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Devolution to local government in England

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Summary

This note summarises the main developments regarding the process of devolution of powers to local government within England since 2014. It covers the devolution deals agreed between the Government and local areas up to November 2017, including the powers to be devolved, the procedures required for devolution to take place, and reactions to the policy from the local government and policy-making worlds.

This note addresses the debate around devolution of power to local government in England only. Local government is a devolved matter in Scotland, Wales and Northern Ireland. The Library has also published notes on the [West Lothian Question; the English Question; English Votes for English Laws](#); and notes on the [Cities and Local Government Devolution Bill](#) of 2016, its [progress through Parliament](#), and the aborted [Local Government Finance Bill](#) of 2017.

1. Devolution in England: inception

1.1 Background: 2010-15

Following the 'no' vote in the September 2014 Scottish independence referendum, the then Prime Minister, David Cameron, announced that, alongside proposals for additional devolution to Scotland, Wales and Northern Ireland:

It is also important we have wider civic engagement about how to improve governance in our United Kingdom, including how to empower our great cities — and we will say more about this in the coming days.¹

This followed the production of several reports during 2014 making proposals for the transfer of additional powers to local authorities, or to local areas. These built upon the 2012 report [*No Stone Unturned: in Pursuit of Growth*](#) ('the Heseltine report'), which recommended the merging of various national funding streams to provide much greater local responsibility for economic development.

1.2 Devolution deals

The first 'devolution deal' was announced by the Government and the Greater Manchester Combined Authority in November 2014. Following the 2015 General Election, the then Chancellor, George Osborne, gave a speech on 14 May in which he outlined the then Government's approach:

Here's the deal:

We will hand power from the centre to cities to give you greater control over your local transport, housing, skills and healthcare. And we'll give the levers you need to grow your local economy and make sure local people keep the rewards.

But it's right people have a single point of accountability: someone they elect, who takes the decisions and carries the can.

So with these new powers for cities must come new city-wide elected mayors who work with local councils.

I will not impose this model on anyone. But nor will I settle for less.²

The Government indicated subsequently that departments of state were expected actively to consider devolving powers wherever possible:

3.15 The government is committed to building strong city regions led by elected mayors, building on the ground-breaking devolution deal with Greater Manchester in November 2014. The Chancellor has asked all relevant Secretaries of State to proactively consider what they can devolve to local areas and where they can facilitate integration between public services.....

¹ See BBC, [David Cameron's statement on the UK's future](#), 19 September 2014

² HM Treasury, ["Chancellor on building a Northern powerhouse"](#), 14 May 2015

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3.16 As part of the Spending Review, the government will look at transforming the approach to local government financing and further decentralising power, in order to maximise efficiency, local economic growth and the integration of public services.³

To have their proposals taken into account in the autumn 2015 Spending Review, initial proposals for devolution from local areas were required to be submitted to the Treasury by 4 September 2015. The Government received [38 bids for devolved powers](#) by 4 September 2015.⁴ Some of the bids explicitly stated that they are intended to begin a discussion with Government rather than representing a final position.⁵ A [table summarising the bids](#) can be found on the Local Government Association website. The *Local Government Chronicle* has produced [a map of the state of play](#) in different parts of England as of December 2015.

1.3 Devolution deals to date

As of November 2016, devolution deals with twelve areas have been agreed, though three have since collapsed (see Table 1). Discussions have also taken place on further devolution to Greater London (see section 3.3).

The main powers that Government has agreed to devolve in multiple areas in the devolution deals agreed to date can be found in Appendix 1. A number of core powers have been made available to most areas, whilst most areas have also been provided with one or more unique responsibilities (see section 3.1). Details of the local authorities participating in each devolution deal area, together with other reported interest, can be found in Appendix 2.

Table 1: Devolution deals

	Devolution deal agreed	Bid document
Greater Manchester	3 Nov 2014 27 Feb 2015 8 Jul 2015 25 Nov 2015 16 Mar 2016	Not published
Sheffield City Region	5 Oct 2015 12 Dec 2014	Not published
West Yorkshire	18 Mar 2015	Not published

³ HM Treasury, *A country that lives within its means*, 2015, p. 15

⁴ This figure included bids from Cardiff, Edinburgh, Aberdeen, and Inverness; and the deals that had already been agreed with Greater Manchester, Sheffield, West Yorkshire and Cornwall. The geographical areas of some of the bids overlapped with one another e.g. North and East Yorkshire vs West Yorkshire.

⁵ See David Paine, "Power to shape economies tops devolution demands", *Local Government Chronicle*, 17 September 2015.

Cornwall	27 July 2015	March 2015
North-East	23 Oct 2015 (rejected)	2015 (undated)
Tees Valley	23 Oct 2015	Not published
West Midlands	17 Nov 2015 23 Nov 2017	July 2015
Liverpool City Region	17 Nov 2015 16 Mar 2016	2015 (undated)
Cambridgeshire / Peterborough	20 June 2016	Not published
Norfolk / Suffolk	20 June 2016 (rejected) (East Anglia: 16 Mar 2016)	4 Sep 2015 (Suffolk);
West of England	16 Mar 2016	4 Sep 2015
Greater Lincolnshire	16 Mar 2016 (rejected)	4 Sep 2015

1.4 Implementation of deals

Devolution deals have been negotiated in private between Government teams and local authority leaders. Once the deal document has been agreed and published, each council involved must then itself approve its participation in the deal. This has been referred to by the Government as 'ratification'. At this stage a number of councils have voted against further participation (see 'authorities rejecting membership' in Appendix 2).

A number of Orders under the [Cities and Local Government Devolution Act 2016](#), transferring or creating powers included in the deals, have passed through Parliament. Other elements of the devolution deals do not concern statutory functions, and therefore do not require Orders.

Six combined authorities held mayoral elections in May 2017. Detailed results can be found in the Library briefing paper [Local election results 2017](#). A further election, in the Sheffield City Region, is due to be held in May 2018.

The Government published the first 'devolution report' required under the 2016 Act on 2 December 2016.⁶ The report covered the progress of devolution up to the end of the 2015-16 financial year, with some additional information from after that time. It does not cover devolution negotiations with London.

It is expected that, during 2017, the Government will publish 'accountability system statements' agreed with each area with a devolution deal.

⁶ See DCLG, [Secretary of State's annual report on devolution 2015-16](#), 2 December 2016

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In November 2017, Sajid Javid, secretary of state for communities and local government, announced that his department was working on a devolution 'framework':

"Work is still in the early stages – and I'd welcome your support in shaping the final product. But I want a framework that, above all else, provides clarity and consistency about what a successful devolution agreement looks like.

What standards will need to be met, what outcomes will need to be delivered, what red lines there are for the whole process. Expectations about leadership, scope and levels of local support.

...With a clear position on how devolution negotiations should proceed, authorities at all levels will be much better placed to develop and put forward proposals that suit the unique needs of their residents and businesses".⁷

1.5 Deals under negotiation

Deals have been reported as under negotiation in a number of areas:⁸

- **Further deals:** a second deal for the West Midlands was announced at the 2017 Budget (see below). Talks are also underway with Liverpool City Region and Tees Valley on further deals;⁹
- The 2017 Budget stated that a '**North Tyne**' deal, with Newcastle, Northumberland and North Tyneside, is close to completion. The deal will include an investment fund of £20 million per year and a mayor elected for the first time in 2019.¹⁰ Initial details were published on 24 November.¹¹ This follows the collapse of the North-East deal (see section 1.6);¹²
- **Lancashire** was reported in November 2016 as being likely to accept a deal including a directly-elected mayor.¹³ A later report in September 2017 suggested Government support for a deal without a mayor, both in Lancashire and **Devon / Somerset**. This is in line with the commitment in the 2017 Conservative manifesto:

For combined authorities that are based around our great cities, we will continue to support the adoption of elected mayors, but we will not support them for the rural counties.¹⁴

- A decision on a deal for **Dorset** (where some authorities are also pursuing unitary local government) was anticipated in January 2017, but none has appeared to date;¹⁵

⁷ Nick Golding, "[Javid: Devo framework to provide 'clarity and consistency'](#)", *Local Government Chronicle*, 21 November 2017. The text in the quote is all a quote of Mr Javid speaking at the County Councils Network annual conference.

⁸ See also David Paine and Sarah Calkin, "[New devo deals expected in Autumn Statement](#)", *Local Government Chronicle*, 16 November 2016

⁹ HM Treasury, *Budget 2017*, p54

¹⁰ HM Treasury, *Budget 2017*, p53

¹¹ DCLG, "[Budget delivers devo deal and transport boost for North of Tyne](#)", 24 November 2017

¹² David Paine, "[Hopes rise for new North East devo deal](#)", *Local Government Chronicle*, 21 August 2017

¹³ Helen Pidd, "[Lancashire likely to be first county to elect mayor](#)", *Guardian*, 9 November 2016

¹⁴ Conservative Party, *Forward Together*, 2017, p32

¹⁵ See House of Commons [PQ 49624 2016-17](#)

- Bids from [Gloucestershire, Cheshire and Warrington](#) and [Cumbria](#) have been reported as foundering on the areas' opposition to a directly-elected mayor. Devolution bids, or expressions of interest / prospectuses, have also been published in [Hampshire / Isle of Wight](#); [Leicestershire](#); [North and East Yorkshire](#); [Surrey and Sussex](#); [Greater Essex](#); and [Devon / Somerset](#). A proposal for devolution of power and joint working for [Derby, Nottingham and their hinterlands](#) was published in November 2017 by the consultancy MetroDynamics.

1.6 Deals experiencing difficulties

A number of devolution deals have run into obstacles since their initial agreement with the Government. In most cases, though not all, difficulties have centred around local reactions to the creation of directly-elected mayors:

- Derbyshire County Council launched a judicial review of Chesterfield's participation in the Sheffield deal. The case was heard on 11-12 November 2016. The judge found that the consultation was defective and ordered that it be rerun. This led to the Sheffield City Region mayoral election being delayed by a year, to 2018. Subsequently, Chesterfield and Bassetlaw withdrew their applications for full membership.
- In consequence, the idea of a pan-Yorkshire devolution deal acquired fresh impetus.¹⁶ In September 2017, Barnsley and Doncaster announced that they would pursue this option instead of the Sheffield devolution deal. However, legislation is still in place for the mayoral election to take place in May 2018. Barnsley and Doncaster are considering holding local referendums on the two available options.

The Minister, Jake Berry, [had previously indicated](#) that the Government would not agree to a pan-Yorkshire deal. He said in a letter to the Sheffield City Region CA that "consent by the 20 councils for such an approach is very unlikely. Nor do I believe that a deal and governance across the whole of Yorkshire, given its scale and diversity, would in practice deliver the benefits that the proponents of such a deal seek".¹⁷

[An article in the Yorkshire Post](#) in September 2017 suggests that trust amongst local leaders was eroded by arguments over HS2. Sheffield had successfully argued for the city-region's station to be in Sheffield city centre, whilst its partner authorities would have benefited more from the original location in Meadowhall.

- The North-East deal collapsed on 7 September 2016 when four of the seven participants voted against it in full council;

¹⁶ LGC Briefing, [Devolution by judicial review](#), 11 November 2016; James Reed, ["Fresh attempt to revive Yorkshire-wide devolution"](#), *Yorkshire Post*, 16 November 2016

¹⁷ Quoted in David Paine, "Yorkshire devo dissenters seek deal for 'coalition of the willing'", *Local Government Chronicle*, 22 June 2017

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- Lincolnshire County Council and North Kesteven District Council rejected the Greater Lincolnshire deal in November 2016. The deal was subsequently withdrawn by the DCLG;¹⁸
- Five district councils pulled out of the Norfolk / Suffolk deal (see Appendix 2). The deal was subsequently withdrawn.¹⁹

¹⁸ Lincolnshire County Council, "[Council Leader intends to say 'no' to a Mayor for Greater Lincolnshire](#)", 11 November 2016

¹⁹ George Nobbs, "Whatever this is, it is not devolution", *Municipal Journal*, 15 November 2016;

2. The Greater Manchester devolution deals

This section outlines the devolution deals agreed with the Greater Manchester Combined Authority.

2.1 The Greater Manchester Agreement

Five different deals have provided powers for the Greater Manchester Combined Authority (see section 1.3):

- A consolidated, multi-year transport budget;
- Responsibility for bus services, railway stations, and ‘smart ticketing’ (an example of this is London’s Oyster Card) in Greater Manchester;
- A Housing Investment Fund of £300m over 10 years, making loans to housebuilders (and thus being self-sustaining over time);
- The power to produce a statutory spatial strategy; to introduce Mayoral Development Corporations; make Compulsory Purchase Orders; set a Community Infrastructure Levy (CIL); and establish a non-statutory Land Commission;
- An enhanced form of the Manchester ‘earn-back’ agreement;
- The elected mayor will also become the Police and Crime Commissioner for Greater Manchester.²⁰
- Devolved business support budgets: the Growth Accelerator, Manufacturing Advice Service and UKTI Export Advice;
- Power to restructure further education in Greater Manchester, plus control of the Apprenticeship Grant for Employers;
- Joint commissioning, with the Department for Work and Pensions, of the next stage of the Work Programme;
- Transfer of the Greater Manchester Fire Service and the Greater Manchester Waste Disposal Authority to the GMCA;
- Control over EU structural funds (the implications for the ‘Shared Prosperity Fund’, mooted to replace these when the UK leaves the EU, are not clear);
- A Life Chances Investment Fund, incorporating funding from Troubled Families, Working Well, and joint work on children’s services;
- Piloting the full retention of business rate revenue;
- On 31 January 2017 DCLG announced that Greater Manchester would receive £28 million to develop the new Work and Health Programme. This programme will commence in England and Wales in late 2017.²¹
- An agreement on [devolution of powers associated with the justice system](#), published in July 2016.

Tony Lloyd acted as ‘interim mayor’ between 29 May 2015 and the election of Andy Burnham on 4 May 2017.²²

²⁰ HM Treasury, [Greater Manchester Agreement](#), November 2014, p. 1

²¹ DCLG, [Work, health and disability green paper: improving lives](#), 2 November 2016

²² See the [Greater Manchester Combined Authority \(Amendment\) Order 2015](#) (SI 2015/960). The interim mayor must be a councillor, MP, MEP or Police and Crime Commissioner in the Greater Manchester area.

2.2 Health devolution in Greater Manchester

The Government published the [Greater Manchester Health and Social Care Devolution Memorandum of Understanding](#) on 27 February 2015.

This paper envisaged a new Greater Manchester Health and Social Care Partnership Board (GMHSPB), which will produce a joint health and social care strategy for Greater Manchester.

The GMHSPB ran in shadow form in 2015-16, before going live in April 2016. It has two sub-groups: a Greater Manchester Joint Commissioning Board (JCB) and an Overarching Provider Forum. Members of the former are the 12 Clinical Commissioning Groups (CCGs) in Greater Manchester; the 10 Greater Manchester boroughs; and NHS England. Members of the latter are service providers: acute care trusts, mental health trusts, ambulance trusts, LMCs (local medical committees), and others.

Through the JCB, strategic decisions regarding commissioning of health and social care services in Greater Manchester are agreed by NHS England, CCGs, and local political actors. [A strategy was published in December 2015](#). The JCB commissions health and social care services across Greater Manchester on behalf of its constituent organisations, pooling the pooled commissioning budgets of the CCGs and the social care budgets of the boroughs.²³

At local (borough) level, Health and Wellbeing Boards, made up of representatives from CCGs and boroughs, will ensure that health and social care services are provided in a joined-up fashion, in line with the GMHSPB's Strategic Sustainability Plan.

The proposals will not lead to a wholesale transfer of functions or funds from the NHS to local authorities, or vice versa. Chris Ham, chief executive of the Kings Fund, stated:

Devolution to Greater Manchester should enable decisions to be taken much closer to the population being served, with councillors having a bigger influence on future decisions. ...The unanswered question is how much freedom public sector leaders will have to depart from national policies in taking greater control of NHS resources.²⁴

These proposals are being implemented via section 75 of the *National Health Service Act 2006*, which permits agreements to share functions and budgets between NHS bodies and local authorities. The elected mayor, Andy Burnham, has no formal power over the integration of health and social care. The GMHSPB has appointed its own chief executive, Jon Rouse, as of 31 March 2016.

The chief executive of the NHS, Simon Stevens, said in December 2015 that 'not many' other areas were likely to take on health responsibilities in the near future. So far, the only other areas to take steps in this

²³ See the Greater Manchester Commissioning Strategy, [Commissioning for Reform, 2016](#)

²⁴ Chris Ham, "What Devo Manc could mean for health, social care and wellbeing in Greater Manchester", [Kings Fund](#), 2 March 2015

direction are Cornwall and some London boroughs.²⁵ A document entitled [*NHS Devolution: Proposed Principles and Decision Criteria*](#), published in September 2015, sets out the NHS's preferred approach to proposals for health and social care integration. In Manchester, criteria for national intervention in the devolved arrangements were published in March 2016.²⁶ A [dedicated website](#) covering new arrangements for health and social care has also been established. Greater Manchester has also been awarded £450 million health service transformation funding over five years.²⁷

²⁵ David Williams, "Exclusive: Stevens casts doubt over NHS devolution outside Manchester", *Health Service Journal*, 14 Dec 2015

²⁶ See Greater Manchester Combined Authority, [Accountability Agreement](#) (paper 5b), 18 March 2016

²⁷ David Paine, "Greater Manchester receives £450m to spur health transformation", *Local Government Chronicle*, 21 Dec 2015

3. Devolution deals in other localities

3.1 Deals: the 'menu'

The devolution deals agreed to date can be characterised as consisting of a 'menu with specials'. A number of items have been made available to most areas, but each deal also contains a few unique elements or 'specials' (typically consisting of commitments to explore future policy options). The following sections outline the nature of the 'menu' powers that have been made available to most of these areas. The exact nature of the powers devolved can be seen in the deal documents (see section 1.3 for links).

The core powers devolved include the following:

- **Restructuring the further education system.** This typically consists of local commissioning of the Adult Skills Budget from 2016-17, followed by full devolution of the budget from 2018-19. Areas will be required to undertake a full review of further education and skills provision, and to have agreed arrangements with the Government for managing financial risk. Reports in late 2017 suggested that devolution of this power would be delayed by a year, as the Government was unable to prepare the relevant Orders in time. Some areas have also taken on the **Apprenticeship Grant for Employers.**
- **Business support.** In most areas, local and central business support services will be united in a 'growth hub'. UK Trade and Investment will be required to partner with local business support services.
- **The Work Programme.** Devolved areas were to participate in the commissioning of the Work Programme in their areas. This was superseded in July 2017 by a decision to create a new grant, totalling £28 million, to allow devolved areas to develop a programme for 'harder-to-help' benefit claimants, supplementary to the main Work Programme.²⁸ This grant does not cover Greater Manchester or Greater London, which have negotiated separate arrangements;
- **EU structural funds.** A number of areas were to become 'intermediate bodies', which means that they, instead of the Government, would have taken decisions about which public and private bodies to give EU structural funds to. It is not clear whether devolved areas will have any role in the 'Shared Prosperity Fund' that has been mooted to replace structural funds post-Brexit;
- **Fiscal powers.** Most deals include an investment fund; some areas are piloting full retention of business rates (London, Manchester, Cornwall, Liverpool and West Midlands). Elected mayors were to have the power to add a supplement of up to 2% on business rates, originally with the agreement of the relevant Local Enterprise Partnership. However, this power is now on hold

²⁸ David Paine, "[DWP hands devo areas £28m for work programme 'alternative'](#)", *Local Government Chronicle*, 1 August 2017

due to the falling of the *Local Government Finance Bill* in the first part of 2017;²⁹

- **Integrated transport systems.** Many deals include the power to introduce bus franchising, which would allow local areas to determine their bus route networks and to let franchises to private bus companies for operating services on those networks (see the Library briefing paper on the [Bus Services Act 2017](#) for further details). Each deal also includes a unified multi-year transport investment budget, and most commit to improving joint working between the combined authority and Network Rail, Highways England, and (where relevant) plans for the HS2 line. Some deals include a ‘key network of local roads’ to be controlled by the combined authority: this is a power that is currently exercised at local authority level.
- **Planning and land use.** Many deals include the power to create a spatial plan for the area, and/or the power to establish Mayoral Development Corporations. Some deals will also permit the combined authority to use Compulsory Purchase Orders, with the consent of the local authority in which the land or property is located. Non-statutory joint bodies (‘Land Commissions’ or ‘Joint Asset Boards’) will be established to improve the management of surplus land and buildings across public sector bodies, making joint decisions on whether to re-use, share, or sell unused land and buildings within the public estate.

3.2 Budget 2017

A number of new commitments were made in the November 2017 Budget that signalled greater Government commitments to mayoral combined authorities compared to other areas. These included:

- A new Transforming Cities investment fund of £1.7 billion. Half of this fund is to be split between the six mayoral combined authorities on a per capita basis, as per the table below. The other half will be available to other areas on a competitive bid basis.

Table: Transforming Cities Fund allocations

Mayoral area	Funding
West Midlands	£250 million
Greater Manchester	£243 million
Liverpool City Region	£134 million
Tees Valley	£59 million
West of England	£80 million
Cambridgeshire / Peterborough	£74 million

The funding will “support intra-city transport” and “will target projects which drive productivity by improving connectivity,

²⁹ The provision for the agreement of the LEP did not appear in the Bill.

reducing congestion and utilising new mobility services and technology".³⁰

- £243 million for a 'local industrial strategy' in Greater Manchester;
- A £12 million 'capacity fund' for mayoral combined authorities for 2018-19 and 2019-20;
- A pilot of 100% business rate retention in London from 2018-19;
- A second deal for the West Midlands, plus agreement to an extension of the Midland Metro.

The Centre for Cities produced [a number of progress updates](#) entitled 'six months of..' each of the metro-mayoral areas in November 2017.

3.3 Agreements elsewhere

London

A [memorandum of understanding on further devolution to London](#) was published in March 2017, alongside the Budget. This was finalised in November 2017.³¹

This follows a series of pilots in 2015-16 exploring health and social care collaboration between groups of London boroughs, the GLA, and London CCGs.³² The London-based partners have also signed a [London Health and Care Collaboration Agreement](#), committing them to joint working regarding health and care services.

A joint London Health Board is to supervise five pilot schemes for the integration of health and care. The pilots will focus on local integration of services (using section 75 of the NHS Act 2006 to pool funding, as in Greater Manchester); utilisation of estate assets, working with the London Land Commission; and transformation at a sub-regional level.

The London Health Board will also work with the Working Capital team in the GLA, which has begun a programme of supporting the hardest-to-help claimants into employment. There is a particular focus on mental health in the London context. European Social Fund money (already devolved to the GLA) is also being used. The new Work and Health Programme will see £72 million devolved to London to run the programme locally.

The London boroughs, together with the GLA, have put forward a number of plans for sub-regional devolution within London.³³ Most recently, in November 2015, a joint document produced by the Mayor, London Councils, and the London LEP, entitled [Skills Devolution to London](#), was submitted to the Government. This contained a series of high-level outcomes sought for the skills system in London by 2020, and set out a prospectus for devolving power in order to achieve them:

³⁰ HM Treasury, *Budget 2017*, p51

³¹ See Jon Bunn, "[London health devolution deal agreed](#)", *Local Government Chronicle*, 16 November 2017; GLA, [Health and Care Devolution: What It Means for London](#), November 2017

³² HM Treasury, [London health devolution agreement](#), 15 December 2015. See also Heather Jameson, "'Giant leap' for capital care after health deal is unveiled", *Municipal Journal*, 17 Dec 2015

³³ These proposals have not been formally published. See also the London Assembly report [A New Agreement for London](#), September 2015

- Devolution of the Adult Skills Budget, Adult Community Learning, and discretionary support for 19+ learners;
- Devolution of London's share of advanced learning loans;
- A guaranteed 'proportionate return' to London from the apprenticeships levy introduced at the 2015 Spending Review;
- Transfer of the Secretary of State's appointment powers over college boards;
- Protection of London's share of 16-19 skills funding;
- Creation of a Skills Commissioner for London.

In July 2016, Sadiq Khan reconvened the London Finance Commission in the wake of the June 2016 vote to leave the European Union.³⁴ Its final report, *Devolution: a capital idea*, was published in January 2017. The report recommends the devolution of several taxes to London government, such as stamp duty, Air Passenger Duty, Vehicle Excise Duty, together with a share of income tax and VAT revenue. A tourism tax was also proposed.

The report stated that any tax devolution would be 'revenue neutral' at the point at which tax powers were passed to Greater London. It also suggested that other cities with devolution deals were looking with interest at the proposals.

Cornwall

A devolution deal with Cornwall was agreed in July 2015.³⁵ The deal was agreed with Cornwall Council and the Cornwall and Isles of Scilly NHS Trust. The deal does not require a combined authority or elected mayor to be established.

This is the only deal so far to be agreed with a single unitary authority: the powers to be devolved will be devolved to Cornwall County Council. The deal follows Cornwall Council's publication of a document entitled *The Case for Cornwall* in March 2015.

West Yorkshire and Sheffield

The West Yorkshire Combined Authority agreed a deal on 18 March 2015. The deal "sees the Combined Authority take further responsibility over skills, transport, employment, housing and business support".³⁶ A media report in November 2015 suggested that disagreements over boundaries and the question of a directly-elected mayor have so far prevented a more extensive devolution deal for the area.³⁷

The West Yorkshire deal is similar to the first Sheffield City Region deal, published on 12 December 2014.³⁸

³⁴ See GLA, [London Finance Commission](#), n. d.

³⁵ HM Treasury, [Cornwall Devolution Deal](#), July 2015

³⁶ HM Treasury, [Budget 2015](#), 2015, p. 73

³⁷ David Paine, "'Gerrymandering' and threat of mayoral veto derails Leeds deal", [Local Government Chronicle](#), 11 Nov 2015

³⁸ See Deputy Prime Minister's Office, ['Oyster-style' cards for Sheffield as Deputy PM agrees devolution deal](#), 12 December 2014; [HCDeb 18 Dec 2014](#) WMS 141

Liverpool: March 2016

A second devolution deal for the Liverpool City Region was announced alongside the March 2016 budget. The city region will take on the following additional responsibilities:

- Beginning to plan for integration of health and social care;
- A review of the delivery of children's services;
- The Apprenticeship Grant for Employers, accompanied by discussions on the use of funding from the apprenticeship levy;
- Additional, unspecified transport and highway powers to accompany the city region's Key Local Roads Network;
- work on developing a Clean Air Zone.

Liverpool will also pilot 100% retention of business rates revenue as of 1 April 2017.

West Midlands: November 2017

A second deal for the West Midlands was published at the November 2017 Budget. This included the following commitments:

- Government agreement to the Mayor absorbing the Police and Crime Commissioner and the West Midlands Fire Service;
- A business rate supplement for the Mayor;
- A capacity fund of £1 million for the combined authority;
- Funding for the extension of the Midland Metro to Brierley Hill, plus seeking opportunities for funding cycling infrastructure;
- Government support for a local air quality strategy;
- A local industrial strategy;
- £6 million for a Mayoral Housing Delivery Team, boosting the capacity of the combined authority;
- A skills advisory panel, plus £5 million for a construction training programme;
- An Employment Support Framework Agreement, to integrate, health, skills and employment provision. This will sit on top of the combined authority's employment support programme and apprenticeship-related programmes run by JobCentre Plus and the Department for Work and Pensions;
- Funding support for a local energy strategy;
- Government funding for a Housing First pilot, mental health innovation, and a Social Care Academy.

4. Analysis and perspectives

4.1 2017: devolution perspectives

A number of reports urging a refreshing of the devolution process in England have been produced during 2017.

IPPR published a report in February 2017 entitled *Rebooting Devolution*. This argued for a framework of powers that could be taken on by local authorities. These would be accessible alongside additional accountability requirements (though elected mayors are not regarded as essential). The report argued for local bodies to cover county areas in most cases:

...any proposed devolution area must be based around existing institutions and a shared sense of place. ... there is little merit in creating new structures across a large economic area that means little in the public imagination...³⁹

In similar terms, Reform's report *Vive la devolution* argued for decentralisation of public services commissioning to 38 devolved bodies across England.

The Local Government Information Unit produced a report entitled *Beyond Devolution*, produced following several meetings of a Local Democracy Network. It recommended that:

- A Mayors' Senate should be established, giving directly elected mayors from individual and combined authorities a firm constitutional role, shaping Brexit and scrutinising legislation.
- A Local Finance Commission, led by local government, should carry out a systematic review of how local areas are funded based on the expertise, knowledge and experience of local leaders.
- A Constitutional Settlement should be pursued in order to provide a framework and consistency over the roles and responsibilities of central and local government.
- An immediate Devolution Reboot to continue devolving power to the cities and regions of England.

A report for the County Councils Network by Oxford Economics, in 2017, argued that county economies should feature prominently in the forthcoming industrial strategy. Combined authority areas should not be the only focus. Manufacturing forms a significant element in county economies, and potential exists to drive productivity gains there.⁴⁰

The Centre for Cities has produced a '[six months of](#)' analysis of each of the six metro-mayors in November 2017.

³⁹ Jack Hunter, *Rebooting devolution: A common sense approach to taking back control*, IPPR, 2017, p10

⁴⁰ CCN, *Understanding County Economies*, Oxford Economics, 2017

4.2 The available powers

The Government has stated on a number of occasions that it has had no preconceived ideas about which powers should be devolved, or to which areas. However, there are a number of evident similarities between the devolution deals agreed to date (the 'menu' noted in section 3.1 above). Powers over business support services, adult skills funding, transport budgets and buses, and land management feature in almost all of the deals. By contrast, involvement in health services and policing, for instance, have been offered in only a small number of areas. The negotiations have been conducted in secret, leading to much speculation about the intentions underlying central government's approach.⁴¹

The elected mayors have differing degrees of power over different matters. In most areas, they will have an effective veto over decisions. Mayoral spending plans are to be subject to rejection by cabinet members on a two-thirds majority. Where powers to create a spatial strategy are available, this requires unanimous approval from the mayor and combined authority members. This contrasts with the situation in London (see Library briefing paper CBP05817, [The Greater London Authority](#)). The Mayor of London can take decisions without reference to the London boroughs. The London Assembly only has the power to veto a small number of high-level Mayoral decisions.

Despite the differing levels of formal power, the mayor's profile will be such that s/he is likely to become associated, in the public eye, with any new initiatives or policy changes in all of the 'devolved' areas. For instance, in Greater Manchester, the mayor has no formal responsibility for the integrated health and social care bodies, but Andy Burnham has already pushed forward some initiatives around mental health. Mayors may face being held accountable for things that s/he does not control. This points towards a reliance on 'soft power' and informal governance skills, rather than formal proceedings and votes, to achieve desired outcomes. This would be at one with practice so far: Lord Smith of Leigh, the chair of the Greater Manchester combined authority, noted in June 2015 that "I have still not had a vote as chairman of the combined authority, and if I did have one I would think of it as a failure".⁴²

4.3 Governance

Most of the deals agreed so far have featured a new directly-elected mayor covering a combined authority area. The Government has stated that a directly-elected mayor will be required where substantial powers are to be devolved.⁴³ Baroness Williams, speaking for the Government in the House of Lords, has said:

First, nobody has been required to have a mayor. Secondly, it would be irresponsible of any Government to put in place

⁴¹ Background to the process leading up to the first agreement can be found at Simon Jenkins, "The secret negotiations to restore Manchester to greatness", [Guardian](#), 12 February 2015

⁴² HLDeb 22 Jun 2015 c1413

⁴³ For instance, see [HCDeb 26 Nov 2015 c473WH](#)

devolution of the scale and ambition as in Tees Valley and Greater Manchester without the clear, single point of accountability that an elected mayor can bring.⁴⁴

At the outset of the policy, reference was made to 'alternative governance arrangements' (see the Library briefing *Combined authorities*). The IPPR report *Empowering Counties* suggested that in practice any substantial devolution of power required a mayoralty:

...despite the rhetoric around locally tailored deals, it has become increasingly clear that the government does have some unwritten rules, particularly around scale and governance. County proposals that have been considered too small have been challenged, while, more significantly, in almost all cases where there is anything other than modest ambition, the government would appear to be insisting on the introduction of a directly elected mayor.⁴⁵

The report suggested that elected mayors were inappropriate for areas which did not have a single urban centre, and urged the Government to clarify what alternative governance arrangements would find favour in devolution deal negotiations.

Professor Francesca Gains, of the University of Manchester, has stated:

Research at the University of Manchester examining the first city mayors suggests that there are reasons why an elected mayor is the right model for the new settlement. The visibility of a mayor means the public knows who to hold to account for the spending decisions now to be made in and across the region. Being directly elected will keep the mayor responsive to all communities.⁴⁶

The Centre for Public Scrutiny, which is pursuing research into the governance and accountability surrounding combined authorities, has stated:

... the asymmetry involved [between the deals] also provides an additional impetus for transparency. Local people – anyone, indeed, not involved in the negotiations – need to understand what devolution priorities are being arrived at and agreed on. ... At the very least, the broad shape and principles of a bid for more devolved powers should be opened up to the public eye.⁴⁷

4.4 Reactions

The Engineering Employers' Federation (EEF) published a report in September 2017 entitled *Fostering more industrious places*. This reflected increasing attention given to the Northern Powerhouse agenda in the second part of 2017. The EEF said:

Spreading devolution to all areas of England needs to be the main ambition behind the Government's policy on place as part of the industrial strategy. Establishing strong governance of place through Devolution deals will subsequently allow a more

⁴⁴ [HLDeb 23 Mar 2016](#) c2414

⁴⁵ Ed Cox and Jack Hunter, *Empowering Counties: Unlocking County Devolution Deals*, 2015, p.4

⁴⁶ Francesca Gains, "The making of the Greater Manchester mayor – what next?", *On Devo*, policy@manchester, 2015, p. 6

⁴⁷ Ed Hammond, *Devo Why? Devo How?*, Centre for Public Scrutiny, 2015, p.8

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meaningful conversation to take place on how each area can support the industrial strategy.⁴⁸

The EEF suggested that LEPs should be appointed as 'deal-making agents' on behalf of local areas to push this agenda forward. Areas should also be able to retain the benefits of productivity increases in the form of additional funding, or reduced spending.⁴⁹

The LGIU noted the importance of strong teams and good political management after the first metro-mayor elections:

Mayors assembling leadership and administrative teams who can work through their agendas systematically and effectively seems very important.

A strong business and administrative office; managing the political interfaces adroitly; consolidating economic and political geographies and neighbour relations; clarifying priorities and managing expectations need to be fleshed out over 2017/18. The complex inherited plethora of deals and devo-agreements need, ideally, to be consolidated, progressed, and given some Mayoral ownership.

The Centre for Cities report *Firm Views*, published in late 2015, indicated that businesses supported enhanced powers for local government, and found substantial support for additional taxation powers for local government. The report also found substantial regional variation in business concerns:

For example, in Bristol businesses felt that housing and planning must be the priority for the economy and therefore more local control over where and what sort of housing and developments could be built were seen as essential. In Birmingham, the focus was on alleviating transport pressures and using public assets more efficiently. In Manchester businesses were very positive about more powers being devolved, but there were concerns over the ground-breaking devolution of health budgets given their magnitude, and possible limited local capacity and institutional inexperience.⁵⁰

Much reaction from the local government world to the proposals has been positive, though this has not been a universal response.⁵¹ Professor Francesca Gains has noted:

The interim mayor has to champion the region, and the idea of devolved powers, without having the budgets and powers fully in place. In the face of welfare cuts, cuts in adult social care and other non-protected spending areas locally, early visible signs of economic and infrastructural benefits of the devolution agenda will be important to demonstrate to the public the potential

⁴⁸ EEF, *Fostering more industrious places*, 2017, p.3

⁴⁹ Ibid., p.5

⁵⁰ Ed Clarke and Simon Jeffrey, *Firm views: the business take on devolution*, Centre for Cities, 2015, p. 6-7

⁵¹ For supportive responses, see Local Government Association, *LGA response to government announcement of devolved health budget to Greater Manchester*, 27 February 2015; more cautious responses include Daisy Sriblin, *Unanswered questions on devolved healthcare in Manchester*, Fabian Society; Chris Ham, "What Devo Manc could mean for health, social care and wellbeing in Greater Manchester", *Kings Fund*; Joy Furnival, *What Health and Social Care can learn from UK Devolution*, University of Manchester.

benefit of devolution ahead of the full devolution of powers and election of the mayor proper in 2017.⁵²

Helen McKenna, of the King's Fund, has suggested that health and social care integration in Greater Manchester could have a transformative effect:

Although what is currently happening in Manchester is technically more a case of delegation than devolution, particularly as formal accountabilities will remain with the national NHS bodies, it is nevertheless a far cry from 'business as usual'....In exchange for more of a say over its own future, Greater Manchester is promising to deliver changes to health and care services that we and many others have long been calling for... But what makes Greater Manchester's devolution project so exciting is the fact that their ambitions go much further than the integration of health and social care to consider public services in the round. This creates the opportunity to look beyond the role of health services in determining health outcomes to the (Far more influential) wider social determinants of health – for example, the roles of early years, education, employment and housing.⁵³

Iain Wright MP expressed a more critical view in a Westminster Hall debate in June 2015:

...the areas that are being identified for devolution are those that have suffered the greatest cuts. Areas are being set up to fail, which feeds my concern, shared by many others, that the primary thing the Government want to localise is the blame for cuts they have made in Whitehall.⁵⁴

Phillip Blond, director of ResPublica and co-author of *Devo Max – Devo Manc*, was quoted as saying:

These deals are fairly average and fairly small. It's all sub-Manchester and a lot of the innovation hasn't really made its way past the first tier of negotiations.⁵⁵

Ben Harrison, of the Centre for Cities, suggested that the devolution offered to Greater Manchester may turn out to be 'a process not an event', as with devolution to Scotland, Wales and Northern Ireland:

The devolution settlements that have been struck in the UK over the last fifteen years have not remained static – the prize for city-regions vying for devolution is not just what is on offer in 2015, but what could end up being on the table in the decade to come....Rather than being evidence of some kind of Whitehall favouritism or political game-playing, these decisions ultimately illustrate the fact that the presence of strong, democratically accountable institutions, at the right geographic scale, makes a significant difference when it comes to decisions on where and how funding and functions are allocated.⁵⁶

The proposals to pass Police and Crime Commissioner (PCC) powers to elected mayors have been opposed by some PCCs, who were concerned

⁵² Francesca Gains, [The future of metro mayors – all eyes on Greater Manchester](#), 25 June 2015

⁵³ Helen McKenna, "Devo Manc is a far cry from 'business as usual'", [Manchester Policy Blogs](#), 1 April 2016

⁵⁴ [HCDeb 9 Jun 2015](#), c76WH

⁵⁵ See Sam Clayden, "Deals of the century?", *Municipal Journal*, 26 Nov 2015, p. 12

⁵⁶ Ben Harrison, "There's more to devolution deals than the prizes on offer today", [Centre for Cities blog](#), 13 August 2015

that current relationships would be disrupted.⁵⁷ The Government has also published a consultation on passing control of fire and rescue authorities to PCCs where local areas agree.⁵⁸ This has already been agreed for Greater Manchester.⁵⁹

The House of Commons Communities and Local Government Committee published a report in February 2016 entitled *Devolution: the next five years and beyond*. The Committee commended the general approach of devolving power, whilst recommending that greater attention be paid to transparency and accountability – both in the negotiation and implementation of deals.

4.5 Public consultation

A number of criticisms have been made of the lack of public consultation in most devolution negotiations. The 2009 and 2016 Acts require a statutory consultation process when a new combined authority is created or when new powers are devolved to it. These have taken place in the areas that have been offered devolution deals.

However, the negotiations *leading to* devolution deals are non-statutory and informal, and have been conducted confidentially to date. Professor Robin Hambleton of the University of the West of England has described the Government's policy as 'centralisation on steroids':

Ministers, not elected local politicians, still less local citizens, will decide whether the deals are acceptable. The accountability is up to distant figures in Whitehall, not down to local people.⁶⁰

The University of Sheffield and the Electoral Reform Society, with other partners, held two "citizens' assemblies" in autumn 2015, in Sheffield and Southampton. Over two weekends, selected members of the public discussed devolution options in their local areas. Details of the assemblies and the outcomes of the public discussions can be found at <http://citizensassembly.co.uk/>. Similarly, Coventry held a [one-day citizens' panel](#) on 9 September 2015, discussing whether the city should participate in the West Midlands combined authority.

Durham Council held a referendum in early 2016 on the (now aborted) North East devolution deal. Its cost has been estimated at £325,000.⁶¹ In the event a number of questions were asked, and some 22% of the electorate responded. 60% said they thought the region getting some extra powers and controls from Whitehall would be a 'step in the right direction'. 40% of respondents thought an elected mayor for the North East should have quite a lot of power and influence, while 48% felt the mayor should have limited powers.⁶²

⁵⁷ Sam Clayden, "PCCs urge PM to rethink police commissioner plan", *Municipal Journal*, 20 Oct 2015

⁵⁸ DCLG, *Enabling closer working between the emergency services*, 2015

⁵⁹ See, for instance, the [Fire Brigades Union's press release](#) on 19 December 2015.

⁶⁰ Robin Hambleton, "The devolution deception must be exposed", *Local Government Chronicle*, 24 November 2015

⁶¹ "Durham reveals devo poll costs", *Local Government Chronicle*, 18 December 2015

⁶² David Paine, "Results in on Durham's devo poll", *Local Government Chronicle*, 19 February 2016

5. Further reading

Reform, [*Vive la devolution: devolved public services commissioning*](#), November 2017

LGIU, [*Beyond devolution: the final report of the Local Democracy Commission*](#), October 2017

EEF, [*Fostering More Industrious Places*](#), August 2017

CCN, [*Understanding County Economies*](#), Oxford Economics, 2017

Jack Hunter, [*Rebooting devolution: A common sense approach to taking back control*](#), IPPR, 2017

Local Government Association, [*What next for devolution?*](#), July 2016

National Audit Office, [*English devolution deals*](#), HC948 2015-16, April 2016

Political Studies Association, [*Examining the role of 'informal governance' on devolution to England's cities*](#), March 2016

[*Representation*](#), special issue, March 2016

Ed Hammond, [*Cards on the table: English devolution and governance*](#), Centre for Public Scrutiny, March 2016

Communities and Local Government Committee, [*Devolution: the next five years and beyond*](#), HC-369 2015-16, Feb 2016

Joe Randall and Jo Casebourne, [*Making devolution deals work*](#), Institute for Government, February 2016

Grant Thornton, [*Making devolution work*](#), November 2015

[*On Devo*](#), policy@manchester, 2015

Norman Warner and Jack O'Sullivan, [*Letting go: how English devolution can help solve the NHS care and cash crisis*](#), Reform, March 2015

Independent Commission on Non-Metropolitan England, [*Devolution to Non-Metropolitan England: Seven Steps to Growth and Prosperity*](#), March 2015

Independent Commission on Local Government Finance, [*Financing English Devolution*](#), LGA/CIPFA, February 2015

Mark Morrin and Phillip Blond, [*Restoring Britain's City States: Devolution, Public Service Reform and Local Economic Growth*](#), ResPublica, February 2015

Centre for London, [*The Brightest Star: A Manifesto for London*](#), October 2014

City Growth Commission, [*Human Capitals, Connected Cities, Powers to Grow, Unleashing Metro Growth*](#) [four papers], RSA/Core Cities Group, 2014

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Ed Cox, Graeme Henderson and Luke Raikes, [Decentralisation Decade: A plan for economic prosperity, public service transformation and democratic renewal in England](#), IPPR/PwC, September 2014

Mark Morrin and Phillip Blond, [Devo-Max, Devo Manc: Place-Based Public Services](#), September 2014

London Finance Commission, [Raising the Capital](#), GLA, 2013

Lord Heseltine, [No stone unturned in pursuit of growth](#), BIS, 2012, plus [Government response](#), 2013

Communities and Local Government Committee, [Devolution in England: the case for local government](#), HC-503 2013-14, July 2014

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	Greater Manchester	Sheffield	Tees Valley	Liverpool	West Midlands	Camb/Pboro	West of England	Cornwall	Norfolk/Suffolk	Greater Lincolnshire	North-East
Health and social care integration											
Planning for health and social care integration											
Children's services											
Offender management, probation, prison estate											
Troubled Families / Working Well											
Mayor to become Police and Crime Commissioner											
Fire service											
Intermediate body for EU Structural Funds											
Investment fund (per year)	£30m	£30m	£15m	£30m	£36.5m	£20m	£30m		£25m	£15m	£30m
Single funding pot											
Retention of 100% business rates growth											
Pilot retention of 100% business rates revenue											
Mayor business rates supplement											
Community Infrastructure Levy											

Note: Cornwall County Council holds a number of the powers set out here in its capacity as a unitary authority (marked in pale green)

Deals that have been withdrawn after publication have been greyed out.

Powers over business rate supplements are unlikely to be available in the short term due to the falling of the *Local Government Finance Bill 2016-17*.

Appendix 2: participants in devolution deals

Deal	Full members	Associate members	Authorities reported as seeking membership	Authorities rejecting deal
Greater Manchester	Manchester; Salford; Tameside; Oldham; Trafford; Stockport; Bolton; Rochdale; Bury; Wigan			
Liverpool City Region	Liverpool; Wirral; Knowsley; St Helens; Sefton; Halton		Warrington	
Sheffield City Region	Sheffield; Doncaster; Rotherham; Barnsley	Chesterfield; Bassetlaw; North-East Derbyshire; Derbyshire Dales; Bolsover		
West Yorkshire	Leeds; Calderdale; Bradford; Kirklees; Wakefield	York	Harrogate; Craven; Selby	
West Midlands	Birmingham; Sandwell; Dudley; Wolverhampton; Walsall; Coventry; Solihull	Redditch; Nuneaton & Bedworth; Tamworth; Cannock Chase; Telford & Wrekin	Shropshire; Herefordshire; Warwickshire; Rugby; Stratford-upon-Avon; Bromsgrove	

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Deal	Full members	Associate members	Authorities reported as seeking membership	Authorities rejecting deal
Tees Valley	Darlington; Middlesbrough; Hartlepool; Stockton-on-Tees; Redcar & Cleveland			
Cornwall	Cornwall; Isles of Scilly			
Cambridgeshire / Peterborough	Cambridgeshire; Peterborough; Huntingdonshire; Fenland; East Cambridgeshire; South Cambridgeshire; Cambridge City			
West of England	Bristol; Bath & North-East Somerset; South Gloucestershire			North Somerset
North-East	Newcastle-upon-Tyne; Northumberland; North Tyneside			Gateshead; Durham; Sunderland; South Tyneside
Norfolk / Suffolk	Norfolk; Suffolk; Forest Heath; St Edmundsbury; Babergh; Mid Suffolk; Ipswich; Suffolk Coastal; Waveney; South Norfolk; Broadland			Norwich; North Norfolk; Breckland; Great Yarmouth; King's Lynn and West Norfolk
Greater Lincolnshire	North Lincolnshire; North-East Lincolnshire; West Lindsey; East Lindsey; Lincoln City; North Kesteven; Boston; South Holland			Lincolnshire; South Kesteven

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