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Local government devolution: policy proposals

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Summary

During 2014 and 2015 a number of reports have made proposals for devolution of powers to local authorities or local areas in England. Most have been published by think-tanks, with some coming from political parties. The level of detail in the proposals varies.

This note summarises proposals for devolution of powers to local authorities or local areas in England. It groups them by policy area, including housing; further education and skills; employment; transport; and the probation service. It also includes the 2015 General Election manifesto commitments of the then Government parties and Opposition. It should be read alongside the Library briefing papers [Devolution to local government in England](#) and [Local government devolution: fiscal proposals](#).

1. Origins of proposals for devolution in England

Following the 'no' vote in the September 2014 Scottish independence referendum, the Prime Minister 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

During 2014 and 2015 a number of reports have made proposals for devolution of powers to local authorities or local areas in England. Most have been published by think-tanks, with some coming from political parties. The level of detail in the proposals varies.

This note summarises the main proposals made. It groups them by policy theme, as many of the proposals focus on similar policy areas. It does not describe every published idea, and should not be treated as a comprehensive reference work. It should be read alongside the Library briefing papers [Devolution to local government in England](#) and [Local government devolution: fiscal proposals](#).

Proposals for local devolution cover functions in the following areas:

- Housing: capital funding from the Homes and Communities Agency, plus housing benefit;
- Further education and skills: funding from the Skills Funding Agency and Education Funding Agency, and associated programmes;
- Employment, principally the Work Programme;
- Transport: including local capital investment plans, trunk roads, and bus regulation;
- The probation service.

Further proposals have been made for extension of local control over school education, the Troubled Families programme, and commissioning of health and social care services. These comprise extensions to existing local programmes rather than devolution of new powers, and therefore are not addressed in this note.

Some suggestions propose devolution to combined authorities, advocating that more of these should be formed across England;² others propose devolution to existing local authorities. Some reports do not define the areas to which powers should be devolved, using terms such as 'metros' or 'functional economic areas'.

A small number of reports specify amounts of funding which would be available to local authorities across England if particular programmes were devolved. This note does not include or attempt to analyse such figures. They are based on funding given to particular programmes in

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

² See the Library briefing paper [Combined authorities](#) for more details.

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public spending rounds in the recent past: given the continued pressures on public spending, they are unlikely to provide a meaningful guide to any future devolved budgets.

2. Local government devolution: 2015 manifesto commitments

2.1 Conservative Party

The Conservative Party's 2015 manifesto stated:

We will devolve far-reaching powers over economic development, transport and social care to large cities which choose to have elected mayors. We will legislate to deliver the historic deal for Greater Manchester, which will devolve powers and budgets and lead to the creation of a directly elected Mayor for Greater Manchester. In Cambridgeshire, Greater Manchester and Cheshire East, we will pilot allowing local councils to retain 100 per cent of growth in business rates, so they reap the benefit of decisions that boost growth locally. We will devolve further powers over skills spending and planning to the Mayor of London. And we will deliver more bespoke Growth Deals with local councils, where locally supported, and back Local Enterprise Partnerships to promote jobs and growth.³

A statement of Conservative policy was also included in the Government paper *The Implications of Devolution for England*, published in December 2014. It did not make any commitments to devolve specific further powers:

In addition, we want to go further and deeper with the localist reforms that have taken place in England during this Parliament. This will include delivering more bespoke Growth Deals with local councils, including metropolitan mayors where locally supported, and working with Local Enterprise Partnerships and councils to promote jobs and growth. To save taxpayers' money and improve front-line services, we propose to continue the drive to help local authorities join up different public services, taking forward projects such as Community Budgets, the Better Care Fund, joint working between the emergency services, and the Troubled Families programme.⁴

2.2 Labour Party

The Labour Party's manifesto for the 2015 General Election said:

We will embark on the biggest devolution of power to our English city and county regions in a hundred years with an English Devolution Act. It will transfer £30 billion of funding to city and county regions, along with new powers over economic development, skills, employment, housing, and business support. This will include control over local transport systems so that in future, local bodies can integrate trains, buses, trams and cycling into a single network. We will enable city and county regions to retain 100 per cent of additional business rates raised from growth in their area.⁵

³ Conservative Party, *Strong Leadership: A Clear Economic Plan: A Brighter. More Secure Future*, 2015, p. 13

⁴ Cabinet Office, *The Implications of Devolution for England*, Cm 8969, 2014, p. 22-23

⁵ Labour Party, *Britain can be Better*, 2015, p. 64

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This reflects the proposals in the party's review of the Department for Communities and Local Government in December 2014. This stated that Labour would devolve £30 billion of funding over five years to city and county regions "with a single economic plan for the area".⁶ The document also committed to ending the New Homes Bonus; merging fire authorities; reforming the system of funding distribution for local government; and introducing multi-year budgets for local authorities. Local authorities would also be able to seek unitary status if they wished.

The Labour Party indicated in March 2015 that it supported the Greater Manchester proposals,⁷ although the shadow Health Secretary, Andy Burnham, stated that he would not have made the same offer to devolve health and social care.⁸

Additional details were available in [a letter to local authorities from Hilary Benn](#), then shadow Secretary of State for Communities and Local Government, published on 25 August 2014. This stated that Labour, if elected, would:

- Devolve £30 billion, over five years, of current public spending to local authorities, combined authorities and local enterprise partnerships;
- Devolve 100% of business rate revenue to combined authorities;⁹
- Enable a single commissioning budget for health and social care;
- Pass funding for further education for 19-24-year-olds to local authorities;
- Loosening the criteria for the Troubled Families programme to allow its extension to additional families, at local discretion (though no additional funding is mentioned).

Mr Benn made a similar range of commitments in [his party conference speech on 22 September](#) 2014:

... we plan to take £30 billion from Whitehall over five years and pass it to local communities – to city and county regions across the length and breadth of the land to: give them the means to create jobs; help people into those jobs; train them in the skills they need for those jobs, invest in the trams, the buses, the railways and the roads to help them get to work and businesses to thrive, and build the homes for those workers and their children.

That's why we'll say to local authorities: "Help us to commission our new Work Programme."

That's why we will give local areas control of the funding for further education for 19 to 24 year-olds.

⁶ Labour Party, [Zero Based Review number 3: A New Deal for Communities and Local Government](#), 2014, p. 8

⁷ "Labour backs Greater Manchester NHS devolution plan", [BBC \[online\]](#), 17 March 2015

⁸ [LabourList](#), "Devolving NHS budget to Greater Manchester will create a 'two-tier health service' says Burnham", 25 February 2015

⁹ The document says that this was a specific request of the LGA. The LGA, in [Investing in our Nation's Future](#), called for councils to be allowed to retain 100% of business rates **growth**, instead of the current 50%.

That's why we will put together the money for health and social care so that local communities can provide better integrated care for the old, and for those with long-term conditions and disabilities.¹⁰

In a speech on 1 November 2014, the then leader of the Labour Party, Ed Miliband, also stated that local authorities and combined authorities would be given the power to regulate bus services.¹¹

Labour also expressed support for the concept of 'local public accounts committees'. This would be broadly equivalent to an overview and scrutiny committee with the power to review the financial performance of a wide range of public bodies at local level. Hilary Benn spoke in favour of this idea at the 2014 Labour conference.¹² The idea originated in a report from the Centre for Public Scrutiny in December 2013.¹³

2.3 Liberal Democrats

The Liberal Democrats made a number of commitments to devolving power in the 2015 manifesto. More generally, they stated:

We will therefore introduce Devolution on Demand, enabling even greater devolution of powers from Westminster to Councils or groups of Councils working together – for example to a Cornish Assembly.¹⁴

When in government, the Liberal Democrats included a statement of policy in the 2014 Government paper *The Implications of Devolution for England*. This reconfirmed their policy of 'devolution on demand':

... the Liberal Democrats have called for a process of "Devolution on Demand." We would deliver this through an "English Devolution Enabling Bill" and Liberal Democrats would introduce legislation in the next Parliament which would empower local areas within England. The "English Devolution Enabling Bill" would provide for areas to be able to demand from Westminster and Whitehall the powers that they want from a menu of options.¹⁵

This reflected the Liberal Democrat policy, announced at their spring 2014 conference, of devolution on demand for any area of England with a population over one million.¹⁶ Following this, the party produced a policy document entitled *Power to the People* in April 2014.¹⁷ This paper proposed an enabling Act allowing assemblies to be created

¹⁰ These commitments follow on from a Labour Party [letter to local authorities from Ed Miliband and Ed Balls](#) on 8 April 2014.

¹¹ For further details on combined authorities, see the Library briefing paper on [Combined authorities](#).

¹² See David Paine, "Benn: group together to gain powers", [Local Government Chronicle](#), 24 September 2014; David Paine, "Labour tells councils: prepare for devolution", [Local Government Chronicle](#), 22 September 2014

¹³ Centre for Public Scrutiny, [A local public accounts committee for every place: a CfPS proposal](#), December 2013

¹⁴ Liberal Democrats, [Manifesto 2015](#), 2015, p. 136

¹⁵ Cabinet Office, [The Implications of Devolution for England](#), Cm 8969, 2014, p. 29-30

¹⁶ See Mark Smulian, "Lib Dems to call for devolution on demand", [Local Government Chronicle](#), 6 Feb 2014. Cornwall would also be included in this offer, despite having a population of under one million, due to its distinctive characteristics.

¹⁷ Liberal Democrats, [Power to the People: Policies for Political and Constitutional Reform](#), April 2014

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under certain conditions in local areas, subject to public support and a population of a million or more (except Cornwall, which would be entitled to an assembly).¹⁸

In each case, the local authorities in the relevant area would negotiate a deal with the Secretary of State based on the devolution of a bespoke package of powers. The paper specifies that the proposals might lead to strengthened existing institutions (giving the example of Cornwall Council), loose associations of authorities, or new directly-elected assemblies in areas covered by more than one existing authority.

¹⁸ Ibid., p. 42-3. STV is the Single Transferable Vote; MMC refers to the 'mixed member' or 'additional member' system used in the Scottish Parliament and National Assembly for Wales. See also Nick Clegg, "This opportunity cannot be hijacked", [Liberal Democrats](#), 21 September 2014

3. Housing

3.1 Housing capital funding and Housing Benefit

The Homes and Communities Agency (HCA) administers a number of capital finance programmes on behalf of the Government for the development of social and affordable housing by local authorities and housing providers (for profit and non-profit). The HCA also has regulatory responsibilities.

Suggestions for the devolution of housing programmes include the following:

- Combined authorities or 'strategic counties' to be able to take over 'HCA assets';¹⁹
- Devolution of the Affordable Housing Programme (AHP) from the HCA to combined authorities where they exist (or other areas which can show evidence of strong joint working and financial expertise);²⁰
- Devolution of three funding streams (Affordable Homes, Decent Homes and FirstBuy) to LEPs;²¹
- Three-year 'earn-back' deals covering Housing Benefit to be available to all housing authorities (i.e. district and unitary authorities).²² Projected Housing Benefit spending levels would be set for the three-year period; if actual spend was below these levels, the local authority would retain a proportion of the saving;²³
- A single 'affordable housing fund' to be devolved to combined authority areas. This would include funding for the AHP and Decent Homes, plus a projected sum in respect of Housing Benefit. The combined authority would be free to adjust the balance of spending between benefits and affordable housing development; and as with earn-back deals, would retain a proportion of the savings made.²⁴
- The creation of 'local development corporations' to "own land, fund and provide infrastructure, plan and commission the construction of significant housing developments".²⁵

These proposals imply the HCA focusing on regulatory matters, with capital spending powers mainly or entirely devolved to localities. This would resemble the current arrangement in London, where the Greater

¹⁹ Centre for Cities, *Breaking Boundaries*, 2014, p. 19

²⁰ IPPR, *Condition of Britain*, 2014, p. 188

²¹ Michael Heseltine, *No Stone Unturned*, 2012, p. 215-6.

²² IPPR, *Condition of Britain*, 2014, p. 184

²³ Ibid. The IPPR report states that this would be "for reinvestment in local housing"; it is not clear whether this is intended to be a ring-fence.

²⁴ IPPR, *Condition of Britain*, 2014, p190-192. See also Morrin and Blond, *Restoring Britain's City States*, p. 3, which advocates local control of "all public spending on housing".

²⁵ Independent Commission on Non-Metropolitan England, *Devolution to non-metropolitan England: seven steps to growth and prosperity*, p. 9

London Authority administers the AHP and Decent Homes programme.²⁶

3.2 Adjustments to the planning system

In an effort to increase incentives to local authorities to build houses, the following proposals have been made. These are new powers rather than existing powers being devolved:

- Local authorities to be able to designate 'new homes zones'. The purpose of this would be to allow the rezoning of parcels of land, for between 200 and 5000 homes:

This would signify that housing will be built in that area; development taxes and requirements that would normally apply under section 106 agreements would be waived; and land would be brought to market at substantially less than its full residential-use value.²⁷
- Local authorities to be able to initiate 'Green Belt swaps', where land in the Green Belt could be built upon with land elsewhere being placed inside the Green Belt;²⁸
- Local authorities should also be able to explore innovative financial approaches to encouraging housebuilding, including taking an equity stake in special purpose vehicles for development sites; using uplift clauses when selling for development; buying cheap residential property; establishing 'local land trusts', to manage the use of public sector land strategically; and converting commercial property to residential.
- Combined authorities to have the power (available to the Mayor of London) to specify the proportion of new housing developments which must consist of affordable housing.²⁹

The [Greater Manchester Agreement](#), announced by the Government on 3 November 2014, stated that the Government would legislate for a statutory spatial strategy for Greater Manchester. This would mirror the arrangements in London, where the Mayor of London must develop a statutory spatial strategy (known as the 'London Plan').³⁰

²⁶ See <http://www.homesandcommunities.co.uk/london> for further details.

²⁷ IPPR, *Condition of Britain*, 2014, p. 182: see also Shelter/KPMG, *Building the Homes we Need*, p. 52

²⁸ City Growth Commission, *Powers to Grow*, p. 12

²⁹ Centre for Cities, *Breaking Boundaries*, 2014, p. 19

³⁰ Morrin and Blond, *Restoring Britain's City States*, p. 3, advocate "responsibility for strategic spatial planning at the sub-regional level".

4. Economic development

Proposals for further devolution of economic development powers are rare in the recent literature, since much public spending on economic growth, business support and regeneration is already devolved to Local Enterprise Partnerships (LEPs). Economic development is often interwoven with many of the other policy areas mentioned in this note; and much of the case for proposed devolution of powers to local areas rests on their ability to stimulate economic growth more effectively after those powers have been devolved.

The Government brought together a number of pre-existing funds into the Single Local Growth Fund in 2013, in response to the recommendations of the 2012 Heseltine Review (*No Stone Unturned*).³¹ This proposed the creation of a 'single pot' of funding totalling some £49 billion over five years.

In 2014-15 the Single Local Growth Fund is distributing £2 billion per annum on a competitive bid basis. This forms the main source of funding for local areas' growth schemes, alongside the 2014-20 round of the European Structural Funds, which will be distributed by LEPs in their areas.³² There have been proposals for the Single Local Growth Fund to encompass an expanded number of existing funding streams: its current level of funding is roughly one-fifth of that recommended by the Heseltine Review.

A proposal has also been made for funding from UK Trade & Investment, and "a role in shaping the industrial policy for creative industries", to be provided to combined authorities.³³

³¹ Michael Heseltine, [No Stone Unturned in pursuit of growth](#), 2012

³² See the Library briefing paper on [Local enterprise partnerships](#).

³³ IPPR/PwC, *Decentralisation Decade*, 2014, p. 65; Core Cities Group, *Competitive Cities, Prosperous People*, p. 12

5. Skills and employment

5.1 Devolution of education funding

Currently, further education funding is provided by the Education Funding Agency (£7.85 billion in 2013-14) and the Skills Funding Agency (£4.55 billion in 2013-14). This funding supports school and college sixth forms; apprenticeships; financial support for further education students; adult skills; and capital spending.

Proposals for devolution in this policy area include:

- further education funding for 16-19 year olds to be transferred to “councils and local partners”;³⁴
- Statutory responsibilities of the Department for Work and Pensions, Skills Funding Agency, Education Funding Agency and local authorities regarding further education funding should be merged, and managed locally;³⁵
- Devolution of funding for adult skills, further education and apprenticeships to combined authorities, together with Education Funding Agency funding and careers advice.³⁶ This would ensure feedback between local employers and changes in local labour markets and the local further and higher education offering;
- Commissioning of further education for 16-24 year olds should be devolved to combined authorities where they exist. They would work with LEPs to produce a local skills strategy, based on “learner demand, employer need and strategic sectoral priorities for the area”.³⁷ Providers would be required to design their offerings against the strategy. Funding would be provided by central government once the strategy was in place;
- ‘Metro Investment Funds’, to provide additional funding for higher education research and teaching, to be established;³⁸
- Creation of a ‘youth transitions service’, directed at younger people, run by local authorities or combined authorities. This would provide individual-focused services around employment opportunities, training and skills.³⁹

5.2 The Work Programme

The Work Programme is a Department for Work and Pensions initiative, administered by JobCentre Plus but contracted out to providers covering local areas, to provide personalised support to unemployed people.

Current contracts under the scheme were extended in late 2014, and now run until 2017. Proposals for greater local control over it include:

³⁴ LGA, *Investing in our Nation's Future*, 2014, p. 15; Independent Commission on Non-Metropolitan England, *Devolution to non-metropolitan England: seven steps to growth and prosperity*, p. 32

³⁵ Morrin and Blond, *Restoring Britain's City-States*, p. 3

³⁶ IPPR/PwC, *Decentralisation Decade*, 2014, p. 63; Core Cities, [Human Capitals](#), 2014, p. 14; Lord Andrew Adonis, [Mending the Fractured Economy](#), 2014, p. 56; Key Cities, *Charter for Devolution*, 2014, p. 5

³⁷ LGA Labour Group, [People Powered Public Services](#), 2014, p. 47

³⁸ City Growth Commission, *Powers to Grow*, p. 12

³⁹ LGA, [Investing in our Nation's Future](#), 2014, p.12; LGA Labour Group, *People Powered Public Services*, 2014, p. 14; IPPR/PwC, *Decentralisation Decade*, 2014, p. 68

- the Work Programme to be devolved to combined authorities, with funding continuing to be provided to them on the basis of success in finding sustained employment for people;⁴⁰
- Retention of control of the Work Programme by central government, but letting provider contracts on the basis of local geographical boundaries, and allowing local areas to feed into the design of the contracts;⁴¹
- A separate programme for people out of work with long-term health conditions, to be run by combined authorities or upper-tier local authorities;⁴²

⁴⁰ LGA Labour Group, *People Powered Public Services*, 2014, p. 26

⁴¹ IPPR, *Condition of Britain*, 2014, p. 154.

⁴² IPPR, *Condition of Britain*, 2014, p. 159&ff; see also IPPR/PwC, *Decentralisation Decade*, 2014, p. 68

6. Health and social care

Proposals have been made to integrate the commissioning of health and social care services. As social care is a local authority responsibility, and health is commissioned by Clinical Commissioning Groups (CCGs), this could imply greater local authority control over health spending; or it could imply diminished local authority responsibility for social care. As such, proposals in this area concern the nature of local democratic control over responsibilities that are already exercised locally. They include:

- Health and Wellbeing Boards (HWBs) becoming responsible for commissioning both health and social care.⁴³ HWBs took on their statutory powers on 1 April 2013, to provide a focus for joint working between local authorities and CCGs;⁴⁴
- HWBs to have operational responsibility to 'drive integration' of health and social care, being accountable to local authorities for their performance in this regard. A central body would quality assure the HWBs' plans, which a local 'health and care commissioner' would have a statutory duty to implement;
- A single health and care budget, for a period of five years, for authorities which have a "strong track record of successful delivery and effective statutory governance arrangements";⁴⁵
- Integration and devolution of early years budgets.⁴⁶

⁴³ LGA, *Investing in our Nation's Future*, 2014, p. 20. See the Library briefing paper [Health and Wellbeing Boards in England](#) for more information on HWBs. See also the Labour Party report [One Person, One Team, One System](#) ('the Oldham Report') published in February 2014.

⁴⁴ This direction of travel was reflected in the report of the independent Barker Commission, which recommended a single commissioning body for health and social care, which would manage a ring-fenced budget: see Barker Commission, [A new settlement for health and social care](#), 2014.

⁴⁵ LGA Labour Group, *People Powered Public Services*, 2014, p. 5; see also IPPR/PwC, *Decentralisation Decade*, 2014, p. 67

⁴⁶ Morrin and Blond, *Restoring Britain's City-States*, p. 3

7. Transport

Numerous proposals have been made for the transfer of transport powers to more local bodies. These include:

- Combined authorities to be able to establish a body equivalent to Transport for London, which would control “rail, metro/trams, strategic roads, funding of local transport plans and critically bus regulation, as well as financial flexibility including control over the fare-box income”.⁴⁷ Combined authorities are already the integrated transport authorities for their areas, but they do not control strategic roads (maintained by the Highways Agency outside London), local transport capital funding, or bus regulation.
- Local authorities or combined authorities to be able to regulate buses;⁴⁸
- Cities to have more influence over the non-national investment programmes for the Highways Agency and Network Rail;⁴⁹
- Joint, region-wide bodies to take on strategic transport planning. This would include an enhanced “Transport for the North” body to control the Northern Rail franchise, hub stations, smart ticketing and rolling stock. This body would also take on “some aspects of bus regulation and Highways Agency responsibilities” in due course.⁵⁰

7.1 Probation and youth justice

Some proposals have been made for a gradual process of transferring the responsibility for probation and/or the youth justice system to local areas. These proposals do not include any suggestion of devolution of courts administration, the legal system, or responsibility for justice itself. They include:

- Devolution of youth custody budgets to local areas;⁵¹
- Detention and training orders for under-18s, then custody budgets for 18-20 year olds, to be devolved to local areas.⁵² These powers would initially be available to the GLA and combined authorities, as they have sufficient scale to adjust the operation of youth custody arrangements and youth prison wings. The Youth Justice Board would have to agree to the combined authority delivery plan, which would be based on national objectives;
- Devolution of the commissioning of probation services, allowing integration with youth services, drug and alcohol treatment and mental health services.⁵³

⁴⁷ Centre for Cities, *Breaking Boundaries*, 2014, p. 1

⁴⁸ Key Cities, *Charter for Devolution*, 2014, p. 6; IPPR/PwC, *Decentralisation Decade*, 2014, p. 66; Morrin and Blond, *Restoring Britain's City-States*, p. 3; Independent Commission on Non-Metropolitan England, *Devolution to non-metropolitan England: seven steps to growth and prosperity*, p. 52

⁴⁹ Centre for Cities, *Breaking Boundaries*, 2014, p. 2; Independent Commission on Non-Metropolitan England, *Devolution to non-metropolitan England: seven steps to growth and prosperity*, p. 9

⁵⁰ IPPR/PwC, *Decentralisation Decade*, 2014, p. 70

⁵¹ IPPR, *Condition of Britain*, 2014, p. 137

⁵² IPPR, *Condition of Britain*, 2014, p. 137-8

⁵³ IPPR/PwC, *Decentralisation Decade*, 2014, p. 67; LGA Labour Group, *People Powered Public Services*, 2014, p. 27-8

8. Further reading

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Centre for Cities, *A manifesto for a more prosperous urban Britain*, September 2014

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

CIPFA, [Things can only get worse: a call for sustainable public finance](#), October 2014

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Commission on Non-Metropolitan England, [How the other half grows](#), November 2014

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Core Cities Group, [Competitive Cities, Prosperous People](#), 2015

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Zach Wilcox, Nada Nohrova and Maire Williams, [Breaking Boundaries](#), Centre for Cities, March 2014

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