decision.[65]

Recommendation 2: As part of the adoption of Regional Plans, all tiers of governance within a region should also adopt a formal framework that explicitly entitles all tiers of government to propose the 'drawing-down' or 'drawing up' of specific powers when this would allow them to better fulfil the objectives agreed in the Plans. These proposals must demonstrate feasibility and close consultation with relevant communities and community groups. Each tier of governance, including central government, must consider and respond to these subsidiarity requests from other tiers in a timely way.

4.2 Getting past deal-making

Moving beyond deal-making — particularly for the most commonly devolved powers within government's devolution policy framework — could also help support the wider distribution of powers and the establishment of regionalism everywhere.[66] While forging agreements or deals is a way to ensure local system buy-in as regional structures are spread across the country, it

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[64] Kaye and Powell.

[65] The importance of dispute resolution processes, and clarity about the source of final decisions when absolutely necessary, is clearly established by research into self-governing systems by Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action*, 1st ed. (Cambridge University Press, 2015).

[66] UK 2070 Commission, *Make No Little Plans: Acting at Scale for a Fairer and Stronger Future*, 2020.

also means that establishing a consistent tier is unlikely to happen. Moving beyond deal-making should therefore be an early ambition for central government devolution policy (one already present in published plans for the upcoming English Devolution Bill[67]).

> **Recommendation 3**: Replace deal-based devolution at lower 'tiers' of the devolution framework with a 'by default' system based on demonstrated institutional maturity in line with a clear set of criteria (as proposed in *Devolve by Default* (2024)). Implement intergovernmental systems to oversee and support this process, and complement with a comprehensive peer learning and accountability function for continuous improvement, supported by an operationally independent Office for Local Government (Oflog).

Overcoming the barriers to both deeper and wider devolution will require the adoption of new frameworks, normalising Whitehall's continuous assessment of policy for partial or complete devolution to the control of local systems, and evaluating the capacity, capability, and broader institutional maturity of the local systems that would assume those powers. The Regional Plans set out in earlier recommendations represent one clear way of developing and demonstrating these aspects of systemic maturity. These could be supplemented by a wide array of accountability systems and learning networks. The kernels of these already exist in the monitoring capabilities of the Office for Local Government that is still being incubated at the Ministry of Housing, Communities, and Local Government, as well as the peer-learning and peer-challenge networks such as those organised via the LGA.[68]

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[67] Prime Minister's Office, *The King's Speech 2024: Background Briefing Notes*.
[68] For a comprehensive exploration of these ideas, see *Devolve by Default* (Reform, 2024)

5. What powers where?

The proposals detailed in the previous section give a sense of the practicalities of shifting how powers are distributed in our current system. In this section, an alternative 'map' of tiered governance across England, aligned with the design principles identified in Chapter 3, is set out.

The below model sets out a simplified three-tier structure and the powers that might be best placed at each scale of control. Of course, the distribution set out below is not the only way to arrange these powers, and part of the value of increasing regional and local autonomy is the potential for variation, meaning a slightly different distribution may be preferred to realise the best outcomes for that area. But ensuring a broad consistency of structure would allow for a more efficient 'specialisation' of different organisational scales.

Realising such a structure in practice will require reform of the way that institutions themselves are currently organised (which is addressed section 5.4).

**Figure 3: A simplified three-tier distribution of power for regional and local government in England**
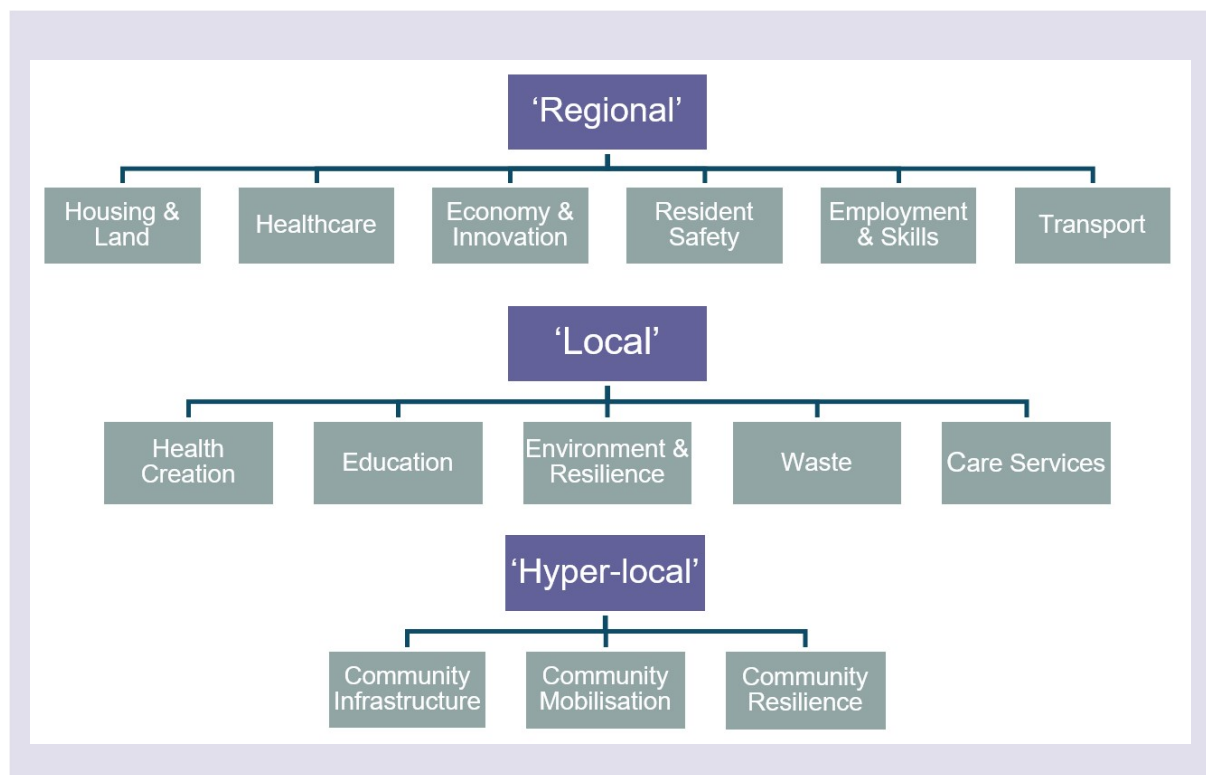
The 'hyperlocal' tier is currently not present at all for much of England, and when present is usually split across Parishes, Districts, and those Upper Tier or Unitary authorities that specifically aim to work in a community-engaged way. This tier should be home to a more

informal, connected, and directly co-productive model of governance, with responsibility for community infrastructure.

5.1 Regional authorities (the 'meso-tier')

Figure 4: Powers of the regional tier
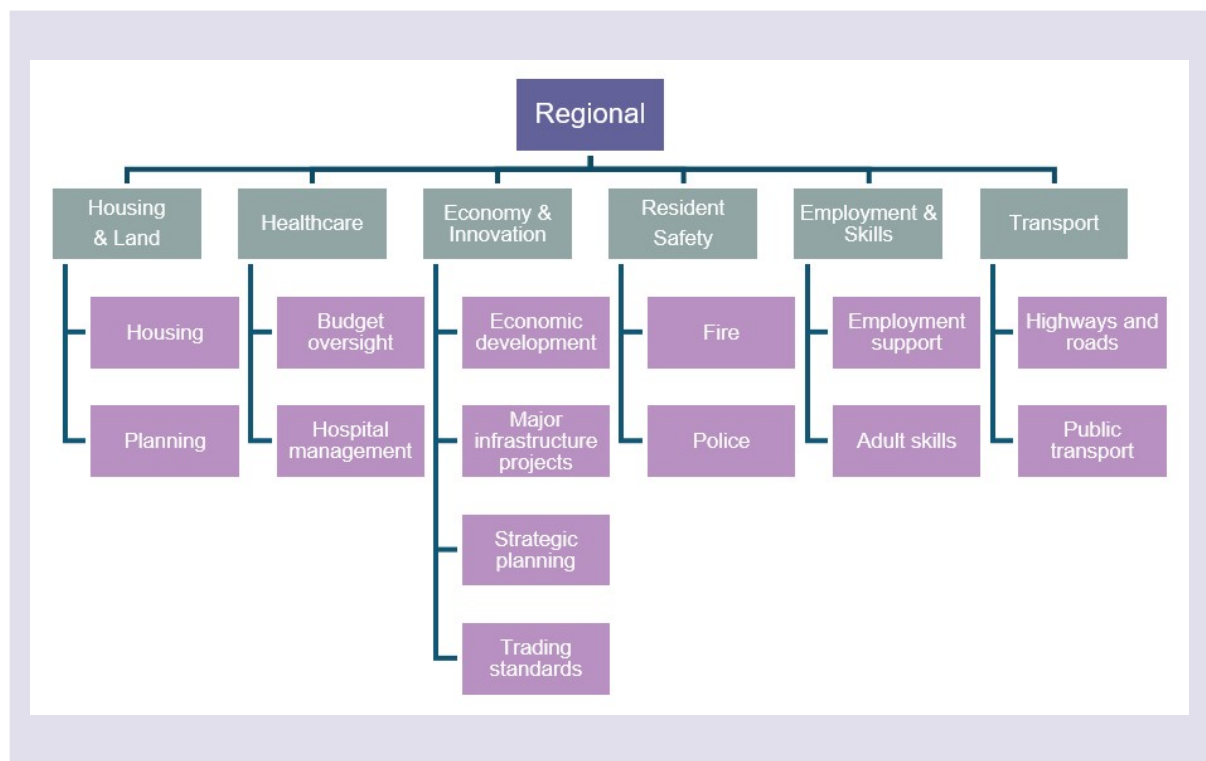
A considerable academic literature exists that sets out the consistent need for a 'meso tier' of governance, with jurisdiction over mixed-geography areas populated by three to seven million people.[69] This scale lends itself to strategic functions, coordination between different local players, liaison with central government, and development plans over coherent economic geographies.

The strategic 'regional' tier – as well as taking on more powers directly from central government – should ultimately be positioned to 'own' all aspects of the housing and planning system (drawing these powers 'up' from local authorities), employment and skills, and regional transport (including management of both public transport and highways – again, currently held by local authorities). All of these areas of activity could stand to benefit from significant economies of scale while not being appropriate for purely centralised control, while consistency across regional geographies would be likely to help produce better outcomes.

For example, if positioned as the 'default' scale for management of housing, planning, and economic development, these regional authorities could themselves work together on a super-regional basis in order to deliver major infrastructure or improvement projects (e.g. a major

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[69] McCann, *The Fiscal Implications of 'Levelling Up' and UK Governance Devolution*.

new public transport programme across the entire North of England), establishing new centres, outside Whitehall, for driving forward major projects.[70]

Policing oversight also makes sense at this tier, in part because it represents a compromise scale between the highly localised approaches associated with effective community engagement and the scale of operation needed to address organised and cross-border criminality.[71]

There is also a strong case for the devolution of other powers to this regional scale, including some of the budgets that are currently centrally managed by Whitehall's Department for Work and Pensions, such as the operation of employment agencies and back to work programmes, which could be effectively coordinated with adult skills and strategic economic planning if managed directly at the regional scale.[72]

This strategic layer of organisation also lends itself, in many other countries, to the management of the majority of the health care system. Again, this would allow for strategic redeployment of budgets which, in the current reactive and centralised model, tend to be overwhelmingly consumed by acute care and hospitals.[73]

Inspections frameworks, though obviously benefiting from centrally-set overall frameworks of standards, may also be better situated at a regional scale rather than being dependent on increasingly challenged arms-length national bodies such as Ofsted or the CQC. For example, the existing structure of Regional Department for Education Directors (which replaced Regional Schools Commissioners) could be strengthened and more specifically connected within the framework of emerging regional authorities to take over the inspection and standards oversight functions within that jurisdiction, helping to shift incentives for teams working within local government.

Many of the challenges faced by existing local government structures suggest an urgent need to review real economic geographies and to ensure the willingness, as regional authorities emerge, to redefine the boundaries of their constituent authorities and directly petition central government to reform local public service geographies to make them more coterminous.

A possible risk factor that emerged in interviews with both community groups and local authority officers is the concern that highly empowered and autonomous regional authorities could ultimately start to mirror the power-hoarding behaviours and incentives that are currently observed within central government departments.

This risk of creating 'mini-Whitehalls' could be mitigated by ensuring that each devolution deal (or devolution-deepening deal as Combined Authorities assume more powers) should also include explicit requirements for the regional actors to further devolve appropriate powers and

[70] Nyasha Weinberg et al., 'A Growth Policy to Close Britain's Regional Divides: What Needs to Be Done', *M-RCBG Associate Working Paper Series* 255 (February 2024).

[71] Barry Loveday, 'Police and Crime Commissioners: Developing and Sustaining a New Model of Police Governance in England and Wales', *International Journal of Police Science & Management* 20, no. 1 (March 2018).

[72] Alexander Hitchcock, Maisie Borrows, and Eleonora Harwich, *Vive La Devolution: Devolved Public-Services Commissioning* (Reform, 2017).

[73] Rosie Beacon, *Close Enough to Care: A New Structure for the English Health and Care System* (Reform, 2024).

resources, including to constituent local authorities, hyper-local actors, and communities themselves.

In addition to establishing this clear expectation in specific terms in regional authority devolution agreements, there is also a case for ensuring that the various efforts to monitor, audit, and evaluate the performance of regional authorities take the extent of their 'power-sharing' into account, alongside other key indicators of overall performance. In practice, this would require various institutions – for example, the LGA as it facilitates peer challenge and learning, or MHCLG's Office for Local Government – to establish clear metrics for each region that allow them to track whether the combined authority in question is sharing power effectively.

If worse outcomes are shown to be occurring, or regional systems are failing to share power effectively, then this would provide grounds for triggering an audit of the overall performance of the system and/or the issuing of a Best Value Notice by the MHCLG Secretary of State.

> **Recommendation 4**: Ensure that subsidiarity and effective power-sharing is embedded as a key metric within the monitoring and evaluation framework for Regional Plans as this is developed around England's regional authorities.

As regional authorities mature and grow in power, they should continue to support the development and success of constituent councils and hyper-local actors within their jurisdiction. It will also be crucial to ensure that the relationships between local systems and central government function well, with rapid information exchange to minimise confusion and maximise the efficiency of interactions and collaborations that operate across different scales.

To help achieve this, regional authorities should establish powerful 'hubs' designed to support all tiers of local government to engage effectively with their interlocutors in central government, with the ultimate objective of creating the conditions for effective distribution of power through the whole system. They would help to establish regional systems as conveners and facilitators with strategic leadership obligations over an entire jurisdiction. These hubs should also provide a learning conduit back to central government to help inform ongoing efforts to extend and strengthen the process of devolution outward from Whitehall. One effective way to achieve this would be to emulate practice in some parts of the USA and introduce a programme where Whitehall officials are seconded into these hubs with the specific purpose of supporting relations between national and sub-national tiers and enabling effective navigation of the machinery of government.[74]

> **Recommendation 5**: Establish 'one-stop' regional coordination points to streamline interactions with central government. These should be reinforced by embedding seconded central government officials. These officials should provide on-the-ground support to engage with and advocate for local actors within Whitehall, navigate central systems, access grants, implement policies effectively, and support the production of Regional Plans.

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[74] Santi Ruiz, 'How to Present Decisions to POTUS', *Statecraft*, 19 June 2024.

Finally, inspections frameworks, though obviously benefiting from centrally-set overall frameworks of standards, may also be better situated at a regional scale rather than being dependent on Increasingly challenged arms-length national bodies such as Ofsted or the CQC. For example, the existing structure of Regional Department for Education Directors (which replaced Regional Schools Commissioners) could be strengthened and more specifically connected within the framework of emerging regional authorities to take over the inspection and standards oversight functions within that jurisdiction, helping to shift incentives for teams working within local government. This idea will form the basis for future research in this programme.

5.2 Local authorities

Figure 5: Powers of the local authority tier
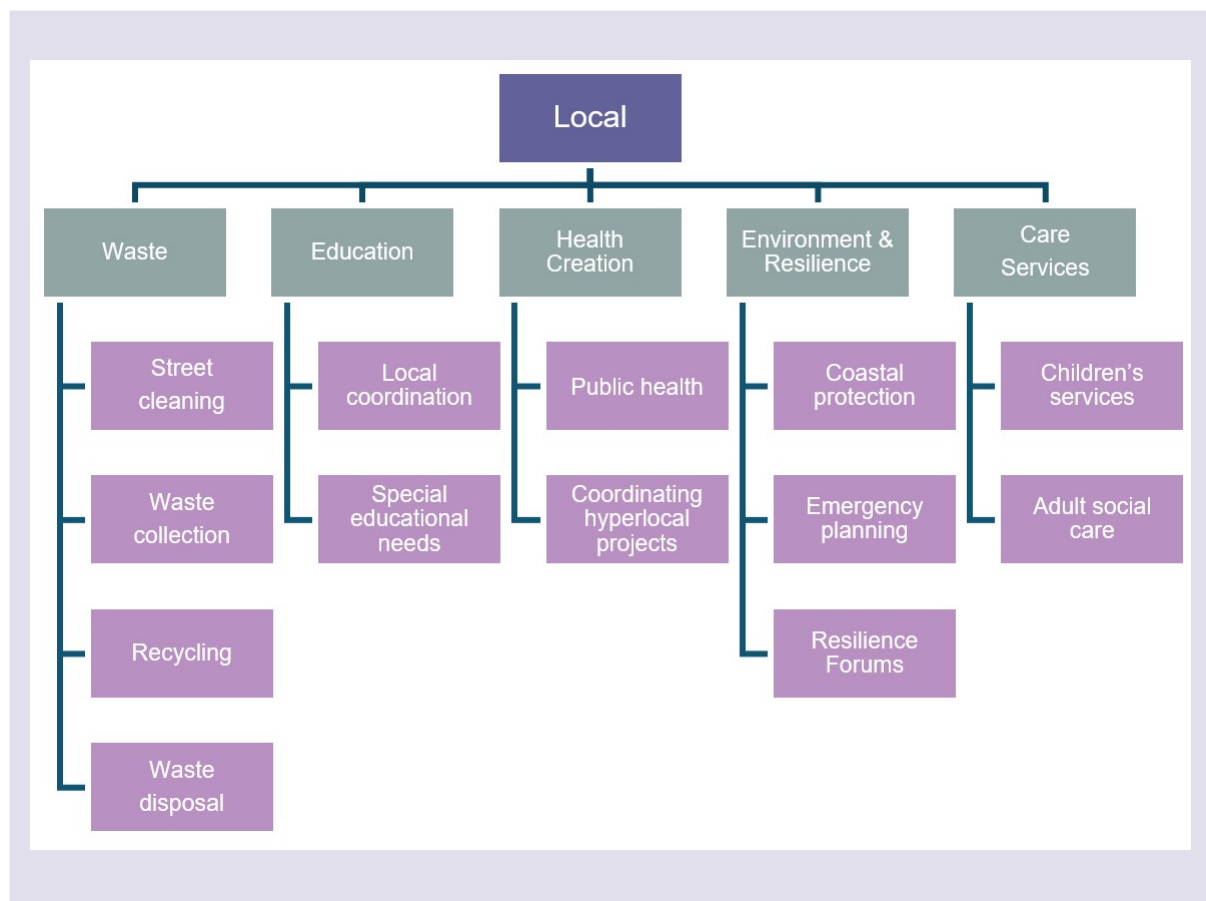
Mid-sized local governance structures exist in almost every country, though with somewhat variable scales of operation, and are often operationally blurred with hyper-local structures (see below). There is a strong case for consolidation of the two-tier systems that currently subdivide the local authority level in some places, not least on grounds of financial sustainability (see section 5.4, below).

In England, the size of these local authorities, in terms of population, will likely always be quite variable, even in a notional future system where a form of unitarisation has played out across

the country. Some of these local authorities will have populations of over a million; others significantly less. This has a bearing on the kinds of powers that might consistently be best 'owned' at this scale.

This mid-sized 'borough' tier would be well served by a process of specialisation, leading to a tight focus on any areas of core statutory public service delivery that are less amenable to strategic join-up over larger regions.

Other powers suited to this scale include public services where significant demand arises from populations that do not always exist in meaningful numbers at the hyper-local level, and where coordination of state activity can achieve significant efficiencies while still benefiting from a significant degree of local tailoring. Adult social care services are a signature policy responsibility for authorities at this scale; waste collection and disposal should also be organised at this level, alongside children's services, overarching emergency and resilience planning, and health-creation responsibilities such as public health.

While schools themselves are no longer operated by local authorities, local government at this scale is still well positioned to facilitate the planning and coordination activities that can benefit the wider education system within a place.

None of this rules out the possibility that collaboration with hyper-local tiers or communities themselves could yield potential benefits for each of these service areas, such a promoting preventative practices. This is another reason to sustain these activities at local authority rather than regional scales, and to ensure close collaboration between this tier and the hyper-local systems that should, preferably, always be present alongside them.

5.3 Hyper-local authorities

Figure 6: Powers of the hyper-local tier
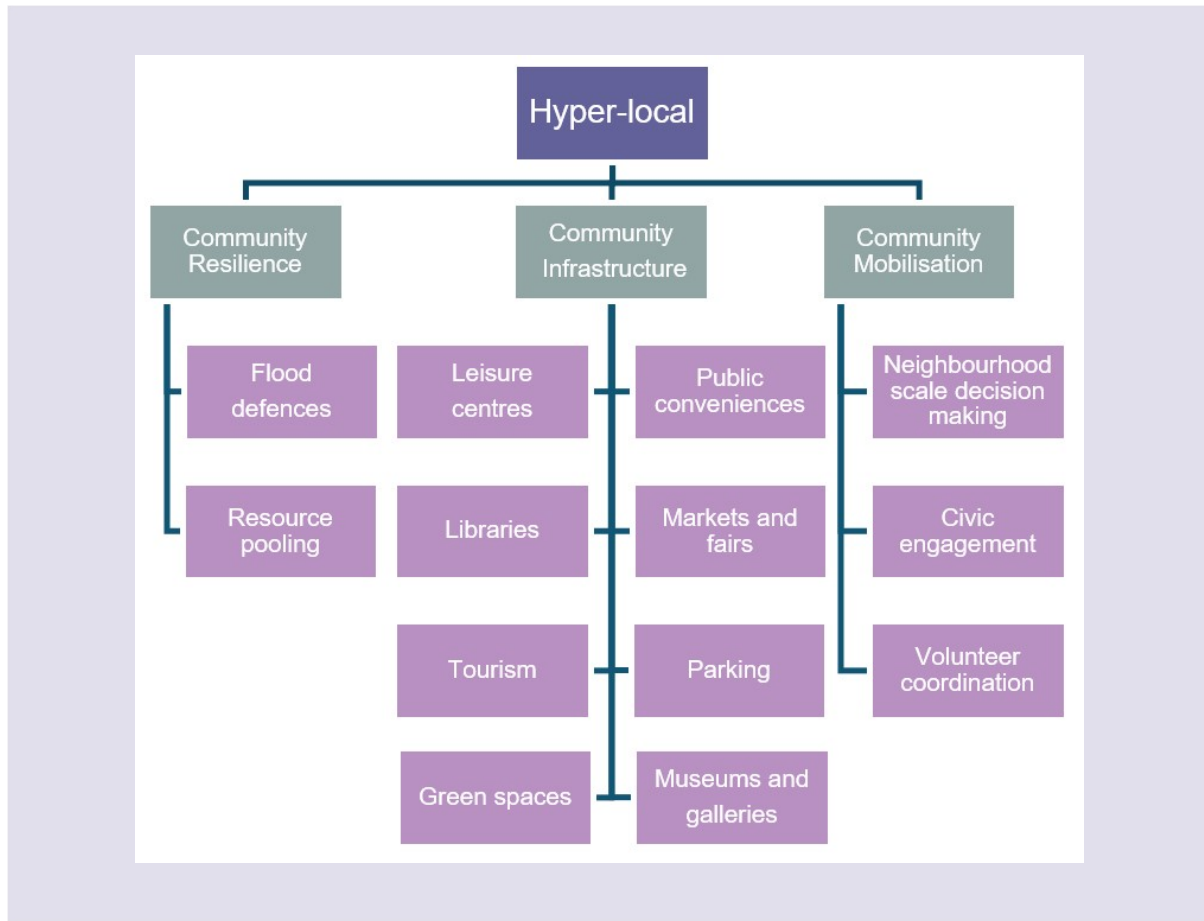
There is in most contexts a clear role for some kind of hyper-local structure. Borough-scale governance of up to a million residents lacks the geographic specificity to be a particularly effective convenor of partnerships or facilitator of community activity.

At present, in England, this role can be fulfilled by two kinds of organisation. District councils, where they exist, can be deeply enmeshed with their communities, even at the scale of neighbourhoods. Parish and town councils, meanwhile, do not have the standing of Districts or other 'Principal Authorities' but do in some cases deliver a crucial community coordination and coproduction role.[75]

In some cases, beyond these two formal types of structure, community-led organisations or institutions already provide effective hyper-local governance and services at the neighbourhood level. Integrating effectively with these examples of social mobilisation, where they are present, will be an important feature in any new tier of hyper-local authorities.

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[75] National Association of Local Councils, *Devo Local: A White Paper for Empowering and Strengthening Local Democracy*, 2015.

Without a major structural shake-up, hyper-local governance is unlikely to be present for every part of England in the coming years. When introduced, it should be quite different in terms of structure to the highly formal systems at the local and regional tiers.

The primary role of coproduction and facilitation of community activity would benefit from the blurred boundaries between citizens and state currently enjoyed by parishes, but with the firmer statutory footing of Districts. Effectively 'merging' these two kinds of institutions to produce a new hyper-local tier that is transparent, accessible, not overly formal, and highly responsive to the wishes and needs of local communities, should be a focus for future policy. Ensuring sufficient systemic accountability and capacity to take on significant policy responsibilities will be a varied challenge in different places, so the distribution of powers to this tier should be arranged in response primarily to the capability and 'readiness' of the hyper-local tier. As such the powers suggested here for this tier should all be seen as conditional upon the presence and readiness of each hyper-local system in question.

Powers that may best be exercised at this scale include some that are conventionally 'held' today by local authorities. Some aspects of local resilience are a natural fit for close coordination with neighbourhoods and communities, such as watercourse management, flood defence, and immediate emergency resilience (all of which should be effectively mapped and coordinated with borough-scale authorities too).[76]

Community mobilisation, engagement, and facilitation efforts should be organised at this scale by default, wherever possible. This would allow for a highly granular responsiveness to local priorities. Hyper-local authorities should also work to establish neighbourhood plans, founded upon decisions taken by neighbourhoods themselves, and feed these up to other scales of local governance to help inform strategic decisions which will impact specific places in new Regional Plans. Plans of this sort should also allow for meaningful consultation processes about reform and devolution of powers.

While it is possible that local social and community infrastructure could benefit from economies of scale if managed at a local or regional scale, interviews with leaders of community organisations suggest that by placing these important assets in the hands of hyperlocal systems there is an opportunity to build participation and stakeholdership around them. Moreover, more sustainable operating models for these assets – such as direct community ownership, integration with voluntary efforts, or co-location of locally important functions – could also become possible.[77]

In the context of an emphasis on overarching national 'missions', as well as this report's proposal for ambitious Regional Plans in every place with a regional authority, the importance of the input – and overall agreement – from this hyper-local tier is magnified. This tier of governance would be the main conduit for community contributions, and overall consent, to the revised regional 'social contract' that each of these Regional Plans would ultimately represent. Similarly, wide-ranging missions would be difficult to achieve without direct collaboration with the communities affected by them and the local implementers that will bring the plans to fruition.

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[76] Kaye, *Think Big, Act Small: Elinor Ostrom's Radical Vision for Community Power*.
[77] The British Academy and Power to Change, *Space for Community: Strengthening Our Social Infrastructure*, 2022.

5.4 What this implies about the structure of local systems

The above model requires foundational shifts to the pattern of institutions across England. Each of the below implications will be explored in detail in future *Reimagining the Local State* papers.

Fewer, larger regions. Whether in the form of combined authorities, or an evolution of this model, the strategic, convening, and co-ordination role of regional authorities suggest that many of the current Combined Authorities in England are effectively too small.[78] A functional regional or *meso*-tier of government in England should have a population of at least 2.5 million people.[79] This tier also needs to be confident of an institutional standing and authority – in terms of internal structure, constitution, and decision-making processes – that is commensurate with the new powers it will be expected to absorb.

Nationally consistent structures. While local government may behave differently or fine-tune its approaches in line with local expectations and contextual features, an overall consistency and uniformity to the system is required. This will be pivotal for unlocking devolution policies that cover more policy areas and evolve beyond deal-making. This means that the current situation – where some places have two-tier local authorities, while others don't; some places have regional governance, while others don't; some places have active, hyper-local parishes, while others don't – must be rationalised.

Hyper-local presence. Just as the average size of England's regional authorities is currently too small, the average size of England's local authorities is slightly too large. This is partially compensated by the existence of districts and parishes – but neither of these smaller structures is present in every part of England. Ensuring state capacity and presence at a size compatible with neighbourhood-scale working should be factored into future plans for structural reform of the system. Moreover, a different *kind* of governance would be necessary for this tier to function properly, with enough informality and flexibility to have a far more porous boundary with the communities that they serve. This new model would enable and maximise the impact of the community-led efforts in a place, but also require an approach to institutional design that is largely untested in England.

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[78] Philip McCann, *Levelling Up: The Need for an Institutionally Coordinated Approach to National and Regional Productivity* (The Productivity Institute, 2022).
[79] Only a handful of current regional authorities in England are this size or larger. The German *Bundeslander* have an average size of approximately 5.3 million: Statistisches Bundesamt, 'Population by Area', Webpage, 2023.

6. Conclusion

Alongside an ever-deepening programme of devolution, urgent action will also be required to ensure that powers – old and new – are appropriately scaled through England's complex system of local government. The prize would be mobilised and enabled communities alongside powerfully strategic and capable governance at the regional scale.

The present patchwork of responsibilities, distributed across an array of local, regional, and national bodies, has led to inefficiencies and a disconnection from the communities that these systems are meant to serve. Yet compelling models of decentralisation exist beyond England. These models highlight the advantages of placing power closer to the people it affects, suggesting a more engaged and responsive form of governance is possible.

Strategically, the creation of more empowered regional tiers stands as a crucial step toward addressing the disparities that have long characterised England's political and economic landscape. A revised approach to regional governance could facilitate better coordination across various levels of government and the onward distribution of powers to constituent local authorities at the local and hyper local scales. By enhancing the autonomy of regions while ensuring they are adequately resourced and aligned with local government tiers, we can foster a more balanced and equitable distribution of power and resources across the country.

There is also significant need for local and hyper-local governance in England, with clear responsibilities and ways to effectively propose the drawing-down of powers from higher tiers when appropriate.

Reflecting on the best distribution of powers, and the design principles above, naturally carries implications for the structure of the system itself. The *Reimagining the Local State* programme will provide detailed recommendations for a new model in future publications.

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