

If devolution in England is to be effective the government needs to address the lack of process

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By Democratic Audit UK

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The PSA recently published a new [report](#) that highlights a number of problems with associated with the current approach to devolution to England's cities, which is based almost exclusively on informal governance. **Ed Cox** writes that, far from blaming local areas alone for the apparent disintegration of so many current negotiations, the government must take its responsibility for a lack of process that is threatening the future of such an urgent and important initiative.



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The pages of the local government press are awash with the stories of devo deals going off the rails. Derbyshire districts declaring independence; the Solent splitting away from wider Hampshire; Greater Essex suddenly lesser as Southend and Thurrock look to London; and an apparent stalemate in Yorkshire, with Leeds the only Northern metropolitan area yet to strike a deal. Each situation has its own local problems, some very practical, and others rooted in tensions going back over many decades.

To date, it has been quite easy for ministers to respond by calling on local areas to get their houses in order if they want to see the spoils of devolution – and this is a message that goes down well with the general public – but could the problem lie in their own process design?

Earlier this month the Political Studies Association published the [report of a Research Commission](#) on the role of 'informal governance' in relation to devolution to England's cities. Informal governance is [defined](#) as 'a means of decision-making that is un-codified, non-institutional and where social relationships and webs of influence play crucial roles.' It's *de rigueur* for contemporary policy making and it characterises the approach that has been taken in relation to English devolution where guidance and procedure have been almost entirely absent.

Proponents of the informal, deal-making approach are right to highlight its strengths. Every area is different and therefore devolution deals are necessarily bespoke – messy issues can't easily be formulated through top-down solutions. By not prescribing any timetable or programme, it has allowed areas to work at their own pace and compete with one another, generating momentum and energy into the agenda. And deal-making has been more fluid

and effective as it hasn't been played out in a public forum. But it is this trade-off between efficiency and democracy, informality and formality, and one that might prove to be devolution's Achilles heel.

The new report highlights a number of problems with an approach based almost exclusively on informal governance.

First there is the absence of any explicit objectives. In some respects this hasn't been a problem, there has been broad consensus that devolution is primarily about economic growth, and the lack of clarity has given both national and local partners some latitude in setting out their case to constituents. But it has not always been clear why some aspects of devolution such as transport and further education have been readily agreed where others like education and employment support have not. There has been significant debate about the devolution of key public services and many have suspected that the insistence on the introduction of metro mayors has betrayed the fact that another key objective for government is local government reform.

The absence of explicit objectives has led many to perceive a level of gamesmanship on the part of government: you can ask for whatever you want, but just don't expect a positive reply. This has been wedded to a genuine sense of procedural unfairness. Although there have been very few deadlines or milestones, many feel that the faltering nature of deal-making has privileged some places over others. With big city deals largely sorted out before the Autumn Statement last year, there is now the feeling that HM treasury in particular seems to have lost interest in striking deals with more peripheral places. While few expect any parity of outcome, there is a growing number of counties in particular who feel that their bids are not being dealt with the same urgency and seriousness of the big cities.

A third problem with informal governance is that it is undermining good practice sharing and innovation. In the absence of any guidance, combined authorities are treating previously agreed deals as useful precedents. This has helpfully ratcheted up each subsequent deal but it has also led to simple copycat deal making and government has explicitly discouraged any form of more creative collaboration. Once again, even some very limited framework of what might or might not be on the table for negotiation – and any associated criteria – might have allowed for more space for creative thinking and innovation rather than second-guessing government concerns.

Which brings us to the final and most profound criticism: that government has been disingenuous in its dealings. Trust is central to the process of informal governance and collaboration, and while some parts of government have received guarded praise for their engagement, others are treated with profound scepticism. Everybody assumes that somebody somewhere in Whitehall has a checklist of what is and isn't permissible and yet every negotiation seems to require a curious mating ritual between partners with a view to making it abundantly clear who is in control.

And it is this same mistrust operating at the local level that has led to the recent breakdown of a number of proposals. Without any framework, the importance of deals at scale seems to have been lost and so we are witnessing numerous instances of local fragmentation. Without any agreement to alternative models of governance, more suited to the political geographies of particular areas, the price of devolution would appear just too high for many areas which would have much to gain from a devolution settlement. And without a broader engagement with the public, business and civil society, leaders lack the roots that might normally give their policy-making both accountability but also traction.

There is no appetite for heavy-handed, top-down guidance to steer the devolution process, but informal governance is evidently not enough. Far from blaming local areas alone for the apparent disintegration of so many current negotiations, government must take its responsibility for a lack of process that is threatening the future of such an urgent and important initiative.

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