

The English Question

Proposals for Debate at Conference

A. General

1 Decisions should be taken at the lowest practical level so that the people most likely to be affected them should have the greatest opportunity to ensure that account is taken of their views.

Chris Davies/Cllr Bill Winlow

2 Decisions should be made at the most appropriate level. Sometimes that will be at national or European level, sometimes it would be a City Region, Council or Ward or even estate level. That does not mean that we need lots of new tiers of governance and more politicians – most people would not be in favour of that. But we need to enhance accountability at all levels.

John Leech MP

3 We recognise the need for a new constitutional settlement, and support demands for the transfer of significant legislative, executive and financial power from London to the nations and regions of Britain

Winlow

B. England-wide Options

No proposals received

C. Federalism

4 We support calls for Home Rule for Scotland within a Federal United Kingdom of Great Britain and Northern Ireland

Gorton

D. Devolution

5 We recognise the possible devolution of powers and finance to the North of England, and its implications for the people of Lancashire and the North West; support demands for the transfer of significant legislative, executive and financial power from London to the nations and regions of Britain; and support the view that any extra powers given to Scotland should also be available to Wales, Northern Ireland and the English regions

Winlow

6 Conference recognises the impact that Home Rule for the Kingdom of Scotland will have on the economy of the North West of England and hereby re-affirms its support for devolution of powers from Westminster to a Parliament for the North West of England.

Gorton

7 Consideration of the implications of devolution on:
income tax, national insurance and all land, building and property taxes.
A single regional police force;
How our regional transport network should look;
Would we allow fracking;
Would we want a new parliament building or refurbish existing buildings;
Would we want STV for local elections
Where would policies be determined on devolved issues?

Iain Donaldson

E. City Regions

8 This Government has given extra powers to the Manchester City Region. The City Deal gives Manchester more power over housing, jobs infrastructure, training and transport.

Leech

9 A recognition that English devolution must include both large cities and county areas, as the many councils not within city regions must also gain greater powers and finance in order to build successful and prosperous futures.

Winlow

F. Local Government

10 We should call for a wider context of localism reform, replacing existing two tier systems with unitary local government with the regional assembly above them. This could combat the argument of adding an extra layer of government and bureaucracy and make local governments more efficient and representative than the likes of the sprawling Lancashire County.

Neil Darby

11 Would we want counties or prefer City/Town Councils and Parish Councils?

Iain Donaldson

G. Action by the Regional Party

12 Conference asks its Regional Policy Committee to draft a detailed paper and motion for its Spring 2015 Conference setting out exactly what powers the Liberal Democrats in the North West will be campaigning to have devolved to a North West Regional Parliament, including consideration of the implications of devolution of income tax, national insurance and all land, building and property taxes.

Gorton

13 Conference notes that the provisions of section 2.1 of the Federal Constitution of the Liberal Democrats and section 4.17 of the Constitution of the Liberal Democrats in England and section 12.1 of the Constitution of this North West Regional Party allow this conference to seek State Party Status for the North West of England within the Liberal Democrats, and believes that the adoption of State Party Status is the correct first step towards establishing a campaign by the Liberal Democrats in the North West of England to secure Home Rule for this Region. Under these provisions, Conference resolves to seek recognition of the North West Regional Party in England as a State Party and instructs its Executive to secure such recognition forthwith.

Gorton

13A Conference is prepared in principle for the North-West State or Regional Party to administer the Northern Irish local party on behalf of the Federal Party.

14 The Regional Party should extend this debate to local parties throughout the Region and should consult with the other two Northern Regional Democrat Parties to compare initiatives and ambition.

Lishman

14B Delete: _to local parties throughout the region and_.

Insert: _via local parties to individual members throughout the region seeking to maximise their engagement and input through both direct and on-line communication. In addition we

Andrew Haldane Macclesfield

15 Conference calls for the creation of a North West Constitutional Convention, representing economic and social interests as well as the region's political parties, to consider the experience of regional governance elsewhere in Europe, to reflect upon the options available for our region, and to propose arrangements for governance in the North West that, having taken account of our region's diversity, is best designed to promote its well-being and success.

Davies

16 Lancashire County Council therefore calls for the creation of a North West Constitutional Convention, representing the whole of economic and civil society as well as the region's political parties, to consider the experience of regional governance elsewhere in Europe, to reflect upon the options available for our region, and to propose arrangements for governance in the North West that, having taken account of our region's diversity, is best designed to promote its well-being and success.

Winlow

17 Conference invites the chair of the regional party to seek the cooperation of North West political parties and other bodies in establishing such a Convention.

Davies

18 We call upon North West Members of Parliament to support the measures necessary to facilitate a Federal United Kingdom of Great Britain and Northern Ireland.

Gorton

19 Conference asks its Regional Policy Committee to draft a detailed paper and motion for its Spring 2015 Conference setting out exactly what powers the Liberal Democrats in the North West will be campaigning to have devolved to a North West Regional Parliament.

Gorton

The English Question - the Options:

A Background

1. What are we talking about?

Federalism is the most common system in large states: see Appendix 2

It involves a constitutional settlement with agreement about the division of powers and functions between the federal state and the units. That agreement can only be changed by amending the constitution, which usually has a high threshold.

Because powers and responsibilities overlap, it is characterised by discussion, negotiation and compromise. It is “one of the most stable and long-lasting forms of government” (Encyclopaedia Britannica).

Devolution is where a central government decides to give some powers to political units within the state, usually at regional level (France, Italy). This involves elections, regional government and regional administrations. It can in theory take back powers but usually that has proved politically impossible.

Decentralisation is where a government either establishes some functions at a regional level (Government Offices; Regional Development Agencies) or places some offices and functions outside the capital area, usually to boost employment (DVLA; various DWP offices).

2. Operation

In federalism and devolution, there is often a big difference in the size of units, by population and land area. The powers which are devolved can also vary, as in Spain, but usually with a limited number of options. Perceived identity is one element in deciding size and boundary (Scotland, Catalunya, Tuscany); geography is another (e.g. islands and peninsulas (Rhode Island, Cornwall, Hokkaido, Alaska)); a third important factor is administrative simplicity and clarity: what works in the delivery of government services and at what level can key infrastructure and economic activity best be managed and encouraged? Some examples are in Appendix 2.

In devolution and decentralisation, the system can cover the whole country or only some parts of it (Scotland, Wales).

In any of these systems, it would probably be necessary to re-visit the structure and powers of **local government**. That might well complete the move towards unitary authorities with comparable functions, as in Scotland and Wales (although, in the Welsh case, another reorganisation is generally thought to be needed to get to the right balance of size, identity and functions).

A key principle in this debate is the EU concept of **subsidiarity**; that is, taking decisions at the most appropriate level. That isn't always the most local, involving people who are most affected –the wider community has an interest in some issues: e.g. the UK's energy security cannot be wholly dependent on local decisions about wind-farms; services have to be sited somewhere: airports, hostels, travellers sites, mental health institutions, waste management sites, new houses and industry; and transport infrastructure has national and regional implications as well as local ones.

2. Politics, Government, Administration

A key question is what functions are being given to the regional units: Do they include the right to make laws; is there a political government which proposes laws and oversees putting them into effect; is there an administration to deliver the services which are defined by the laws?

B. Option 1: “English MPs voting on English Laws”

There seem to be two main ways in which this is currently being discussed:

1. English MPs would have a decisive vote for or against laws which affected England and English people: they would have legislative power, but there would be no English Government or English Administration to implement them. Implementation would be the responsibility of Departments of the UK Government, some of which would have mainly English functions (e.g. the Department of Health) and some of which would have both English and UK functions (e.g. Department of Transport). The Departments would continue to be headed by a UK Minister, appointed by and responsible to the Prime Minister.

It is difficult to see how it would work with a majority of MPs and a Government from one or more Parties at the UK level and a different majority at the English level.

2 The **Grand Committee** (McKay Report) option in which a Grand Committee of the Commons containing all English MPs would vote on laws which affected England and English people, but with the final decision being made by the full UK House.

Again, there does seem to be some likelihood of political mayhem: one can imagine parties voting different ways in the Grand Committee or the Full House according to the requirements of meeting UK-wide Manifesto commitments and whips; and political capital constant being made out of a continuing war between parties.

Many Parliamentarians argue that it is extremely difficult to separate English legislation from UK legislation including where there is no agreement about the distinction between English powers and UK powers.

C. Option 2: An English Parliament

This would apply something like the Scotland and Wales models to England. It would probably involve an English Government and an English Administration, led by parties with English Manifestos.

Nowhere in the world is there a federal or devolved structure with anything like 82% of the population living in one of the units. Clearly, it would over-balance the system in favour of England and, as usual, in favour of London and the South-East.

Theoretically, this could be accompanied by regional devolution, but it is unlikely that people would choose a 4 or 5-tier structure of governance and it could be difficult to apportion powers and functions.

D. Option 3: Devolution within England

If significant legislative and administrative powers were devolved, the units would need to be big enough on average in the light of the country's population and area to be able to manage their functions and to avoid the complexity of different regimes (e.g. in tax-raising or hospital services) leading to unhelpful competition and confusion). In other countries, regions rarely combine, but sometimes split.

It is difficult to envisage a patchwork of a large number of devolved administrations, each with a different package of powers to legislate and provide services, perhaps with some areas still directly-ruled from the capital. To an extent, that would be an enhanced local government structure with added legislative powers, operating at the level of the larger current local government units.

Another potential element is "city regions", but this is more about decentralisation of some (mainly economic) responsibilities from central government to existing local authorities or committees from those authorities rather than any degree of legislative devolution. It does not address the issues of peripheral or distant areas within a wider region which cannot necessarily rely on "trickle-down". It is compatible with either wider devolution or federalism.

Finally, there is "devolution on demand", which would enable groups of local authorities (over 1m residents in total or strong identity) to opt for some devolution from the centre, with functions based on a menu of options. This would offer legislative responsibilities and control of functions comparable to those devolved to Scotland and Wales. It is difficult to see exactly how it would work with a patchwork of direct rule from Westminster, and a wide range of different powers in different (sometimes small) areas. It is worth thinking about how such functions as Health Service strategy and delivery, transport infrastructure and economic development would be managed in this context.

E. Option 4: A UK Federal Structure

This would involve a national decision on an overall UK solution with decisions on the number and boundary of units and the powers and functions to be shared out between national and regional units and entrenched in a constitutional settlement. A key element would be the "reserved powers" for the UK Parliament and Government and a structure for resolving tensions between the units. The Appendix gives some examples of the range in other countries. In practice, it is rare for there to be more than a few differences in powers and responsibilities.

F. Constitutional Convention/Settlement

This is the traditional way of sorting out these issues from the Founding Fathers of the US Constitution and many new states since. Other routes were imposition by an occupying power (Germany, Japan), inheritance from a colonial power (India, South Africa) and emergence from dictatorship (Spain, Brazil). All seem to have settled in well with widespread popular support.

The long-running movement towards Scottish devolution was preceded by a Convention in which most political parties (except the Conservatives, who sat it out, suffered electorally, and have now changed their mind) and a wide range of civil society organisations (churches, voluntary organisations, etc) met to debate the options and agree their approach and then built nation-wide support for devolution. For a time in the 1980s and 90s, there was a similar structure of Regional Conventions in England (often headed by a cleric) which prepared and discussed similar issues in the regions. They fell away after the failure of the botched NE referendum and most of the substance of the debate has been forgotten.

The key idea which underpins the Convention concept is “**settlement**” – a long-term agreement which goes across most parties and a wide range of civil society organisations. Another example was the 2006 pensions settlement, which has been the basis for all parties in planning for long-term saving and income in retirement.

The need for a settlement leads to the need for participants to **compromise** in order to find a structure which is widely acceptable. It follows that Liberal Democrats are not just looking for a party policy, but also for a basis of discussion and negotiations with others, for instance through revived Regional Conventions.

G. Second Chamber

None of the proposals for “English votes for English MPs” take into account the role of the House of Lords. “English votes for English Peers” would be impossible to organise and there is still no acceptable solution for the Second Chamber as a whole.

In other countries, it is normal for there to be a strong link between regional structures and a second chamber (the US Senate and the German Bundesrat are very different examples). It would also help to resolve the conundrum of coping with an unrepresentative House of Commons and a more representative Second Chamber, which would arise if the latter were elected by PR.

H. Local Government

Any major re-structuring of government would have to address the structure and powers of local government and would probably hasten the current direction of travel away from small District Councils and, in some cases, unwieldy Counties.

For some participants in the debate, **elected mayors** are also a continuing theme.

A few Policy Contributions

IPPR North

IPPR North, proposed in a recent report, “Decentralisation Decade”, a 10-year programme for devolution. Their key proposals are:

- Power and responsibilities over economic development and key public services should be passed to combined authorities, local authorities and other local bodies as and when they are ready to assume them
- Fiscal devolution should be a central plank of the 2015 Comprehensive Spending Review with 5-year funding settlements agreed and an independent body to take forward central-local funding reforms
- A new wave of “combined authorities” including “county combined authorities” in two-tier areas, with all combined authorities setting out clear plans for partnership working and enhanced democratic accountability
- Decentralisation underpinned by new legislation to strengthen the constitutional status of local government and its other subnational partners, similar to the Scotland and Wales Acts.

The report was generally welcomed by Nick Clegg, who is a Sheffield MP.

Lord Heseltine

Michael Heseltine’s report, “No Stone Unturned”, concentrated on the need for more “localism” in economic decision-making in the context of “an over-arching National Growth Strategy”. That leads him to advocate unitary local authorities and stronger Local Economic Partnerships and “a new Development Corporation under an independent chairman from the private sector, comprised of representatives of central government, the Mayor of London, London boroughs, Kent and Essex councils and with a majority of members from the private sector and related disciplines...[with]... the powers it needs to drive its vision for future growth”.

From Labour, Lord Adonis welcomed the proposals, but noted the Government’s lack of interest.

John Smith Institute

Their Report “Rebalancing the Economy: Prospects for the North” looked at the post-war history of regional economic development with particular reference to the North of England. It recommended “a new voice for the North in the form of a strategic ‘Council for the North’, involving councils, business, universities and other stakeholders to develop a strategic plan for the North, like the London Plan, and prioritise housing and transport investments. It set out the case for greater government support for the North, including new grants for business investment in declining industrial areas, a northern infrastructure fund, and locating the new Big Society Bank in the North.”

This strand of the Institute’s work has also included reports on “The Future of Regional Policy”, “The Future of the Regions”, “Working Together: Transformational leadership for city growth” and “Real Localism”.

1. Federal/Regional Units

United States Population: 310m Land area: 3,537,438.44 sq miles

50 States:			
Largest Population:	California 38m	Largest land area:	Alaska 571k
Smallest	Wyoming 576k	Smallest:	Rhode Island 1k
Over 20m	2	Over 200k	2
10-20m	5	100-200k	6
5-10m	15	50-100k	20
2-5m	14	20-50k	13
1-2m	8	Under 10k	9
500k-1m	6		

Government

House of Representatives by population; Senate – 2 members per State; all FPTP.
State Governors and Legislatures.
Constitution defines federal structure and powers.

Federal Republic of Germany Pop: 82.7m Land area: 348.5 Sq Km

16 Lander		Largest Land Area: Bavaria 70.5k sKm	
Largest:	N Rhine Westphalia 17.8m	Smallest:	Bremen 419
Smallest:	Bremen 661k	Over 50k	1
Over 10m	3	20-50k	7
5-10m	2	10-20k	4
1-5m	10	1-10k	1
Under 1m	1	Under 1k	3

Government

Bundestag by population; AMS system; Bundesrat: 3-6 members appointed by Lander. Laws affecting state competences and all constitutional changes require their consent; State reps have to vote en bloc.

Spain Population: 43,2m

17 (exc Ceuta y Melilla)	
Largest Region:	Andalusia 7.7m
Smallest (Mainland):	La Rioja 293k
Over 6m	2
2-6m	5
1-2m	6
Under 1m	4

Government of Spain

Congress of Deputies elected by closed lists; Senate is 4 per mainland region; fewer for island regions. Asymmetric devolution of powers to regions.

France Population 64m
 26 Regions inc 5 overseas
 Largest Region: île de France 11.7m
 Smallest mainland: Limousin 742k

Over 10m	1
5-10m	1
2-5m	9
1-2m	9
Mainland less than 1m	1
Overseas less than 1m	5

Government of France:
 National Assembly members elected by 2-stage vote on Party lists; Senate elected by college of 145,000 officials. Devolution to regions entrenched.

Italy Population 60m

Land area: 301 sKm

20 Regions

Largest by pop: Lombardy	9m
Smallest: Val d'Aost	127k
5-10m	3
2-5m	6
1-2m	7
Under 1m	4

Largest by Area: Sicily	25.7 sKm
Smallest: Val d'Aost	3.26
Over 20k	6
10-20k	7
5-10k	5
3-5k	2

Government

Chamber of Deputies elected by people over 18. Senators (age 40+) directly elected by people over 25. Regions have all powers not reserved to the state.

Canada Population 35.1m

Total area (land and water): 6.02m sKm

10 Provinces

Largest by Population: Ontario	12.8m
Smallest: Prince Edward Island	140k
Over 10m	1
5-10m	1
2-5m	2
1-2m	2
500k-1m	3
PEI	1

Largest by Area: Quebec	1.5m
Smallest: PEI	5k
Over 1m	2
500k-1m	4
400k	1
Under 75k	3

Government

Federal constitutional monarchy. Commons elected by FPTP. Senate appointed by Governor-General on advice of Prime Minister. Constitution defines federal structure

2. Some Countries with political and functional devolution to regions

Europe: Sweden, Germany, France, the Netherlands, Belgium, Spain, Ukraine, Poland, Russia.

Americas: Canada, United States, Mexico, Brazil, Argentina, Venezuela, Colombia.

Africa: South Africa, Nigeria, Kenya.

Asia and Australasia: Australia, China, Japan, India, Malaysia, Indonesia, Pakistan.