LOCAL GOVERNMENT IN ENGLAND

FORTY YEARS OF DECLINE

UNLOCK DEMOCRACY

ABOUT THE AUTHORS

Neil Barnett is Research Fellow at the Local Governance Research Centre (LGRC), at the Department of Politics, People and Place, De Montfort University

Arianna Giovannini is Associate Professor of Local Politics and Public Policy, and the Deputy Director of the Local Governance Research Centre (LGRC) at the Department of Politics, People and Place, De Montfort University

Steven Griggs is Professor of Public Policy and the Director of the Local Governance Research Centre (LGRC) at the Department of Politics, People and Place, De Montfort University

This is an independent report commissioned by Unlock Democracy and funded by the Joseph Rowntree Reform Trust

Cover image: Jonny Glos via Unsplash

CONTENTS

Image: Jay Wennington via Unsplash

EXECUTIVE SUMMARY

Communities thrive best when those who serve them locally are accountable, engaged, listen to residents' concerns, and have a vision for their area with the power to implement it. This is what local authorities have the potential to deliver. But when autonomy is denied, not only are elected representatives left disempowered, but community voices are stifled and expectations dashed too.

1. CENTRAL-LOCAL RELATIONS: CENTRALISATION ON STEROIDS?

To deliver this vision, a balanced relationship between central and local government is essential. Yet, over time, the balance has increasingly tilted towards the centre, leaving local government and the communities it serves weakened.

- Until the late 1970s, councils could be defined as 'sovereign': they had jurisdictional integrity, a high level of autonomy on key services, and democratic legitimacy. **The lack of constitutional protection for local government has allowed a shift from a model of the 'Sovereign Council' to a more disempowered local government.**

- **Central government has been deploying a wide range of 'tools of central control'.** Central-local relations have been 'juridified'; secondary legislation has been increasingly used as an indirect, yet powerful mechanism of re-centralisation; contractualisation and 'conditional localism' have become the norm.

- The combined use of these tools has had damaging effects. **Local government's autonomy and power - and that of the communities it serves - have been eroded by the centre.**

2. LOCAL GOVERNMENT FINANCE: WEAKENED BY A THOUSAND CUTS

Central control over funding is key to the character of central-local relationships in England and determines local government's degree of autonomy.

- Since the late 1970s, different administrations have used the tool of funding controls in different ways. **But the direction of travel has been clear: loss of financial autonomy has led to a loss of local government autonomy.**

- In recent years, there have been attempts at reversing this trend – with councils being able to raise and retain more income locally. And yet, this has coincided **with severe financial constraints and centrally prescribed targets, meaning more local discretion over inadequate funding can, in turn, exacerbate a 'postcode lottery' in service delivery.**

- **The Covid-19 crisis has now put additional strains on an already fragile system of funding.** Many local authorities were already on the brink of collapse after 10 years of austerity: the lack of adequate support from the centre is now leaving them with no choice but to cut further essential services for the communities they serve. Meanwhile, **many councils may not be able to survive the 'perfect storm' generated by the Covid-19 crisis.**

- As reflected in recent research (NAO 2021; IFS, 2020) **the system of local government cannot be fixed anymore with short-term interventions, and requires to be stabilised in the long term.**

3. DISMEMBERING LOCAL GOVERNMENT SERVICES

Until the late 1970s, local government was recognised as the principal local player, with relative discretion and autonomy. This trend has radically changed over the past decades.

- Councils have been stripped of many of their primary service delivery roles. At best, local authorities are now one provider amongst many, and **face increasing difficulty in maintaining strategic oversight on key services.**

- Councils have, at the same time, faced financial pressures and the imposition of additional duties which have perpetuated the trend to outsourcing and alternative methods of delivery.

- As a result, **councils now have responsibility without power in many, crucial, policy areas - such as education, housing and social care.**

- Changes have been complex and fast paced, creating a 'tangled web' of management, delivery, fragmentation, lack of clear lines of accountability and muddled structures.

4. SQUEEZING DEMOCRACY OUT OF THE LOCAL: REPRESENTATION DEFICITS AND 'TANGLED WEBS' OF ACCOUNTABILITY

The role of local government as representative of a community, as well as provider of collective services, has been steadily weakened through central government reforms implemented over the past decades.

- Local government's representation and legitimacy has been reduced: the size of councils has grown, the number of councillors has fallen, and **the introduction of 'backbench' councillors has left many local representatives playing only residual roles.**

- Within councils, the introduction of the executive/cabinet model was meant to improve accountability. Instead, it has arguably introduced a more managerial model, while also fostering the creation of 'two tribes' of councillors, with very different leverage over local affairs. As a result, **the influence of the average councillor has been reduced, and the role of the councillor has been increasingly 'managerialised' and 'depoliticised'.**

- Councillors now also sit at the centre of a maze of multiple accountabilities. They are under increasing pressure to develop different skills, capabilities and modes of oversight that are often difficult to 'juggle'. In this way, **there is a risk that 'accountability gaps' emerge, leaving communities disempowered.**

- New 'tangled webs of accountability', especially over service delivery, have also coincided with local government being bypassed by a 'new magistracy' of unelected bodies, and having to operate within an organisational and institutional arrangement with fuzzy boundaries.

The erosion of local democracy has been substantial, putting into jeopardy local government's ability to continue providing a vital democratic link for the communities it is elected to serve. For the sake of local democracy the tide must be turned.

INTRODUCTION

We live in unprecedented times. Our democracy is under stress, and has been for some time. A decade of austerity and financial hardship has left our public institutions depleted. Now, the twin shocks of Brexit and the Covid-19 pandemic are putting additional strains on our communities. This intersection of new and old challenges has laid bare weaknesses in the UK system of governance. Yet, local authorities across the country have shown incredible resilience during the pandemic, continuing to offer essential services to the communities they are elected to serve - despite a lack of support from Westminster.

In the midst of the current crisis, it is easy to forget that democracy is rooted in our communities, and local government is central to this. But local government itself has been in the midst of a crisis for a long time. The erosion of our local democracy has deep and twisted roots. Local government's lack of constitutional protection, decades of relentless cuts to local funding and services and a steady reduction in the clout of 'the local' orchestrated by the centre have provided fertile soil for this process. Now more than ever, it is vital to understand how and why this has happened – looking back at the past decades illuminates the way forward, helping to set a clear path to rebuild our local democracy from its roots.

The aim of this report is to shed such light on the recent history of local government - providing an in-depth analysis of the process of increasing erosion of local democracy from 1979 to the present day, through a review of extant research, official documents and reports. This is no easy task, as the jigsaw of local government in the UK is very complex and hard to reconstruct. Local democracy has been eroded in multiple, overlapping and at times divergent ways. Since 1997, the inception of a process of political devolution in Scotland, Wales and Northern Ireland, but not in England, has set the four nations of the UK on very different trajectories. While local government is a devolved matter in Scotland, Wales and Northern Ireland, in England local authorities remain under the tight grip of central government. Different regimes of local government have emerged and the centre-local relationship has taken different forms in each of the UK nations (see Appendix 1). In this report, we focus on local government in England. In so doing, we argue that England is the nation of the UK where local democracy has worn away most starkly[1].

Local government reform in England has been a persistent feature over the past decades. The methods adopted by the centre to achieve this have changed under different administrations, but the direction of travel has been clear and consistent, with more and more powers being increasingly chipped away from local authorities.

- The erosion of local autonomy has been enacted through the 'juridification' of central-local relations, but has also often come 'in disguise'. The use of secondary legislation has allowed the centre to extend further its hold on local government through the backdoor.

- The financial autonomy that local government enjoyed in the past has shrunk considerably. This has left local authorities under-resourced and often struggling to fulfil their basic roles, and provide essential services.

- 'Government by governance' has now become the norm. Local government now finds itself operating within a complex, expanding web of partnerships that dilute accountability.

- Local government has become 'bigger' in size, but less powerful. This has generated a growing democratic deficit.

- All of this has been possible because central-local relations have progressively swayed towards one side. It is central government that has allowed, and often directed, the erosion of local democracy. In this way, over the years a new form of central-local relations has emerged - one which is undermining previously held assumptions about local government's role in the Constitution.

The contribution of this report is to bring together and make sense of these overlapping developments. What emerges is a composite picture of how we have walked backwards into increasing centralisation of our practices of politics, policy-making and democracy.

To substantiate this assessment, the report focuses on, and is organised around, four interconnected themes:

- First, we unpack the issues that underpin central-local relations. We show why the lack of constitutional protection for local government has been key to its disempowerment, and explain how local powers have been removed both through primary and secondary legislation.

- Second, we look at the steady erosion of local government financial independence, assessing how this impacts profoundly on the ability of local government to deliver a healthy local democracy.

- Third, we discuss the cumulative effects of the changes to local government's service delivery role. We identify a substantial 'hollowing out' of local service delivery, and we explain how local government has lost its direct purchase on 'big ticket issues' such as education, housing, planning, and social care.

- Finally, we analyse how all these factors, together with reforms in the size and structures of local government, have impacted on representation and local democracy. We show the presence of a growing democratic deficit that affects local communities.

- Throughout the report, we use case studies to provide clear examples that help support our analysis with real case scenarios.

The picture that emerges from this review is no doubt daunting. And yet, despite finding itself in an increasingly challenging position, local government continues to show incredible resilience – providing essential services to communities and using its capacity for innovation in the face of growing constraints, while still serving as the first point of democratic contact for citizens. Research on local government abounds with examples of its strengths and capabilities. This report will not rehearse these arguments. Instead, it will bring into sharp relief the extent to which central constraints and an over-centralisation of power and resources have played against local government, with negative impacts on communities across England. Our local democracy is at breaking point, and urgent action is needed to restore it.

[1]Of course, this is not to say that local democracy has not faced any challenges in the other nations of the UK. Indeed, many commentators have argued that devolution has stopped at Holyrood, the Senedd and Stormont, and local government in Scotland, Wales and Northern Ireland has found itself at the 'losing end' of the process (see also Appendix 1).

Image: Mario Klassen via Unsplash

1. CENTRAL-LOCAL RELATIONS: CENTRALISATION ON STEROIDS?

The problematic nature of centre-local relations in the UK, and the over-centralisation of power that stems from it, have been the focus of debate within policy circles for decades. In the current context, as the country is still navigating through a pandemic that has put its government architecture under profound strain, the tensions that underpin this complex relationship have emerged in full force.

On the one hand, as the main provider of essential services during a structural crisis, local government has demonstrated incredible endurance, showing what is possible when leadership is locally rooted. On the other, since the pandemic outbreak, central government has persistently overlooked the expertise and capacity of local authorities. Instead of acknowledging the critical role that local government plays, Whitehall has almost instinctively entered in 'top-down command and control' mode, centralising even further decision-making. As we learnt the hard way through the Covid-19 crisis, policy responses have been poorer for it (Giovannini, 2021).

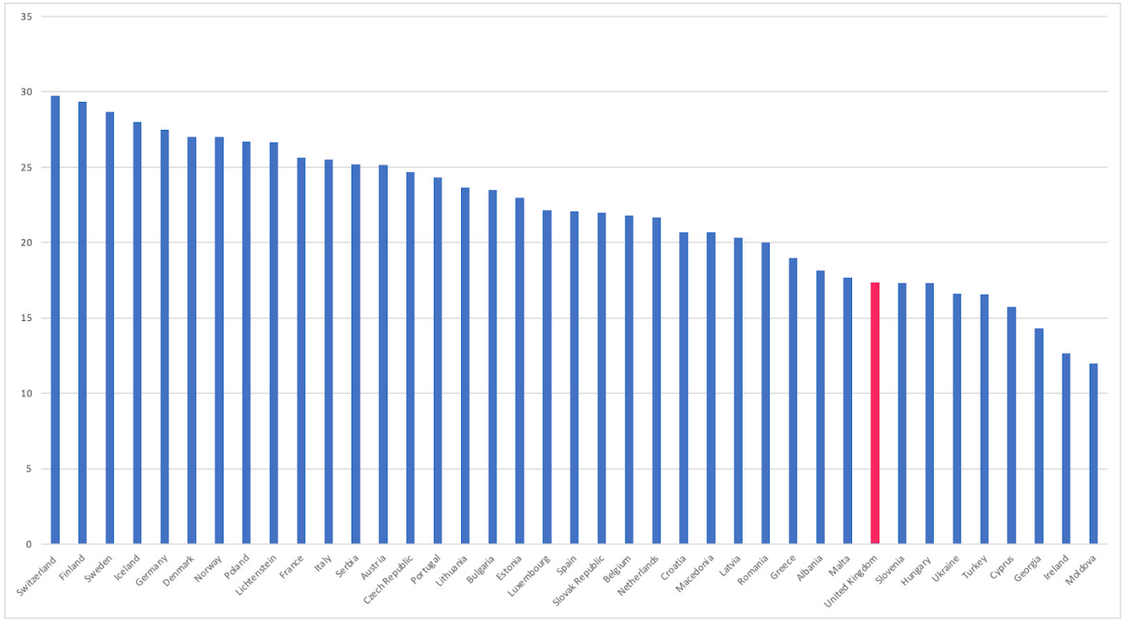
Thus, the pandemic can be seen as a critical juncture – shining an unforgiving light on the limits of the Westminster Model and the dysfunctional nature of central-local relations in the UK. This makes it even more important, at this point in time, to reflect on the roots of this centre-local disconnect, and the impact this is having on local democracy. Looking back at the past, can help us understand the present.

1.1 THE DECLINE OF THE SOVEREIGN COUNCIL

It is hard to disagree with the view of Leach et al. (2018: 5) that "over the past 30 to 40 years there has been a profound shift in the balance of power between the central and local state. We are currently living in one of the most centralised states in Western Europe". Recent research has emphasised even further this issue, showing the negative effects of over-centralisation not only on service delivery, but also on the ability of local government to fulfil its democratic role (Raikes, Giovannini and Getzer, 2019; UK2070 Commission, 2020; Johns et al, 2020).

Even accepting that there are conceptual and practical difficulties in measuring local 'self-government', power, or autonomy, this assertion has been borne out by studies over the years. For example, according to the EU Commission self-rule index for local authorities, in 2014 the United Kingdom ranked 31st out of 39 countries in terms of local autonomy (Ladner et al, 2016; Ladner et al, 2015).

FIGURE 1.1. LOCAL AUTONOMY, COUNTRY RANKING (2014)



Source: Ladner, A., Keuffer, N. and Baldersheim, H. (2015) Self-rule Index for Local Authorities. European Commission Report. The local autonomy ranking is calculated based on the aggregation of a range of variables of self-rule and interactive rule. Details of how these were calculated, and of the methodology, can be found at this link: https://ec.europa.eu/regional_policy/en/information/publications/studies/2015/self-rule-index-for-local-authorities-release-1-0

Since then – beyond grand slogans and rhetoric – local government has not been the focus of any comprehensive process of 're-empowerment' and it has instead been the recipient of substantial cuts (Gray and Barford, 2018). These have become even starker in the context of the pandemic, with many local authorities now on the brink of collapse (NAO, 2021). It seems plausible to argue, therefore, that these claims still stand true.

The absence of levels of local government autonomy in our country is a clarion call: when councils do not have appropriate powers, they struggle to fulfil their service delivery and democratic roles. A loss of autonomy for councils is therefore a huge loss to local communities. In this way, over time, local democracy has not simply declined. It has been taken away from communities and little of the 'local' is now left into what used to be the 'local state'.

This process of increased erosion of local autonomy, and its impact, can be illustrated by making reference to the 'Sovereign Council' model - an ideal type representation of local government under the welfare state regime from the mid-1940s until the early 1980s (Skelcher, 2004). The 'Sovereign Council' model posits local authorities as the "primary focus of local democratic activity", with direct responsibility for the provision of a substantial set of key services that underpin the day-to-day life of local communities (Skelcher, 2004: 28). Albeit being a scholarly typology that works by approximation, the label 'Sovereign' here is used to emphasise that councils held a wide range of powers over many key service and policy areas, including education, housing, social services and planning, and were therefore at the core of local democracy - as clearly illustrated in Table 1.1. And while we tend to think of 'sovereignty' as something that belongs almost by default to the state - as the debate on Brexit reminded us -, it is important to stress that the local level too used to hold supreme powers in key policy areas - but this has changed substantially.

By the end of the 1970s, local government was far from being the only public agency in the local environment - the 'Sovereign Council' had, in essence, started to lose its autonomous powers. Councils had incrementally lost control of key services in the post-war period, such as water, gas, electricity and local hospitals. In the mid-1970s, there had also been an untidy and mostly unsatisfactory reorganisation of local government boundaries and structures, enacted through the *Local Government Act 1972*. On the one hand, this produced a more 'streamlined' local government system; on the other, however, the same system remained still very complex. Different parts of England had different tiers of local government, and many residents found themselves in new council areas which seemed to have only a tenuous connection with community sentiment and belonging (Copus et al, 2017).

Nonetheless, until the end of the 1970s, local councils were still largely recognised as the key local player, with relative 'jurisdictional integrity' (Skelcher, 2004), which was legitimised further by being locally elected bodies. As such, on these terms, councils were still 'sovereign' for what concerned service delivery responsibilities and local democractic legitimacy. Looking back from the present day, as Table 1.1. reveals, it is clear that these responsibilities have been increasingly 'hollowed out'. In 2021, councils sit amidst a bewildering array of local, sub-regional and sub-national agencies, with differing degrees of control over service provision. At the same time, more types of councils have emerged. The system of subnational governance has increasingly become over-crowded and, as a result, it is more difficult to understand – while lines of accountability have become more blurred.

TABLE 1.1. THE DECLINE OF THE 'SOVEREIGN COUNCIL', 1979-2021

The Decline of the Sovereign Council		
Policy areas	**End of the 1970s**	**By 2021**
Education	Councils run the vast majority of schools and colleges as part of LEA.	77% of all secondary schools and 37% of all primary schools run by Academies. Councils have little input into post-16 education.
Housing	6.5 million council homes in 1980 across England, Scotland, and Wales. In 1970, councils built 136,000 houses.	2 million council homes in 2019 across England, Scotland, and Wales. In 2018-19 councils built 4,010 houses, a rise from 60 in 2000.
Social Care	Local authorities or the NHS provided 64% of nursing or residential home beds in 1979. 93% of domiciliary care, or 'Home Help' provided directly by councils in 1993.	3% of nursing or residential home beds in 2020 provided by local authorities or NHS. 11% of domiciliary care, or 'Home Help' provided directly by councils in 2012. Half of Councils responsible for social services did not provide and manage any children's homes in 2018; 3/4s of children's homes and 2/3's of fostering households now provided by independent agencies.
Local Transport	Council owned and ran bus companies; 54 councils did so up to 1986.	12 remaining councils own bus companies. Councils are prevented from setting up any more.
Planning	Councils prepared comprehensive strategic and detailed plans which set out the direction and pattern of the development of tier communities, with national guidelines.	Council plans have reduced legal standing as a result of a 'presumption in favour of development', extended permitted development rights, and have to meet centrally-set housing delivery targets or see planning powers withdrawn.

Source: authors' elaboration, based on documentary analysis.

The decline of the 'Sovereign Council' clearly signals an erosion of local democracy that had been in the making for a while. In this report, we take 1979 as a key turning point in this shift; however, we also note the difficulty in assigning precise periodisations. Any study of local government in the UK would reveal that lamentations of its demise have been around for some time, before the end of the 1970s (see, for example, Jessup, 1949). We do not want to suggest that the pre-1979 years were some kind of golden age of local government. Indeed, by the mid-1970s, local government had become the focus of criticism from across the political spectrum. In essence, local government was, and to an extent already had been, ripe for rethinking and renewal. However, we argue that what has followed since the early 1980s has amounted to a transformation, and intensification, of the character and practises of central government control.

The nature of this centralisation and the techniques used to engineer it have changed over time, spanning a range of repertoires including financial control; the 'hollowing out' of local government powers via contracting, marketisation and alternative, appointed bodies; external monitoring and regulation, and managerial techniques of decentralisation and performance measurement. Such methods have varied from the very obvious – for example, controlling how much councils can spend, to the use of more subtle agendas which have seen local government internalise and 'own' new managerial practices, in a form of self-discipline. Whilst some of these themes have had more emphasis in particular periods, their use has overlapped, in cumulatively enhancing, and sometimes contradictory ways. Over time, this has fostered a distinct ecology of central controls which now surrounds local government.

We will offer a detailed analysis of the types of top-down controls exercised over local government since the end of the 1970s in Sections 2, 3 and 4 of this report. However, before we move onto this, it is necessary to start off by setting out one of the primary conditions that has facilitated this process of increasing centralisation: the absence of constitutional protection for local government.

1.2 HANGING ON THIN THREADS: LOCAL GOVERNMENT CONSTITUTIONAL STATUS

While helpful as a model to understand the change in status of local government over time, there is of course a problem with the concept of the 'Sovereign Council' and the clue is in the name: councils were never sovereign in the full sense of the term, which implies ultimate control over key decisions - and neither could they be. Even before 1979, local government was not based on firm foundations, and its apparent strength was increasingly based on a fundamental, structural weakness: the absence of any constitutional protection.

Local government is, and has always been, a "creature of statute" (Wilson and Game, 2011): it exists only because Parliament - i.e., the only body invested with full sovereignty - allows it (Wilson and Game, 2011; Pratchett, 2004). As such, it is subject to the whims and predilections of the centre. Its power and role have been borne out of a process of continuous, incremental adaptation to "the exigencies of the modern administrative state" (Loughlin, 1996a: 60) – based on compromise and acceptance of conventions and practices which served to 'paper over' some fundamental tensions between the centre and the local.

It is important to stress that, until the 1980s, this lack of constitutional protection was seen as being of little consequence. Back then, there existed an established 'operating code', rooted in general indifference or ambivalence towards local government from the centre (Bulpitt, 1989). For a time, local government was an accepted but junior partner in a so-called 'dual polity' in which central government was in charge of 'high politics', whilst local government was responsible for the 'low politics' of implementation. In essence, central government acted like the parent to local authorities, which "like children ... were expected to be 'good' and respectful to the centre", and for the most part, the 'operational features' of central-local relations meant they did not 'misbehave'" (Bulpitt, 1989: 66).

Under this parent-child relationship, an informal system based on permissive Acts of Parliament was put in place. This allowed local government considerable discretion, overseen by administrative supervision from central departments. Here law was seen to be enabling: not "intended to establish the precise rules of the game; its function had been to provide a general framework through which (non-legal) regulatory norms could evolve" (Laughlin, 1996b: 44). And yet, this 'cosy' relationship, contained a wealth of dangers for local authorities. It kept fundamental questions about the role of local government off the agenda, subsuming them into 'politics as usual' (Taylor-Goodby and Stoker, 2011). At the same time, any 'freedom' which local authorities had was conditional, largely, on their acceptance that they used it in accordance with the broad expectations of the centre. At best, this was an 'uneasy compromise' (Loughlin, 1996a: 56), with local government's ultimate weakness in the relationship revealed when ideological differences over welfare services and trust in local government to deliver them, broke down. This started to change from the 1980s, as top-down 'direction' began to replace consultation (Goldsmith and Newton, 1983). It soon became clear that central government "holds all the cards in central-local relationships" (Goldsmith and Newton, 1983: 232), even if it did take some time to play them all.

1.3 THE TOOLS OF TOP-DOWN CONTROLS

The cards at the disposal of the centre have been played in various combinations over the years. In this way, new tools of top-down control were accumulated. We begin our examination of these tools by turning to the incremental rewriting of the legal relationship between central and local government from the early 1980s onwards. Essentially, it is at this point in time that what had been previously a relatively consensual relationship was 'juridified' (Laughlin, 1996a) – and this was crucial in tilting the balance towards the centre.

1.3.1 THE 'JURIDIFICATION' OF CENTRAL-LOCAL RELATIONS

Prior to 1979 there were already a variety of legal devices by which government departments controlled or influenced local authorities. However, in the early 1980s, local government became more susceptible to judicial authority. The 'single entity' corporate local authority was increasingly 'broken open' into satellite forms via contracting out, purchaser/provider splits, and devolved service units (e.g. locally managed schools) governed by ever tighter legislation, ministerial oversight and guidance.

Council proposals became increasingly contestable in law. Landmark decisions established, for example, that individual councils could not sell council houses at their own pace (as per Norwich City Council v Secretary of State for the Environment case, 1982), nor decide how much to raise the local rates by (as per Nottinghamshire County Council v Secretary of State for the Environment case, 1986). The approach, generally, represented a move from a 'functionalist' view of law based on principles of administrative efficiency, to a more normative one, based on rights and duties (Loughlin, 1985).

In an iterative process, increasingly, new legislation was required to resolve policy ambiguities between the centre and the local, in "the ratchet effect of central control" (Loughlin, 1996: 57b) as each 'side' turned to the courts to "act as an umpire" (ibidem, 44). New forms of accountability were stressed, particularly to citizens, 'customers'/ service users and stakeholders (for example, parents) which required more precise definition, both in law and via the granting of rights to specific service standards. External and 'upwards' accountability was amplified via the introduction of greater inspection, performance monitoring and auditing (see Section 3 in this report for further details). The Audit Commission, established in 1982 to primarily oversee local finances, expanded its role into the "ambiguous and treacherous territory" (Loughlin, 1996b: 51) of advice on managerial practice and internal council organisation, gaining for itself pre-emptive powers to prohibit councils from taking decisions in the *Local Government Finance Act 1988*.

Notably, in 1987, the Minister for Local Government Michael Howard made clear his view that central government had a duty to intervene to ensure that local government provides services for the people who live in the area in the most efficient and economical way, summing up what was by then the dominant view from the centre.

This 'turn to the courts' which occurred in the early-mid 1980s served to formalise central government relations with the local level. It did so by generally setting out the legal basis for central control of local authorities and filling in the gaps which had previously been the hallmark of a more informal and much 'cosier' relationship.

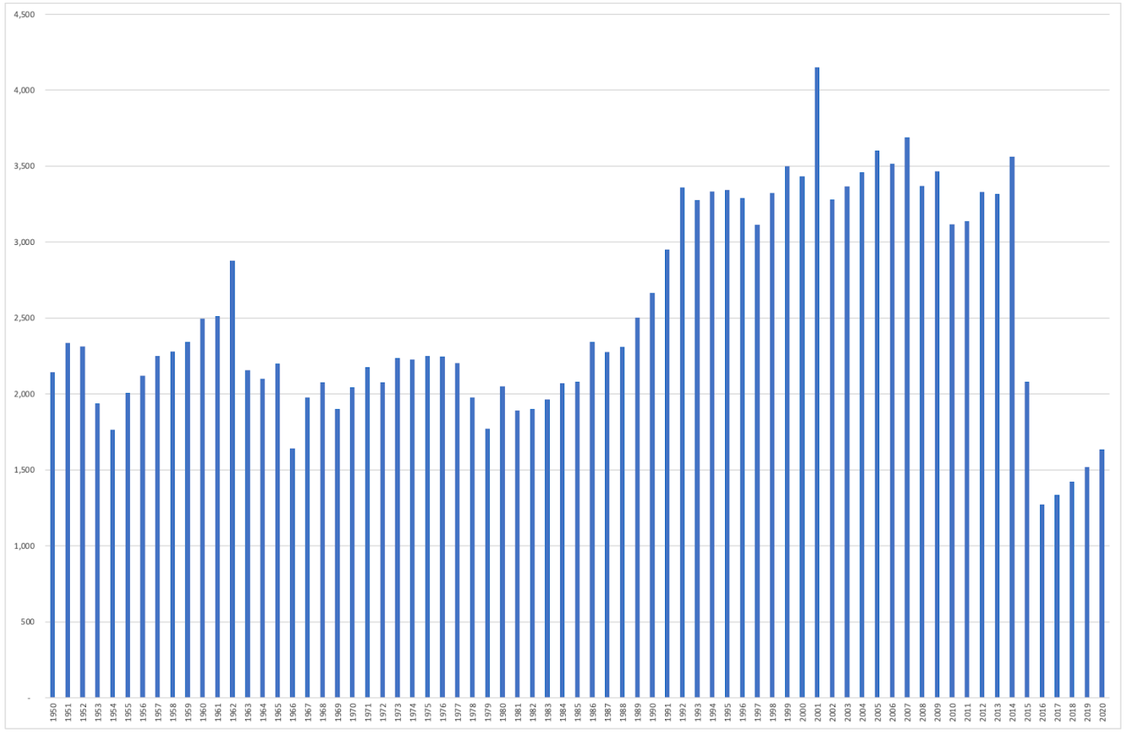
It also changed the means by which central control was exercised. This was a learning curve for central government. Labour-held, urban councils (collectively the 'New Urban Left') frequently found gaps in legislation which, in turn, were addressed with further legislation. Perhaps more significantly, ministers began to anticipate future difficulties by granting themselves increasing numbers of reserve powers. By 1985, central-local relations turned into "government by administrative diktat ..., gross manipulation of legal rules, retroactive alteration of legal rules and broad powers given to ministers in forms consciously designed to minimise the possibility of judicial review" (Loughlin,1985: 142). Central government had laid its first cards on the table - and was now ready for the next move.

1.3.2 THE USE OF SECONDARY LEGISLATION

Juridification and the accretion of central government controls went alongside a broader trend in the polity of increased use of secondary legislation and reserved powers for the Secretaries of State. In recent years this has come to public attention as concerns have been raised over the use of 'Henry VIII clauses'[1] in Acts of Parliament, in particular with respect to the *European Withdrawal Acts of 2018 and 2020*. But this practice has been in place for a while, and it has profoundly affected local government autonomy.

Legislation has increasingly taken the form of enabling or 'skeleton' Acts, which leave wide scope for secondary legislation, statutory instruments and orders to be later made by Secretaries of State. As a result, day-to-day service delivery has increasingly been governed by detailed ministerial guidance. A *House of Commons Briefing Paper* (Watson, 2019:8) highlights that while there has been a slow decline in Acts, the number of Statutory Instruments (SIs) have grown slowly [in the post war period], before rapidly rising in the 1990s, peaking in the 2000s (see Figure 1.2.). More specifically, between the 1950s and 1990, 2,100 SIs were issued on average annually. By 1990, this had raised to an average of 3,200, and reached 4,200 in the 2000s[2] (Watson, 2019: 8; Institute for Government, 2020). Around 1,200 of these SIs were subject to parliamentary scrutiny each year (Fox and Blackwell, 2014: 6). The length of statutory instruments also increased: from 6,550 pages of SIs in 1990 to 11,888 pages in 2009 (House of Lords Select Committee on the Constitution, 2018).

FIGURE 1.2. STATUTORY INSTRUMENTS, 1950-2020



Source: analysis of House of Commons Library Briefing Paper CBP 7438 (Watson, 2019). See footnote 4 for an explanation of the 'fall' in the number of SIs from 2016.

[1] 'Henry VIII clauses' are clauses in a bill that enable ministers to amend or repeal provisions in an Act of Parliament using secondary legislation, which is subject to varying degrees of parliamentary scrutiny. The Lords Delegated Powers and Regulatory Reform Committee pays particular attention to any proposal in a bill to use a Henry VIII clause because of the way it shifts power to the executive. The expression is a reference to King Henry VIII's supposed preference for legislating directly by proclamation rather than through Parliament (UK Parliament, n.d.).
[2] Interestingly, these figures have continued to follow similar trends up until the mid-2010s. Since 2015, however, there has been a significant decline - which might be related to the need to 'clear the decks' for Brexit. As such, this recent decline "may in part be in anticipation of an increase in Brexit related SIs, of which the Government estimated that 800-1,000 may be needed" (House of Lords Select Committee on the Constitution, 2019; see also, Institute for Government, 2018). Looking at the number of SIs until 2015, though, clearly shows that there has been a considerable rise in SIs, as per our argument.

These trends have impacted on local government: the balance of discretion, previously held by local government via broad, enabling acts, has moved strongly in favour of ministers (See Box 1 and Appendix 2 for examples). Local government has thus been subject to what the *House of Lords Select Committee on the Constitution* (2018: 2) identified as "an increasing and constitutionally objectionable trend for the Government to seek wide delegated powers".

In the late 1980s it had become clear that local government legislation was increasingly peppered with "enormous numbers of reserve powers for central government" (Travers, 1991:18). *The Education Reform Act 1988* gave "the Secretary of State far greater powers than ever before and arguably greater than those of any corresponding government minister in the western world" (Harding, 1988: 131). *The Education Reform Act 1991* alone gave the Secretary of State around 400 new powers (Bulpitt,1991). Indeed, between 1979 and 1996 over 200 Acts of Parliament affecting the powers and responsibilities of local government were implemented, including: "regulations of the greatest detail, [such that] the degree of central government interference in what most countries would regard as management decisions is not mirrored anywhere else in the developed world" - effectively "curtailing the freedom of local councils" (Lord William of Elvel, Hansard Debate, 18 November 1996).

Even Acts which are, ostensibly, localist or seek to 'empower' the local level are highly prescriptive in practice. A New Labour initiative, via the 2009 *Local Democracy, Economic Development and Construction Act*, which aimed to give councils a duty to promote democracy, "laid down in detail those instances where citizens could participate" (Stanton, 2013). More recently, The *Cities and Devolution Act 2015* passed by the Conservative-LibDem coalition government, conferred wide discretionary powers on the Secretary of State with respect to the formation and operation of Combined Authorities. The *Localism Act 2011*, ironically, contained provisions for over 100 orders and regulations (Jones and Stewart, 2012) (See Box 1). The Act granted local government a long-desired power of general competence, which had been held out as a possible major constitutional 'breakthrough'. However, the limits in its use have meant that it "has sparked very little constitutional concern or even interest ... reflective of a general lack of interest in local government from a constitutional standpoint" (Le Sueur, 2012).

Giving evidence to the 2018 *House of Lords Committee*, Lord Lisvane, a former Clerk of the House of Commons stated that "the threshold between secondary and primary legislation has moved upwards, and delegated legislation is used for matters of policy and principle, which 20 or 30 years ago would not have been thought appropriate" (House of Lords, 2108: 16). Notably, he cited as examples of such a trend the *Childcare Act 2016* and the *Housing and Planning Act 2016* to evidence his claims.

Regulations have been used to make substantive changes to policy. The *Children and Young Persons Act 2008 (Relevant Care Functions) (England) Regulations 2014* saw the Secretary of State, without a parliamentary debate or vote, allow private companies to set up not-for-profit subsidiaries in order to bid for work in the areas of child protection, including child protection investigations. This allowed such subsidiaries to 'buy' from their parent companies at a profit – a change which opened up to the 'privatisation' of such work (although this had been withdrawn from the original Bill after great objection). The *Regulations* were also criticised in the House of Lords, which emphasised that they did not allow for the inspection of individual provider organisations, whilst Local Authority Departments would be inspected as to their overall performance (Jones, 2015). The toolkit of central controls had clearly expanded in less obvious yet critical ways, at the expense of local government autonomy.

BOX 1: THE TOOLS OF CENTRAL CONTROL THROUGH LEGISLATION

The Local Government Act 1988 gave the Secretary of State significant powers to add to the list of services subject to Competitive Tendering (Young and Rao, 1997), and 'a service category, management of sports and leisure services, was added through secondary legislation in 1989. This legislation 'foreshadowed the further extension of CCT in England to a range of professional services, beginning with housing management, legal services, and construction and property services in 1994, and information technology, finance and personnel services in 1995' (Patterson and Pinch, 2000: 268)

The Localism Act (2011) ironically contained provisions for over 100 orders and regulations (Jones and Stewart, 2012). For example, it allows the Secretary of State to set annual thresholds for different classes of local authority in England, above which authorities may not increase their council tax without approval in a local referendum ('referendum principles'). It allows the Secretary of State to retain a proportion of Right to Buy receipts, and provides the power to change the settlement payment in the future and to determine how much housing debt a local authority is allowed to take on. Section 171 set Limits on indebtedness in this regard (then removed using the same power in 2018). Other new measures further restricted local discretion by giving more reserve powers to the Secretary of State on planning regulations and the associated national planning framework. (Leach et al, 2018: 53). Chapter 4 gives the Secretary of State, by order, power to transfer a local public function to a 'permitted authority'. The Act allows the Secretary of State to prescribe or impose governance arrangements through regulation and to make orders to allow for transitional arrangements to different forms of governance. As noted by one council in a report on the Localism Act: *'Whilst the proposal to simplify the process for changing governance arrangements is to be welcome, it should be noted that the Secretary of State is granting himself significant power to direct how local authorities should be governed, which is somewhat at odds with the stated principles of shifting power from Whitehall to local government'* (Durham County Council, 2012).

1.3.3 CONTRACTUALISATION AND 'CONDITIONAL LOCALISM'

Over time, local government has also been tied to a "conditional localism" (Hildreth, 2011), being contractually bound to deals signed, agreed and policed by central government. Key to the central-local relationship here was New Labour concept of 'earned autonomy'; a 'carrot and stick' arrangement in which councils could 'earn' themselves enhanced freedoms and pots of money by delivering against largely centrally set targets. For example, councils who met or exceeded their Local Public Service Agreement targets could receive up to 2.5 per cent of their budget requirement in additional funding in 2000-01 (Wilson, 2003).

Local government thus found itself at the epicentre of an 'audit explosion' which had been growing for two decades (Power, 1994). Increasingly, central control came to be extended into new areas, after 1997, as central government took unprecedented steps towards changing the behaviour of local actors by exhortation and reward. 'Good behaviour' was to be assured by a mixture of implicit regulation, self-assessment and regulation, and exhortation. Increasingly, judgements were made about the 'quality' of political leadership, and of overall strategic capability (Martin, 2002) together with a template of what 'modern' councils should look like, organisationally and managerially.

Broadly speaking, the approach was a mixture of explicit targets and 'hands off' promotion of best practice and approved managerial approaches – an iron fist in a velvet glove. In a new incursion into local autonomy, for example, the *Comprehensive Performance Assessment*, introduced in 2002, was more 'strategic' and included not just assessments of service delivery, but also of each authority's 'corporate' performance. The 2001 White Paper *Strong Local Leadership, Quality Local Services* (DTLR, 2001) made it clear that service delivery failings were related to shortcomings at the heart of a council's political and administrative ethos. Whole organisational audit thus was added to the toolkit of central controls.

The ostensibly 'new localist' agenda set out in 2001 sought to address issues of over-domination by the centre. However, in practice, it represented an "intensification of managerialism at the expense of local democracy, artfully disguised in democratic language" (Lowndes, 2002: 144). In reality, then, this was more of a "steering centralism" (Stoker, 2004) or at best a 'managerial localism'. Indeed, 'earned autonomy' is a concept that would only be understood in a system where the centre calls all the shots (Wright, 2002: 22). Later 'localist' initiatives, including those promoted by the 2006 White Paper *Strong and Prosperous Communities* failed to turn the tide in practice (Lowndes and Pratchett, 2012: 37).

Such 'conditional localism' accelerated as part of the push towards devolution, particularly from 2015 onwards. From 2010-17, the localist agenda was dominated by the creation of Combined Authorities and the negotiation of 'devolution deals' at sub-regional level. The democratic implication of these will be returned to later in the report (see Section 4). For now, it can be noted that the 'deal making' that underpins devolution in England has been at best an opaque, confusing, and seemingly chaotic and informal process, with no clear framework or published criteria (Raikes and Giovannini, 2019; Giovannini, 2018), with the preferences of central government predominating and "rewards going to those who can dance most credibly to the tune of central government" (Haughton et al, 2016: 367). In other words, this was nothing short of 'centralisation on steroids' (Hambleton, 2014).

The essentially contractual relationship in the devolution agenda allowed the government to require its own version of 'earned autonomy' via deal-making, with local authorities agreeing to sign up voluntarily. But the centre retained, anyway, the authority of deciding which deals could be 'agreed'. The associated techniques put in place in these processes included political patronage and rewards for those who met targets, and the potential 'gift' of future powers and resources from the centre (Lowndes and Gardner, 2016; Giovannini, 2018).

Local government, meanwhile, has also shown itself willing to submit to a contractual, earned autonomy-style arrangement by seeking to negotiate with the government, based on a series of 'offers' to deliver central targets in return for a series of 'asks' for more freedoms and powers. Such an 'offer' was made by the Local Government Association in 2010, and again in 2020. As observed in 2015 by the LGA Chair: "if we are going to sell our soul, we are going to have to make sure we do it for a decent price" (Lowndes and Gardner, 2016: 371).

1.3.4 ANTI-STATE LOCALISM OR BY-PASSING LOCAL GOVERNMENT

Despite claims to localism, particularly from 2011, in practice we have witnessed repeatedly an 'anti-state' version of localism, with its own particular ideological flavour.

For example, under the Coalition government elected in 2010, the Audit Commission was abolished, alongside Regional Strategies, and the Comprehensive Area Agreements. Councils were allowed to return to the committee system (see Section 4 in this report), and there were fewer centrally set targets and less 'micromanagement' from Whitehall. However, there was nothing to address loss of local government powers in key policy areas. Rather, continued investment in the logics of community governance saw local authorities not as the 'local' to be empowered, but as an obstruction to the direction of travel of 'empowerment' downwards to a range of 'other locals': collectivities such as communities, neighbourhoods as well as to individuals and groups of stakeholders. This was enacted without any clear principles as to how these entities, in turn, related to the local authority, and to how sometimes competing claims to democratic legitimacy and 'localness' could be resolved.

Notably, this appeal to community governance came after the 'hollowing out' of service delivery to the private and third sector. As such, local government had now become a player in an increasingly complex system of local governance - engaged in partnerships which had an essentially contractual relationship with central government, whereby they delivered certain outcomes in return for additional pots of funding. Competitive bidding for funds, particularly for urban regeneration, required bids from partnerships of local authorities and a wider community of private and voluntary sector actors. Business leaders in particular were required to be 'on board' and funding increasingly required the additional leveraging of private and commercial investment. Councils had effectively lost in a substantial way their power, autonomy and accountability.

1.3.5 TURNING THE FINANCIAL TAPS OFF

Finally, central government was not against using the blunt instrument of financial cutbacks and controls over spending as a tool to enact further top-down control.

Significantly, already in 1979, councils had experienced their first period of financial restraints and real terms cuts since 1945. The once sovereign Council had been left in no doubt that the party was over. Its spending had become the subject both of increasingly complex formulas of grant distribution and of concerns over a reduction in autonomy due to increasing reliance on central funding. However, what local authorities back then could not have anticipated was the magnitude of government control over either the total or specifics of their spending, or the extent to which this would undermine local government discretion and question its legitimacy. It is to this increasing financial control over councils that we turn in the next section.

SUMMARY

A balanced relationship between central and local government is essential to the functioning of a healthy local democracy. Yet, over time, the balance has increasingly tilted towards the centre, leaving local government and the communities it serves weakened.

- Until the late 1970s, councils could be defined as 'sovereign': they had jurisdictional integrity, a high level of autonomy on key services, and democratic legitimacy. The lack of constitutional protection for local government has allowed a shift from a model of the 'Sovereign Council' to a more disempowered local government. Since the 1980s, we have walked backwards into increasing centralisation of practices of politics and policymaking.
- Central government has been able to direct this process from the top down, chipping power away from local government and hoarding it at the centre. It has done so by deploying a wide range of 'tools of central control'. Central-local relations have been 'juridified'; secondary legislation has been increasingly used as an indirect, yet powerful mechanism of re-centralisation of powers; contractualisation and 'conditional localism' have become the norm; and the financial taps that provided local government with its autonomy have been gradually switched off by the centre.
- The combined use of these tools has had damaging effects. Local government still plays a critical role for our communities: it delivers essential services and provides a key democratic link for local populations. But its autonomy and power - and that of the communities it serves - have been eroded by the centre.

This process has been on-going for the last 40 years, undermining local democracy in a profound way. It has created a system of increased responsibility without power that is unsustainable for local government, and needs to be urgently addressed.

Image: Yanny Mishchuk via Unsplash

2. LOCAL GOVERNMENT FINANCE: WEAKENED BY A THOUSAND CUTS

Although in many ways a blunt instrument, control over funding is key to the character of central-local relationships. Financial autonomy underpins, essentially, the extent to which local government can be seen as a distinct, autonomous political unit or as an administrative adjunct of the centre.

In England, austerity governance since 2010 has starkly demonstrated the financial dependency of local authorities on the centre. Government funding of local authorities fell in real terms by 49.1 per cent from 2010-2011 to 2017-18, "equating to a 28.6 per cent real-terms reduction in spending power" (House of Commons Housing, Communities and Local Government Committee, 2019:7). Between 2009-2010 and 2016-2017 the average reduction in service spending for local government in England was 23.7 per cent - this is almost the double compared to figures in Scotland (11.5 per cent) and in Wales (12.1 per cent) (Gray and Barford, 2018: 553).

Such reductions further exposed the limited capacity of local authorities to generate alternative sources of income and to resist the political twists and turns of Westminster and Whitehall. Recent research characterises the UK system of local government finance as among 'the most centralised in the developed world' (Scott and Pitt, 2014: 12; Raikes, Giovannini and Getzel, 2019). To understand this, we need to look at how local government finance mechanisms have changed since 1979.

2.1 LOCAL FUNDING AS A TOOL OF EQUALISATION

Local government finance has 'historically prioritised fiscal equalisation over fiscal incentives: central government grants were allocated to compensate for differences in local needs and tax bases' (Phillips, 2018: 35). Between 1966 and 1980, Rate Support Grant (RSG) thus aimed to equalise resources whilst leaving a large degree of local discretion over spending: allocated according to a common formula, the principle was to compensate for differences in local taxable wealth and for disparities in spending needs (Phillips, 2018). In fact, the principle was established since 1929 (Sandford, 2016), that government grants sought to ensure that all local authorities could provide a standard service for a roughly equal local tax burden. This equalisation objective had been a long-standing principle going back some 150 years (Midwinter and Monaghan, 1995).

This financial system, in place to the end of the 1970s, could be best summed up as "strong redistribution coupled with local financial decision-making" (Sandford, 2016: 647). Largely, prior to 1979, the annual level of local authority spending had been agreed on a multilateral basis through the Consultative Council on Local Government Finance (CCLGF). Rate Support Grant, which gave wide discretion to local authorities, made up 85 per cent of government grants in 1974. There was though, growing concern over central control and 'unbalanced' funding. By the mid-1970s, 60 per cent of income was from grants, whilst only 20 per cent was from Rates. Taking into account rate rebates, some councils got only 10 per cent of their income from local tax.

2.2 RE-NEGOTIATING EQUALISATION (1979 TO 2010)

2.2.1 A PROGRESSIVE TIGHTENING OF CENTRAL GRIP

The perceived failure to bring local spending under control led to a progressive tightening of the grip of the centre over funding. Firstly, the *Local Government Planning and Finance Act 1980* introduced a new Block Grant, based on Grant Related Expenditure (GRE). This opened a new era by introducing cash limited budgets based on the centre's assessment of spending needs (Loughlin, 1996). Further, there was 'tapering' of grant for marginal expenditure above such centrally determined needs. In this way, the Act challenged a freedom of local authorities to set their own taxing and spending levels which had been held for almost 400 years (Goldsmith and Newton, 1983: 227).

In addition, from 1982 there were spending targets for each authority and 'tapers' and 'multipliers' were used to control spending above target, with frequent and overt political manipulation as ministers grappled with the unforeseen political consequences of these successive changes (Goldsmith and Newton, 1983). Later, councils were prevented from raising Supplementary Rates to make up any shortfall, leaving councils "at the mercy of grant holdback and taper" (Goldsmith and Newton, 1983: 229). The block grant and its associated mechanisms did not thwart the continued rise in local spending, though. By 1986, local government "could claim an honourable draw, if not a narrow victory" (Travers, 1986: 52; see also Travers 1985).

Whatever the effects, there had been severe damage to central-local relations caused by the process, due to lack of consultation and impositions from the centre. Meetings of the Consultative Council on Local Government Finance became "little more than occasions for the government to announce '*faits accomplis*'" (Travers, 1987: 23).

The failure of the complex arrangement of targets, clawbacks, ratchets and penalties led to the introduction of Rate Capping in 1984, which would "undermine what remained of financial accountability in local government" (Jackman, 1985: 170) and take away the power of individual councils to set their own rate "for the first time since 1601" (Lansley, Goss and Wolmar, 1989: 34). There was central interference now to "an unprecedented degree" (Bramley, 1985: 100).

Rate capping, with hindsight, is perhaps most significant for its effects on central-local relations and the break with tradition, than its impact on spending. This "marked a massive step towards central control over local government" (Travers, 1987: 119). 18 local authorities were capped in 1985-86; 20 in 1987-88; and 17 in 1988-89 (Travers, 2004).

In fact, the 1988 *Local Government Finance Act* introduced universal capping, for the first time, going far beyond earlier selective rate capping of individual councils. In the 1990s, capping "developed into crude and universal capping of all local authorities" (ODPM, 2004). New Standard Spending Assessments (SSAs), were calculated as the amount of revenue required to provide a standard level of service from within a total (for the whole sector) set by the Secretary of State. Yet, standards continued to be relatively undefined and 'needs' defined politically by central government, adding to the 'drift to a new centralism' (Midwinter and Monaghan, 1995: 150). By 1993-4 the number of capped authorities rose to 168 (Duncan and Smith, 1995).

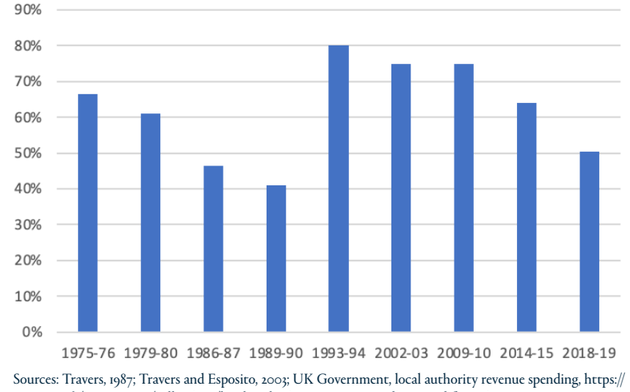
New Labour pledged to end universal capping, but the Secretary of State kept reserve powers, which were used in 2004-5 after Council Taxes had started to rise.

2.2.2 NATIONALISATION OF FUNDING

The *Local Government Finance Act 1988* also introduced the Community Charge (or 'Poll Tax'), seen as a radical attempt to 'put to bed' the issue over the rating system, and firmly establish the local tax as a charge for services delivered. Whilst the Community Charge was a political and administrative disaster, and was shelved rather quickly, the Act had significant and long-lasting impacts (Dunleavey, 1995). It nationalised Business Rates, now to be the National Non-Domestic Rate, collected locally, sent to the centre, and redistributed on a formula basis.

There had been a gradual reduction of the percentage of council spending funded by central grants (see Fig. 2.1.): from 66.4 per cent of local government spending in 1975-76; to 61 per cent in 1979-80, 46.4 per cent in 1986-87 and 41 per cent in 1989-90 (Travers, 1987; Travers and Esposito, 2003). However, the introduction of Business Rates (as explained in section 2.3. below) increased, in one swoop, the total of central funding to 80-85 per cent of council spending. This, though, should not be mistaken for a growth in net funding available to local authorities (see section 2.3. below). Locally determined expenditure had been 53 per cent in 1989-90, reducing to 15 per cent in 1992-3 (Travers and Esposito, 2003). As shown in Fig. 2.2., by 1995 local tax (now renamed Council Tax) was only 11 per cent of local authorities' income (Atkinson and Wilks-Heeg, 2000: 87).

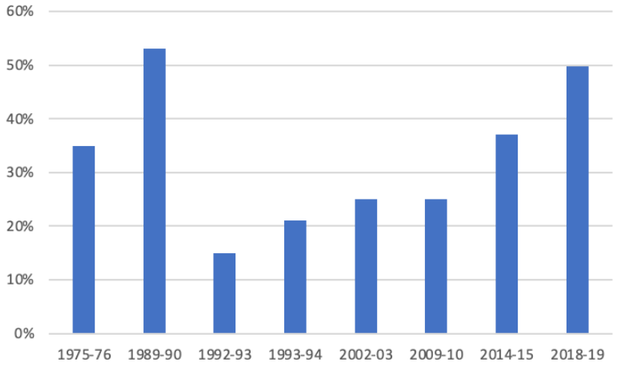
FIGURE 2.1. PERCENTAGE OF COUNCIL SPENDING FUNDED BY CENTRAL GOVERNMENT



Sources: Travers, 1987; Travers and Esposito, 2003; UK Government, local authority revenue spending, https://www.gov.uk/government/collections/local-authority-revenue-expenditure-and-financing

[1] Figure 2.1. and 2.2. are meant to show a broad comparison between the percentage of council spending funded by central government and the locally retained tax as a percentage of spending. The following caveat should be noted: there are some difficulties in getting the same figures for the same years, due to technical matters over what is included/not included in the definitions in the final accounts in the different datasets available.

FIGURE 2.2. LOCALLY RETAINED TAX AS PERCENTAGE OF SPENDING



Sources: UK Government, local authority revenue spending, https://www.gov.uk/government/collections/local-authority-revenue-expenditure-and-financing

By the mid-2000s, still only 25 per cent of council expenditure was from council generated sources, but more and more spending increases were now being funded from local sources. As a result of the high gearing effect, Council Tax was rising more than spending, as a 1 per cent increase in spending needed a 4 per cent rise in Council Tax. Gearing resulted in *marginal* accountability, but not *average* accountability (Watt, 2004). This created a problem for central government, as Council Tax, although a small percentage of the total tax take, was, and remains, a very visible tax.

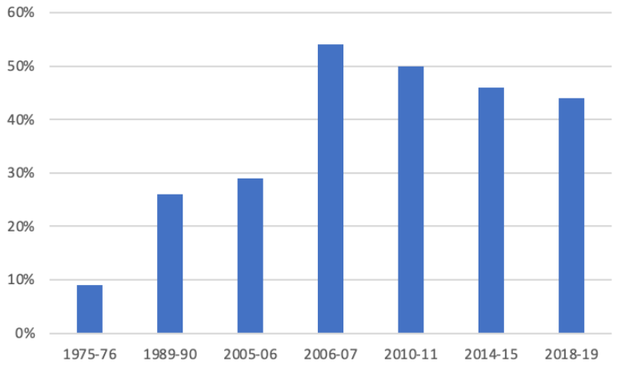
2.2.3 RING-FENCING OF LOCAL FUNDING AND THE RISE OF SPECIFIC GRANTS

Further restraint and central control were introduced via the *Local Government and Housing Act 1989*, which ring-fenced Housing Revenue Accounts, requiring them to balance – meaning that Councils could no longer subsidise rents. Such ring-fencing was significantly accelerated by the introduction of the Dedicated Schools Grant (DSG) in 2006-7; schools' expenditure was now ring-fenced too.

Cumulatively, the amount of ring-fenced central grants increased from 5 per cent to 54 per cent in one go (HoC, 2009). Block Grant in 2005-6 was £18 billion; in 2006-7 it was £3.4 billion after taking out DSG. There was also more 'passporting' of school funds introduced via the Formula Funding Share for Schools (IFS, 2007); these had to go to schools according to the centre's rules.

Even before this, there had been a continuation of the increase in ring-fencing of central funding. Specific Grants had increased from 9 per cent of grants in the mid-1970s to 26 per cent in the late 1980s (Travers, 1987). By 2005-6, 32 per cent of government funding was from Block Grant, and 29 per cent from Specific Grants (IFS, 2007). The 'general' grant within which councils could exercise discretion over spending now represented a small element of overall funding (HoC, 2019).

FIGURE 2.3.SPECIFIC/RING-FENCED GRANTS AS PERCENTAGE OF TOTAL INCOME



Sources: Travers, 1987; IFS, 2007; HoC, 2009; UK Government, local authority revenue spending, https://www.gov.uk/government/collections/local-authority-revenue-expenditure-and-financing

There was also a shift from controlling to *targeting* expenditure, and increasingly tying funding to performance against specific outcomes via Public Service Agreements and Local Area Agreements. From 1997, a trend under New Labour generally, in relation to finance, was to relax some controls but keep ultimate powers; restrictions on borrowing were thus relaxed in 2003, but caveats applied. In 2007, councils were allowed to levy a Supplementary Business Rate, with Secretary of State approval, but this was only applied in London, with respect to CrossRail.

2.3. AUSTERITY, CUTS TO CENTRAL FUNDING AND LOCALISATION

Overall, by 2010 the system of local government finance displayed moderate expenditure devolution (local discretion over spending), limited revenue devolution (local revenue raising powers), and high fiscal equalisation (Phillips 2018: 41), all of which had been the case since the early 1990s. Council Tax as a share of spending was 21 per cent in 1993-4, 25 per cent in 2003-4 and 25 per cent in 2008-9 (HoC, 2008). However, the introduction of a programme of austerity – initiated by the Conservative-LibDem government from 2010 – was to transform this financial settlement, reducing central funding and moving towards councils raising and retaining more of their income from local sources. Local raising of income in tandem with cuts to central support re-ignited the long-standing, embedded and seemingly intractable issue of balancing local autonomy with equalisation.

The Business Rates Retention Scheme (BRRS) introduced in 2013 signalled that the role of local government was to be re-focused towards incentivising and promoting the local economy (Sandford, 2016). With BRRS, councils were initially to keep 50 per cent of their business rates, with the aim of increasing this to 75 per cent and, eventually to the full amount. The government policy was that all general central grant funding should disappear by 2020, and "81 per cent of local authorities received no RSG [Revenue Support Grant] at all in at least one year between 2016-17 and 2019-20" (Brien et al, 2020: 13).

Only in 2020 the annual financial settlement saw a reversal of this trend in some cases, as austerity was allegedly 'eased' and local government received an overall 6 per cent increase in spending power. There is still, however, some equalisation applied by central government as each council's 'retained' 50 per cent share of National Non Domestic Rates (Business Rates) is adjusted according to a set of tariffs and top-ups (Sandford, 2020).

In another significant change, 2013-14 was the last year when grant allocations were updated annually to account for changes in the tax base and needs. Since then, needs assessments no longer take place annually (Sandford, 2016: 641). Councils' grants have either been cut by the same proportion (as in 2014-15 and 2015-16) or been cut in such a way as to deliver the same proportionate cut in overall spending power, taking into account initial Council Tax revenues (2016-17 and later) (Phillips, 2018: 5). Funding would now increase or decrease when local tax bases changed. Doing this provides stronger incentives for councils to boost Council Tax bases and tackle underlying spending needs (Phillips, 2018: 45). Indeed, there were also new sources of funding such as Community Infrastructure Levies and the New Homes Bonus to incentivise locally the delivery of specific outcomes.

Localisation of funding was not without constraints. Since the Localism Act 2011, councils have been required to have referenda for council tax increases above a percentage prescribed by the Secretary of State (which has generally been 2 per cent). Since 2016-17 the social care precept has allowed them to raise an extra 3 per cent additional income without a referendum, for spending on adult social care. Moreover, key determinants of income, including relative tax levels of Council Tax bands, and business rate multipliers and reliefs remain nationally determined. Also, councils have had to continue to meet nationally prescribed statutory duties, and increasingly to conform with nationally set service standards. As a result, it is important to note that a growth in 'local' tax share has not led to more local autonomy. In practice, more locally raised funds are being used to pay for centrally prescribed activity (Insall, 2020) – thus reducing, in the face of a narrative of 'empowerment', local government clout and freedom.

Broadly speaking, this new funding regime represents a shift from redistribution to fiscal incentives. BRRS now meant that the share of funding from local taxes (in these figures excluding DSG) was 40 per cent in 2010; 70 per cent in 2016, and 76 per cent in 2019-20. There was a 21 per cent increase in real terms in the amount raised from Council Taxes, from 2009/10 to 2018/19 (IFS, 2020). The process for allocating grants to councils has been changed in ways that reduce the amount of redistribution. Thus, BRRS can be seen as an "historically significant disjuncture in the funding of English local authorities" (Sandford 2016: 637), as it implies "a rejection of responsibility for local services by central government" (ibidem). The tradition had been for funding to follow duties and this, all through the reforms mentioned so far, had remained the case. Breaking the link may be said to enhance autonomy, but this is being done at a time of heavy constraints for local government. Incentives, not service provision, are at the heart of this system, replacing the principle of similar level of service for similar levels of local taxation, equalisation, and 'sufficient' funding. Changing away from equalisation "was a major departure from an established consensus stretching back to the late 1920s" (Quirk, 2015).

More recently, there have been promises of a 'Fair Funding' Review, in the form of a root and branch 're-balancing' of central funding. And yet, this would most likely lead to a significant re-distribution of funds away from those poorer areas most reliant on needs-based formula funding, potentially moving £320 million per year from councils in some of the poorest areas whilst shire counties, mainly in the south-east, could gain up to £300 million (Butler, 2020). It is also unlikely that a move to more local funding would be adequate to meet demands for services. In 2019, it was estimated that demands for adult social care would require an increase in the share of local tax revenues allocated to these services from 38 per cent to over 50 per cent, requiring sustained cuts to other service areas in addition to those made after a decade of austerity (IFS, 2019:12). The danger in this, was that there would be pressure for social services to be removed from councils' responsibilities.

There have been clear signals that the government *does* want to move toward equalisation in social care and education via the National Funding Formula (NFF) which works to ensure that each school (rather than the council) can provide a standard service given needs, and via direct funding of Academies and Free Schools. If this trend were to be continued, a consequence could be further residualisation of local government's role – as those services where the centre is most sensitive to the 'postcode' lottery critique, particularly adult social care, are 'nationalised' and local government retains 'environmental' or 'place based' services which are designed to attract, or keep, economic activity. In these services, Education, and increasingly Adult Social Care, equality of access trumps local discretion.

2.4. THE CURRENT CONTEXT

In the 2021 settlement, only 3 per cent of central government funding for councils comes from Revenue Support Grant (RSG), over which councils have some discretion (MHCLG, 2020). An increasing amount of both grant funding and council tax is ring-fenced for social care (Phillips, 2018). Pooled budgets are of increasing importance, notably the Better Care Fund, from 2013,

which is "a single pooled budget for health and social care services to work more closely together in local areas, based on a plan agreed between the NHS and local authorities" (Bennett and Humphries, 2014).

As shown in Fig. 2.3., there has been an increasing use of funding via individual pots of money. Between 2015-16 and 2018-19, there were a total of 448 ring-fenced grants (LGA, 2020). These are often to be 'won' by competitive bidding, and thus funding is unpredictable, time-limited, and fragmented. Responding to cuts means relying more on small pots of money which are uncertain and tightly controlled by the centre – limiting considerably the autonomy and capacity of local authorities. Since 2015 there have also been a series of emergency cash injections which have somewhat 'papered over' some of the inequitable impacts of the reforms since 2010. In addition, councils have had to make more use of commercial investments in order to raise revenue.

Overall, therefore, the recent trend, from 2010-2018, has been to move away from equalisation and towards councils raising more income locally, which would on the face of it be good for local autonomy. However, this came about at the same time as councils have faced severe financial constraints, advancing a zero-sum logic in which more local discretion over funding became equated with a 'postcode lottery' over services.

RSG was 39 per cent of central funding in 2016-17, falling to 8 per cent in 2018-19. Yet, as noted in the introduction of this section, the 'direction of travel' may at least be on hold, with a move back, slightly, in the direction of equalisation. In the 2020-21 settlement there was thus an increase in Revenue Support Grant to 10 per cent of funding (Sandford and Brien, 2021).

From 2020, the situation has been complicated by the Covid-19 pandemic which has had a huge impact on local government finance – throwing up in the air existing fragile processes. The move to full Business Rate Retention has now been put on hold, as has the Fair Funding Review. Since the start of the Covid-19 crisis, local government has been in the eye of a storm. On the one hand, service demands (and thus spending) have rocketed. And yet, local authorities have stepped in with no hesitation making a major contribution to the national response to Covid-19 - working to protect local communities, while continuing to deliver existing services. On the other hand, however, initial promises made by the Secretary of State to local authorities to 'spend whatever it takes' to respond to the pandemic were quickly-withdrawn, and councils found themselves without adequate financial support (Giovannini, 2021). By the summer of 2020, this left many councils on the brink of financial collapse (BBC, 2020).

For example, in England, by August 2020 the government provided £5.2bn in extra funds – but councils anticipated spending £4.4bn more than expected on the pandemic for the year, as well as incurring £2.8bn in losses from fees and charges, leaving them with a £2bn shortfall (IFS, 2020). Moreover, this did not account for the issues that will unfold in the next years, when the collapse in council tax revenue and business rates collection since lockdown would start to feed into council budgets (IFS, 2020).

The latest analysis produced by the National Audit Office (NAO) in spring 2021, shows that only the government's swift, if reluctant, injection of £9.1 billion of emergency funds into council coffers over recent months has averted a "system-wide financial failure" (Butler, 2021a; NAO, 2021). This was a much needed and appropriate intervention. And yet, it is not enough to cover the overall gap of £9.7 billion of Covid-19 cost pressures and income losses reported in early December 2020 (NAO, 2021) – which leaves a £600m funding gap and, therefore, significant holes in councils' budgets.
94 per cent of English councils expect to cut spending next year to meet legal duties to balance their budgets (NAO, 2021). Social care services for older and disabled adults, as well as special educational needs and homelessness spending are likely to be in line for cuts from April 2021; meanwhile libraries, theatres and community centres face closure, bins could be collected less frequently, and subsidies propping up bus routes will shrink (Butler, 2021b; NAO 2021). Local authorities are now forced to hike up council tax by up to 5 per cent from April in order to cover at least some of their funding shortfall. The perverse effect of this is that, in essence, it will be up to hard-pressed local community members to pay the price for chronic local government underfunding.

In sum, "the 'scarring' of council balance sheets since the coronavirus pandemic began has been so fierce that half of town halls do not expect their finances to recover until at least the middle of the decade" (Butler, 2021b; NAO, 2021). As emphasised by NAO (2021), 10 years of austerity made councils' finances structurally fragile and left local authorities more vulnerable to the impact of the pandemic than they otherwise would have been. And the councils' budget crisis is far from being over.

SUMMARY

Central control over funding is key to the character of central-local relationships in England. Financial autonomy determines the extent to which local government can be an autonomous political unit or simply act as an administrative 'appendix' of the centre. However, stark reductions in the financial autonomy of local government have been implemented unilaterally by central government.

- Since the late 1970s, different administrations have used the tool of funding controls in different ways. But the direction of travel has been clear: loss of financial autonomy has led to a loss of local government autonomy.

- In recent years, there have been attempts at reversing this trend – with councils being able to raise and retain more income locally. And yet, this has coincided with severe financial constraints and centrally prescribed targets. More local discretion over increasingly squeezed funding can, in turn, exacerbate a 'postcode lottery' in service delivery.

- The Covid-19 crisis has now put additional strains on an already fragile system of funding. Many local authorities were already on the brink of collapse after 10 years of austerity: the lack of adequate support from the centre is now leaving them with no choice but to cut further essential services for the communities they serve. Meanwhile, many councils may not be able to survive the 'perfect storm' generated by the Covid-19 crisis.

This incremental, yet steady move away from local financial autonomy has eroded local democracy. The patterns of development in local government funding have severely constrained local choice, undermined local political leadership and created an increasingly unstable and unpredictable environment which local government has had to navigate. It is hard to disagree with NAO's (2021) view that the system of local government cannot be fixed anymore with short-term interventions, and requires to be stabilised in the long term.

Image: Mangopear Creative via Unsplash

3. DISMEMBERING LOCAL GOVERNMENT SERVICES

The provision of services is one of the most important roles that local government fulfils. As highlighted in Section 1 of this report, until the late 1970s the once 'Sovereign Council' enjoyed direct responsibility for the delivery of a wide range of key services and was recognised as the key local player, with relative discretion and autonomy. This has changed substantially over time - weakening considerably local authorities' role, with disastrous and potentially dangerous consequences for members of local communities at the receiving end of services.

The Thatcher governments of the 1980s demonstrated a distrust of 'producer led' public service delivery. Successive governments thereby advanced the model of an 'enabling authority' which coordinates the market for local services, often outsourcing the delivery of services to alternative providers in the private or third sector.

First, the *Local Government Planning and Land Act 1980* introduced compulsory competitive tendering (CCT) for selected local services, which was extended to blue- and white-collar services in 1988, and to additional professional services in 1992 (Patterson and Pinch, 2000). Second, where outsourcing of services could not be achieved through CCT, the 'Corporate' council was split into internal trading units and 'arms-length' trading bodies. Third, the roles and responsibilities of local government were transferred to centrally-appointed, unelected bodies (henceforth generically referred to as 'quangos'). Here there was the active promotion of business involvement; in Urban Regeneration, with the use of Urban Development Corporations and the Business in the Community Initiative, and the creation of Training and Enterprise Councils (TECs). Finally, increasing choice over providers was extended to tenants, parents and service users, underpinning a more customer-orientated ethos.

These themes have underpinned reforms in the intervening years and provide the basis for local government's operations today. There have been moves towards increased partnership working and collaboration, while inspection and monitoring remained strong. Partnership and business involvement was stressed more after 1992, encouraged by Michael Heseltine, via, for example, the Single Regeneration Budget.

These trends were intensified under New Labour governments which recognised the costs of fragmentation and contractualisation of service provision. A plethora of partnerships was introduced, including local strategic partnerships, while 'Best Value' was introduced in England and Wales by the *Local Government Act 1999*, removing the requirement to contract out to the lowest bidder. But as we suggest above, at the heart of such initiatives the commitment to the enabling authority remained relatively unshaken.

Labour's vision of collaboration posited the authority as a community leader, but it was to remain a strategic commissioner of services rather than a provider. Best Value did not result in a decline in contracting out. Business involvement was promoted via a series of 'Action Zones' and partnerships, while the consumerist narrative was continued along with 'democratic renewal' initiatives (see Section 4 in this report). In fact, for some, New Labour set about "privatising the parts that Conservative Governments could not reach" (Wilks-Heeg, 2009). The use of the Private Finance Initiative (PFI), introduced by the Conservatives in 1992, was intensified; in 1997 there was only one Local Authority PFI scheme; by 2005 there were 292, involving approximately 150 councils (Wilks-Heeg, 2009).

BOX 3.1: WHEN PFIS GO WRONG: THE CASE OF CARILLON

In 2018, the contracting giant Carillion, the UK's second largest construction company, collapsed. According to NAO, this cost the public purse £148m - more than 3,000 jobs were lost and 450 public sector projects including hospitals, schools and prisons were plunged into crisis. This led to a thorough interrogation of the outsourcing model that had grown since the 1980s, when local authorities were forced to open inhouse services to the private sector to cut costs.

As underlined by the Public Administration Committee (2018) "the failure of Carillion reflects long-term failures of government understanding about the design, letting and management of contracts and outsourcing". Indeed, the Carillon crisis provided the basis for a full-scale attack on outsourcing. Initially, the government reaffirmed its commitment to outsourcing, but also highlighted the need to bring in new regulations, improve transparency and secure social value – so as to avoid other similar cases occurring or, at least, to have contingency arrangements in place. And yet, two years on, the government has done very little to reform accounting rules to prevent similar corporate disasters, and has been accused of failing to learn any lessons from the collapse of Carillon.

The Carillon collapse highlighted, in many respects, that outsourcing had reached its peak – sparking a debate on the need for local authorities to bring more services back inhouse, due to the increasing risk in relation to other large corporate outsourcers, like Capita, Serco and G4S. Indeed, beyond Carillion, there have been very high-profile failures in outsourcing, making many in the public sector question its usefulness.

Councils' confidence in outsourcing was shaken by this, and more local authorities started to show an appetite to bring more services inhouse. With no sign of financial pressures on councils easing, it is not difficult to see why long-term, rigid and costly contracts with third parties are becoming less attractive for local government.

For example, in 2019 the Mayor of Hackney – a council that has been on a 10-year journey to bring services back inhouse – argued that "there has not been an example that I am aware of where we have brought something inhouse and it has not cost us less to deliver that service. (...) We have seen that at almost every step you get a more coordinated response, save money, create better services and improve terms and conditions for the workforce" (Brady, 2019). Between 2010 and 2014, Hackney brought back in house its recycling services, saving £600,000. It also took back control of its housing management service, reducing its costs by £300,000 (ibidem).

Since 2010, the Coalition and Conservative Governments (at least until 2017-18) have been content to see these trends endure. Whilst there has been no great, active 'push' on further contracting out, austerity ensured that it has continued. New trends have emerged, particularly the sharing of services. The creation of Local Enterprise Partnerships (LEPs) indicated continued emphasis on business involvement, as does the requirement to consult/involve LEPs in bids for City Deals, Combined Authorities, Devolution Deals, etc.

The 'Big Society' agenda and Localism Act 2011 sought to encourage alternative providers, via Community Asset Transfer, and via the 'Right to Challenge'. In addition, austerity drove further entanglement with the private sector via greater commercialisation; the *Localism Act* provisions gave a boost to council trading, and the formation of trading companies. Arguably, for some, there was an intensified 'financialisation' in housing/regeneration initiatives which are led by council-owned Special Purpose Vehicles (SPVs) (Beswick and Penny, 2018).

3.1. EDUCATION AND LOCAL GOVERNMENT

The progressive removal of responsibilities for education from local authorities provides perhaps the clearest example of a weakening of local government's role as a service provider which has been brought about by successive governments since the early 1980s (see Table 3.1.).

Education was, for several decades, the largest service provided by local government in terms of expenditure. Councils, as Local Education Authorities (LEAs), through their Education Committees, essentially decided how to organise schools and how to allocate funds to them (Wilson and Game, 2011). However, since 1997, policy has been dominated, under governments of various hues, by the promotion, in England, of academy schools, self-managing their own budgets and directly funded by central government.

By 2013, Conservative and Labour governments and the Coalition had passed legislation to reduce local government to "little more than a vestigial role in the provision of secondary education and a diminishing role in primary and special education" (Waterman, 2014: 938). And, as the role of local government has been curtailed, the power of central government over schools has increased (Ball, 2018).

As a result, the landscape of local education has been transformed, particularly in secondary education where 75 per cent of schools are now academies, opposed to 25 per cent of primary schools. In November 2017, there were over 20,000 state funded schools in England; 6,100 Academy schools; 1,688 'standalone' academies; and 4,432 governed by Multi Academy Trusts (MATs) containing between 2 and 100 schools. Private, non-profit making companies, funded by Government, were "rapidly replacing local authorities as the main providers of secondary school education" (West and Bailey, 2013: 137). The Public Accounts Committee (2018) reported

that 9 LEAs in England had no maintained schools, and over a third had fewer than 50, with wide diversity across local government; in January 2018, 93 per cent of schools in Bromley were Academies, but only 6 per cent in Lancashire, Lewisham and North Tyneside.

TABLE 3.1. CONTINUITY ACROSS GOVERNMENTS: SCHOOL AUTONOMY, CENTRAL CONTROL AND DIVERSITY OF PROVISION

Key Legislation	Summary of themes
1988 Education Act: LEAs 'caught' between consumer/parental choice and central control (Ranson and Thomas, 1989)	Introduction of Local Management Schemes (LMS) and delegation of 85 per cent of spending to schools; putting in place of a range of ministerial controls over LMS and new national curriculum; extension of parental choice with open enrolment.
1992 Education Act: a 'high stakes form of Inspection and regulation' (Baxter, 2018)	Intervention and monitoring were strengthened considerably, with the creation of OFSTED; further enhanced by the introduction of nationally determined performance indicators and school league tables, and additional powers for Ministers to intervene in the management of 'failing' schools.
1993 Education Act: culminates in local authorities principal role being to provide and plan for Special Educational Needs (Ranson, 1995)	Extended Ministerial powers and promoted GMS status for all schools, allowing for their sponsorship by businesses or others; LEA duties for funding and planning increasingly became shared with the Funding Agencies; symbolic removal of the requirement that LEAs must have Education Committees.
2000 Learning and Skills Act; increased drive for academisation, and increasing acceptance, that it was the Secretary of State's job to drive educational improvement (Donnelly, 2004).	Established a Learning and Skills Council for post-16 education operated via 47 'local (appointed, non-LEA); tightened central control by ring-fencing or 'passporting' funding with the introduction of DSG; allowed schools that were deemed to be failing to be established as non-profit making academies under the guidance of trusts outside local authority control (from 2006 schools, whether failing or not, were able to opt for trust status).
2010 Academies Act and 2011 Education Act	Made it possible for all local authoritiy maintained schools in England to become academies, directly funded by central government via an Education Skills and Funding Agency and independent of local authority control and responsibility. The Department for Education could require poorly performing schools and those 'eligible for intervention' to become academies or be closed. Introduction of Free Schools, which could be established by parents, teachers, charities, universities, business, community or faith groups in response to parental demand.
2011 Localism Act	Introduced a presumption that any new school would be an academy. Fast-tracking of academy status was extended to 'outstanding' schools whilst other schools could become academies, but only as part of a chain or with a sponsor.
2014: Regional School Commissioners (RSCs): "a further move in the almost total displacement of local authorities from education policy responsibility" (Ball 2018: 216).	Introduction of RSCs: unelected bodies with no relations with local authorities; can take decisions on applications for academy status and monitor performance of non-academy maintained schools.
2016 Education and Adoption Act, 2016	Allowed RSCs to intervene against 'failing', 'coasting' or 'under-performing' schools.

Source: authors' elaboration, based on documentary analysis

Importantly, this diversity of academies and LEA schools across authorities hampers planning: local authorities are not able to ask an academy to expand when they have capacity to do so and when there is a demand for more places. In fact, what we have now in place across most authorities is an 'accountability maze'. MATs are regulated financially by the EFA; their expansion is overseen by 8 RSCs; schools are inspected by OFSTED, who are not allowed to inspect MATs as a whole to scrutinise their governance procedures, boards, etc., and this patchy oversight has been increasingly criticised following the high-profile failure of several MATs (see Box 4.2. in this report, p. 37). Thus, whilst schools are inspected, Academy Chains themselves are not (Gash, 2015). Also, MATs overlap the areas covered by the RSCs areas. This 'maze' was criticised by the Education Select Committee in 2017.

A Public Accounts Committee Report (2018) found that DfE arrangements for school oversight were "fragmented and incoherent". 'Failing' schools are 'rebrokered' to MATs by the RSCs. There are "unrelenting pressures on MATs to prove their model is the best one", and lack of collaboration between MATs (Baxter, 2018). Also, MATs are failing to connect with the school communities they serve – leading to fragmentation and feelings of discontent (Baxter and Cornforth 2021).

To add to the complexity, a move to a 'School Led Improvement' system after 2010 (Crawford et al, 2020) saw the evolution of forms of improvement partnerships - mainly Teaching Schools Alliances - adding to what had become a 'busy terrain' (Courtney, 2015: 799). Within this, the Education Select Committee (2017) recommended that there was a need for government to clearly define the role of

local authorities.

The local authority role has not disappeared, but it is more opaque. On the one hand, it is left to MATs to potentially play the role of the middle tier locally, if they are collaborative and lead improvement initiatives. On the other hand, local authorities continue to exercise, depending on local circumstance, a role as a convenor and commissioner of services and champion of children, families and communities (Parish et al., 2012). 'Upper tier' councils in England, and all in Wales, retain an overall responsibility for children's services and a legal duty to ensure that every child achieves his or her educational potential.

In England, since the *Children Act 2004*, these duties have been carried out within Children's Departments, now variously named, which aim to integrate education and social services for children to promote a 'joined up' approach to their well-being. They have a duty to ensure that there are enough school places available in their area but have no power to require academies to expand and so must increasingly work in partnership with them to this end. They set the admissions policies and catchment areas for community schools and co-ordinate all schools admissions in their areas. Councils also continue, for example, to provide free school transport for children between the ages of 5-16 attending schools more than two miles from their home and have a range of responsibilities to support those with special educational needs (Barnett and Chandler, forthcoming). At the time of writing, they can, by agreement, retain some of the school's funding to pay for the school admissions service.

However, the fragmentation of the school's system and acceleration of school financial independence has led to patchy council provision in a range of discretionary services, which they once universally provided. This is consistent with the move to the contracting out of such services and to the creation of mixed markets of service deliverers from which schools have freedom to choose. These include, for example, support services for teaching and learning, extra-curricular activities, and facilities management (APSE, 2020). Some have ceased to provide these services, others have retained a direct labour organisation or trading arm which competes for business, and others have pursued other models, such as the creation of arms-length trading companies or outsourcing to private contractors. As such, this picture provides a good representation of the position local government now finds itself in generally.

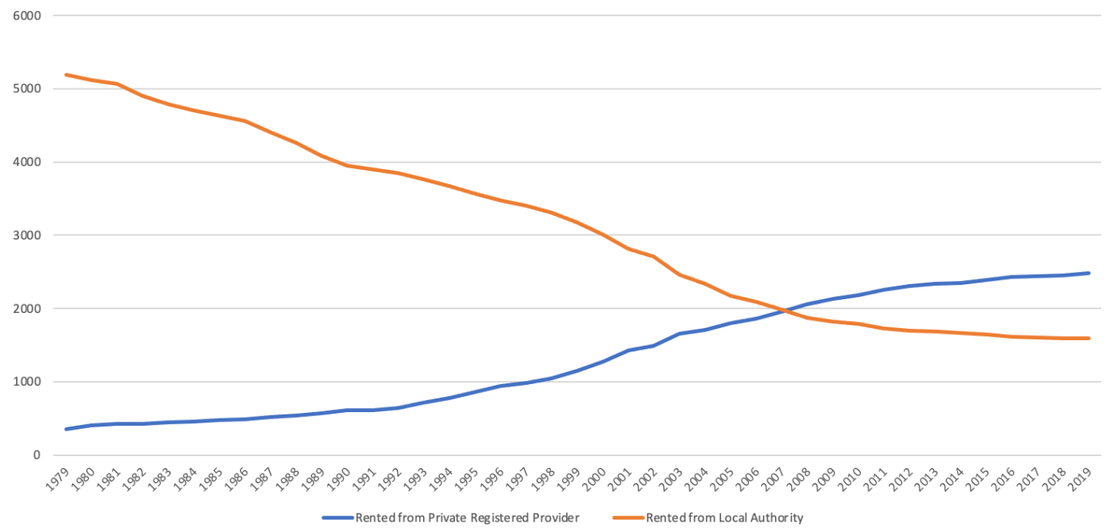
3.2. HOUSING

Local government's role in housing reveals a similar, continuing trend towards residualistion. This reduction of the role of the local authority was driven, as in other sectors, by the extension of choice; opportunities to opt out of council provision; increasing diversity of providers; and recourse to alternative non- elected bodies. Such strategies of successive governments transformed over time local housing from a 'public housing model' to a residual 'social housing model' (House of Commons, 2018). Housing policy was centralised and nationalised (Murie, 2004; Spencer, 1995), relegating local authorities to a role of policing and controlling those with least choice. Indeed, state subsidies moved from 'bricks to benefits' (Murie, 1987) or from supply side to demand side measures (Shelter, 2012). In 1975, 80 per cent of housing expenditure was spent on the construction of social housing; by 2000, 85 per cent was spent on housing benefit. (House of Commons Housing, Communities and Local Government Committee, 2020: 18).

3.2.1 THE RIGHT TO BUY

The reduction in local government's role started in 1980 with council housing stock being sold under the 'Right to Buy' (RTB) policy of the Thatcher and subsequent governments. Social housing stock peaked in England in 1981 at 5.49 million homes. As of 1 April 2019, the number was 4.13 million (House of Commons Housing, Communities and Local Government Committee, 2020:10). In 2017-18, more than six times as many houses were sold under RTB than were built by councils, with only one fifth of the 70,000 homes sold since 2011-12, being replaced (LGA, 2019).

FIGURE 3.1. DWELLING STOCK RENTED FROM LOCAL AUTHORITIES AND PRIVATE REGISTERED PROVIDERS* IN ENGLAND (1979-2019)



Source: MHCLG live tables on dwelling stock, table 104 - Dwelling stock: by tenure, England (historical series). Available from: https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants

*Private Registered Providers' are a mixed group of organisations which include housing associations, for-profit providers and charities.

3.2.2 CAPS ON BORROWING AND RECEIPTS

As a result of RTB, councils were increasingly left with the housing which was in most need of repair. However, they also faced caps on borrowing to build social housing or repair their stock, and central government retention of receipts from sales. The *Local Government and Housing Act 1989* required Councils to set aside 75 per cent of the proceeds from sales and 50 per cent of other asset sales, whilst also ending the ability to subside rents by requiring a Housing Revenue Account which balanced. Councils are allowed, at present, to retain only one third of receipts from sales despite a government commitment in 2012 that all homes 'lost' in this way would be replaced on a one for one basis. At present only 30 per cent of receipts can be used to build a new home.

Councils under New Labour were improving the standard of homes through the government's 'Decent Homes' programme. However, constraints on borrowing meant that this relied on councils entering into PFI arrangements. Restrictions on what councils could borrow were only lifted, after intense lobbying, in 2018. However, in December 2019, the Treasury made the use of this additional freedom more difficult by raising the interest rate on loans from the Public Works Loan Board to 2.8 per cent, at a time when councils were hoping to increase house building from this source. Councils can, however, gain grants from a central funding body, Homes England, to 'kickstart' housing developments – a quango put in place in 2018.

3.2.3. THE EXTENSION OF CHOICE AND VOLUNTARY TRANSFER

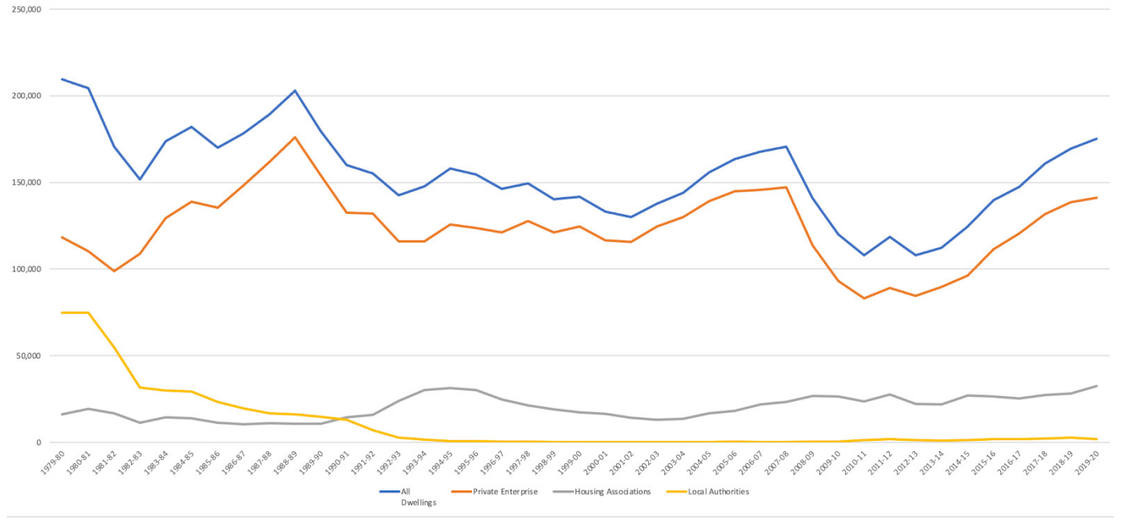
The *Housing Act 1980* also brought in the Tenant's Charter, and the *Housing Act 1988* gave choice of landlord for council tenants, allowing for transfers to approved social landlords, now overseen by the Housing Corporation - a process which had begun in the *Housing Act 1985* (Daley et al. 2005). New, unelected, bodies named Housing Action Trusts, modelled on the UDCs, were to take on the role of improving the most run down estates, and then give choice to tenants.

At the same time, the management of council housing was opened to competition as Large Scale Voluntary Transfers (LSVTs) were permitted of all stock, following a ballot of tenants. In fact, in keeping with the arguments of the 'enabling authority', councils were given a number of ways of divesting themselves of their housing stock. This was given a significant boost after 2000, when councils were given the option of transferring stock to a housing association or other Registered Social Landlord; contracting out the management of it to the private sector; or continuing to manage it themselves, albeit via a semi-independent, Arms-Length Management Organisation (ALMO), and accepting the limitations on borrowing which that entailed.

With these options in place, many councils have over the years divested themselves voluntarily of all of their housing stock, with 1.3 million homes transferred in this way to housing associations between the late 1990s and 2012 (House of Commons Communities and Local Government Committee, 2016). By 2003, more than 870,000 homes had passed from state ownership to Housing Associations; 111 local authorities had transferred all their stock to housing associations, and over 40 had completed a partial transfer (Pawson and Fancy, 2003). By June 2007, 148 local authorities had transferred at least half their stock (Wilks-Heeg, 2009). By 2010, ALMO's managed more than half of council housing; more than 1 million homes in 65 local authorities (Robertson, 2010). In 2010, 66 per cent of funding was going to ALMO's and 25 per cent to PFI schemes (Hodgkinson, 2011).

As a consequence, housing associations have become the main social housing provider. In 2000, 3.2 million homes were directly managed by local authorities; by 2010, less than 800,000 were under local authority direct control (Hodgkinson, 2011). By 2019, 161 out of 326 housing authorities did not have a housing revenue account (Partridge, 2019) , meaning that they owned less than 200 dwellings.

FIGURE 3.2. HOUSE BUILDING: PERMANENT DWELLINGS (COMPLETED) BY SECTOR, ENGLAND



Source: Office for National Statistics (2020), House building, UK: permanent dwellings. Available from: https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ukhousebuildingpermanentdwellingsstartedandcompleted

3.3. SOCIAL SERVICES

In many ways Social Services have been the 'great survivor' of local authority services since 1979. However, they have experienced many of the same transformations as other service areas and their 'survival' as a local government responsibility may now be in more doubt than ever. In fact, we have moved towards an increasingly unstable situation, particularly in adult social care (Foster et al, 2020), with growing numbers of care home providers going out of business, and an estimated 1/3 of providers making a loss. The IPPR (2019) also raised concerns about the reliance on private bed provision for care beds: 84 per cent are now provided by the private sector; 13 per cent by the voluntary sector and only 3 per cent by the public sector. Larger providers have become more dominant, with two having gone into administration: Southern Cross in 2010 and Four Seasons in 2019. A survey of over half of local authorities found that 77 per cent had experienced a provider failure in 2015-16 (Hudson, 2016).

3.3.1 ENABLING AND OUTSOURCING

Since the early 1980s, local government's role has moved to that of 'enabler' rather than direct provider of services. The *Children Act 1989* and the *National Health Service and Community Care Act 1990* emphasised that the local authority's role should be to support parental and individual responsibility. The 1990 Act gave local authorities the lead responsibility for community care, and for the production of Community Care Plans, and explicitly sought the creation of a 'mixed economy of care', with a range of care providers, public, private and voluntary, being commissioned, via competitive tender, by councils, and regulated via contracts (Wistow et al, 1992). The Act also ended income support for Residential Care, and introduced a cash limited budget for Social Services Departments, 85 per cent of which had to be spent in the independent sector. In practice this led to transfers of residential accommodation to not-for-profit companies and an initial 'flurry' of privatisation, resulting in a major shift in the provision of care for adults. Local authorities which did not spend 85 per cent of budgets on the independent sector could be asked to repay all or part of the funding.

The move to the role of commissioner rather than provider of care has been accelerated also by the development of direct user involvement in decision-making. Since 2008, local authorities have been required to allocate personal budgets to those in receipt of care, based on a needs assessment, which could be taken in the form of a direct payment. From this, recipients could commission their own care from a range of providers. However, the *Care Act 2014* placed greater emphasis on choice via personal budgets, which had been boosted in the 2005 Life Choices Strategy but had no legal underpinnings, and introduced new national standards for eligibility assessment. Workload and financial pressures have mounted; the Act introduced a statutory requirement for personal budgets to be allocated to all individuals using state funded social care. A new legal 'WellBeing Duty' required an adult's 'eligible needs' to be met by local authorities and the provision of a care and support plan for each individual, which had to include a personal budget. There was also a new duty to arrange care for those with eligible needs even if they were not receiving any financial support with costs.

The 2014 Act represented a "wholly distinct agenda of public sector marketisation" (Tarrant, 2020: 281). Again, many of the requirements came in the form of guidance, which was and has been re-written several times. Subsequently, the volume of assessments for care increased significantly, an additional pressure during a time of austerity and rising demand for services. Mladenov et al (2015: 307) have thus argued that 'personalisation' was used to "legitimise retrenchment of public provision in the context of post-2008 austerity".

The Act also included new powers for local authorities to delegate many of their functions, and a range of new duties, including the promotion of the wellbeing of individuals and to promote integration between Health and Social care services. As a result, it was predicted that "the shape of the social care market will be significantly changed" (Barnes et al., 2014). An important change was the requirement for local authorities to manage and develop the market for care in their area and to produce market position statements – a 'market shaping' duty which anticipated them using commissioning to stimulate a range of providers.

3.3.2. INSPECTION AND NATIONAL STANDARDS

In line with the focus on inspection and monitoring in other service areas, the Social Services Inspectorate was established in 1985. The Audit Commission also had powers to review and monitor, and performance measures were developed as part of the Citizens' Charter initiative. Indeed, the 'audit explosion' of New Labour governments impacted on social services as much as anywhere, with Performance Assessment Frameworks, and the reporting requirements of Best Value, Local Area Agreements and so on. The Care Quality Commission, established in 2009, now monitors the financial sustainability of local providers, but local authorities still have to ensure care is maintained if a provider fails.

3.3.3. RING-FENCING

The *Care Act 2014* introduced more ring-fencing, via the Better Care Fund (given a statutory basis in the Act) and Improved Better Care Fund, whilst the Social Care precept was to be available for spending on adult social care. By 2018, approximately 30 per cent of spending on adult social care came from ring-fenced sources. As funds are increasingly allocated according to nationally assessed need, adult social care is increasingly coming to be seen as a central government service, with political pressures caused by rising demand leading to politicians making clear statements that, here, a 'postcode lottery' was not to be tolerated (Phillips, 2018: 42).

3.3.4. PARTNERSHIPS AND COMPETITION IN CHILDREN'S CARE

In many ways, integration with education and partnership working has become the dominant policy orientation in children's care, particularly since 2004 in England via statutory Child Protection Partnerships. Increasingly, partnership became the dominant model of service delivery here as in other areas of local governance, such that the New Labour agenda increasingly required both joining up and pluralisation, with 'joining up' being promoted via Care Trusts and Children's Trusts.

The partnerships which had resulted from the Laming Report (2003) set the overall policy framework until the *Children and Social Work Act 2017*. This saw the effective abolition in England and Wales of the Local Safeguarding Children's Boards (LSCBs), which had coordinated the work of children's trusts and their associated council departments. They have been replaced by a 'deregulated' system which instead places on individual councils a duty to establish bespoke 'safeguarding arrangements' suited to the needs of their local areas. These 'safeguarding partnerships' (an adaptation of earlier children's partnerships introduced by the Coalition government from 2010) were designed to speed up the process of assessing and attending to the needs of at-risk children. They normally involve close collaboration between three key agencies: the council and its local NHS Clinical Commissioning Group (CCG) and police chief constable. The Act's other key provisions included replacing the locally based 'Serious Case Review' (SCR) approach to investigating and learning from instances in which vulnerable children had suffered (or narrowly escaped) severe harm with a more centralised approach, overseen by a new National Child Safeguarding Practice Review Panel. Earlier, the *Children and Families Act 2014* had increased workload and financial pressures by requiring councils to prepare Education, Health and Care Plans (EHCP) for each child in need following an education, health and care assessment. This, in turn, leads to this work frequently being outsourced, often to the surprise of parents (for example, see the case of Trafford Council – Box 3.2.). This in turn is another example of blurred accountability and lack of transparency/ confusion as to who is providing and who is responsible for services.

BOX 3.2: OUTSOURCING SOCIAL CARE: THE CASE OF TRAFFORD EHCP

In 2017, A Freedom of Information (FoI) request to Trafford Council revealed that, since November 2014, 961 Education Health and Care Plans (EHCP) – setting out the support plans to be provided to some of most vulnerable children in the area – were outsourced to the Essex-based private company Enhance EHC Ltd (Cunningham, 2017). This came at a cost of £86,460.

The outsourcing to a company based more than 200 miles away from Trafford of what, according to the *Children and Families Act 2014*, should be a 'person-centred' support plan, sparked outrage across local communities (Cunningham, 2017). Many parents were unaware of the outsourcing of this service, and questioned whether the council followed correct procedures in the seven years during which this was common practice. The FoI request also revealed that no formal decision had been made about outsourcing the service, leaving many councillors unaware of it.

Trafford Council claimed that it strived to achieve the highest standards of education for all children and put good outcomes for young people at the heart of its services (Cunningham, 2017). Certainly, Trafford is not the only council that had to resort to outsourcing EHCP. But this example serves to show the effects of pushing outsourcing to the limits - with local authorities finding themselves in the 'impossible' position of having to provide essential services often in 'sensitive' areas while sticking to a centrally imposed framework and additional demands, without being able to rely on sufficient internal resources. It also sheds light on issues of accountability and lack of direct input from councillors, highlighted in Section 4.

Outsourcing and the use of the private sector has thus encroached into an area which had hitherto been relatively insulated from this trend (House of Commons Select Committee, 2020). Children's social care can now be outsourced to not-for-profit providers, which are not regulated by the CQC, whilst the LA Social Services Department, as a whole, is. There is no longer the clear accountability recommended by the Laming Report (Jones, 2015a). As with adult care, there has also been increasing reliance on the private sector in the provision of Children's Homes; in 2019 1,712 of these were private; 418 from local authorities, and 163 from the voluntary sector. Concerns have been raised, similarly, about the financial stability both of the sector and of providers (Rome, 2020), with much of the growth in the sector having been financed by loans.

As ever, the significant changes had been trailed by earlier initiatives. New Labour, on advice of Julien LeGrand, had set up Social Work Practices, with 5 Pilots. The *Children and Young Persons Act 2008* allowed for children's care *management* to be outsourced. A 2014 Bill proposed that all children's services could be outsourced, including to private providers, prompting widespread resistance and a government U-turn. However, private companies were subsequently allowed to set up not-for-profit subsidiaries, and sell to these companies at a profit. The work which could be outsourced to the non-profits included child protection investigations. This was done by a change in regulation, with no parliamentary debate or vote. As such, it was criticised in the House of Lords, where concern was expressed that provider organisations would not be regulated but local authorities would. For Jones (2015b), this represents 'the end game' for publicly provided children's social services and child protection and the 'academisation' of children's social work.

Equally, there have been several examples of Councils forming arms-length companies to deliver their children's services. 'Children First Northamptonshire will be the ninth such organisation to assume control of previously local authority-delivered children's services. A tenth, in West Sussex, is in the works, with local cabinet members soon due to consider the details of a memorandum of understanding with the DfE defining the scope of the county's children's services trust. Between them, they will be responsible for children's services in 12 areas, 8 per cent of the total (Turner, 2020). Results, however, have been mixed (Turner, 2020). Doncaster was the first to set up an independent children's services trust. This was handed back to the Council in 2019 to become a wholly-owned Council ALMO. Sutton LBC set up a company, COGNUS, to provide SEND services which was brought back into Council ownership in October 2020.

3.4. PLANNING

In the mid-1970s the planning system remained based on the principles of the 1947 Town and Country Planning Act. The 1947 Act established a system of comprehensive land use control, with local government having a broad stewardship of place responsibility and considerable discretion in setting overall strategic and comprehensive development plans for their areas. Development followed, in principle, the adopted plans (within a common national framework overseen by central government). In 2021, this picture

has fundamentally changed. The planning system and its processes are now more complex. There is no single planning system, with multiple structures for local, devolved and national planning and a proliferation of planning authorities, (including multiple agencies, combined authorities and the Greater London Authority) (Raynesford, 2018: 28). Yet, planning as a process ultimately now exercises fewer effective controls over the built environment. Local authority influence has waned significantly in the face of opaque central mechanisms of calculation (Raynesford, 2018: 28; Tait et al, 2020: 56).

3.4.1. THE UNRAVELLING OF THE POST-WAR CONSENSUS

By the mid-1970s and the rise of the New Right, planning was increasingly being identified as a regulatory burden, stifling enterprise (Davies, 1998; Cherry, 1996). In urban areas, policy moved to attracting private investment via incentives and direct involvement of business interests, and regeneration was led via property development and physical infrastructure. Regional and strategic planning was de-emphasised, and local development plans generally given less status, more easily challenged by developers (See Table 3.2.). Indeed, appeals against local planning decisions increased, reaching a record of 33,200 in 1988/89, while the success rate of developers upon appeal also rose from an average of 33% to 43% (Raynesford, 2020).

In parallel to these changes to the planning system, there was an association of Building Regulations with unnecessary delay and 'red tape'. The Building Regulations Act 1985 cut regulations from over 300 to 25. Building control, a duty of district councils, was also opened up to private providers, enabling developers to choose their own regulator. The Building Act 1984 thus part-privatised building control, creating the National House Building Council (NHBC), to which private 'certifiers' or 'approved inspectors' were affiliated. An 'approved inspectors' regime was introduced in 1997, allowing others to enter the market. In 1998, the scope for corporate bodies to become approved inspectors was widened, and the 'Better Regulation' initiative of Gordon Brown sought to further reduce regulatory burdens on business, further shifting the emphasis from enforcement to advice, and concentrating resources on high-risk areas.

However, the principles of the 1947 system largely remained intact as planning reforms were in practice 'curiously mixed', a series of ad hoc initiatives patched on to the existing system. Although it is hard to deny that the process was more developer, and less plan, led (Cherry, 1996), the 1990s arguably saw a return to the consensus over the need for a plan-led system, in response to rising appeals and new demands to address issues of environmental sustainability (Davies, 1998. 147). Yet, this 'return' to local plans was for some little more than a tactic by central government to shift political blame, for it was politically unwilling to bear responsibility for increasingly controversial disputes concerning Green Belt development (Allmendinger and Tewdwr-Jones, 2000, p.1384). The 1991 Planning and Compensation Act thus emphasised the primacy of the development plan and 'local choice' such that by 1996, it was possible to argue that 'local authorities find their position [in planning] a secure one' (Cherry, 1996, 222). The legacy of the 1980's, however, had a lasting impact on the system, and the profession, in that 'market forces in the 1990s [were] significant in a way that was not the case in 1947' (Davies, 1998, 148). Planning was now more attuned to negotiating with developers and leveraging in private investment.

TABLE 3.2. THE TWISTS AND TURNS OF LOCAL PLANNING PRIOR TO 2010

From 1981, creation of Urban Development Corporations (UDCs) *14 UDCs in place by mid-1990s.*	By-passes local government as UDCs, led by private sector appointees, have full planning powers. Focus on physical infrastructure with lack of attention to social regeneration and community engagement (see critiques of the London Docklands Development Corporation).
Building Act, 1984 and Building Regulations, 1985	Opening up to private inspectors of the duty of Building Control (previously a duty of district councils) through creation of the National House Building Council. Building regulations cut from over 300 to 25.
The White Paper, Lifting the Burden, and Circular 14/85.	Reduces powers of local government, not least through the presumption that planning permission should always be granted unless there were matters of acknowledged importance. Use Classes and General Development Orders amended, making development control more flexible. Planning and regulatory requirements were reduced in designated Enterprise Zones, introduced in 1981 (with 25 being in place by 1985). Local development plans downgraded 'to one, but only one, of the material considerations that must be taken into account in dealing with planning applications'.
1997-98, opening up building inspection to private providers and reduction of regulatory burdens	'Approved inspectors' regime introduced in 1997. 1998, scope for corporate bodies to become approved inspectors widened. 'Better Regulation' initiative further shifted the emphasis away from enforcement to advice and to high-risk areas.
New Labour and the renewal of regional strategic planning and national integration and co-ordination. *2004 statutory Regional Spatial Strategies, Regional Development Agencies and Housing and Communities Development Agency*	Local planning (now in the form of local development frameworks) required to dovetail with regional plans overseen by unelected RDAs and the Housing and Communities Development Agency.

Sources: authors' elaboration, based on documentary analysis.

3.4.2. LOCALISM AND PLANNING SINCE 2010

Against this background, the most significant changes to local government's role in the planning system have occurred since 2010 (see Table 3.3). The view of planning as a regulatory burden has become established firmly in government policy and the policy emphasis has shifted towards removing perceived barriers to house building, such that 'the system is now applied principally for the allocation of housing units' (Raynsford, 2017: 13). In fact, the planning system in 2017 was beset by a paradox 'where neighbourhood planning empowers communities but national policy restricts community choice, whereby the public interest is conflated with private interest' (ibidem).

Notably, the status of local plans has been weakened leading in practice to the end of the plan-led system. On the one hand, the need for local authorities to produce local development plans has been removed. As a result, post-2012 development plans, if formulated, have been reduced in policy scope to clearly reflect the national priority for housing (Raynsford, 2018). On the other hand, the development of 'bottom up' neighbourhood plans (Pycock, 2020), drawn up by Parish Councils or Neighbourhood Planning Forums in non-parished areas, has challenged the collective oversight of principal local authorities. As of 2018, 2,300 Neighbourhood Plans were complete or under preparation, but this activity has been skewed towards more affluent areas, producing so-called 'NIMBY's Charters', and there has been disappointment at their lack of status and their failure to withstand appeals (Raynsford, 2018).

Equally, local government controls over development have been weakened. First, the presumption in favour of development has been strengthened and its application broadened. It can now only be overturned if it can be proved that development will cause "'significant and demonstrable harm" to interests of acknowledged importance, while its application has been extended so it no longer applies merely to cases where 'no serious issue is involved' (Raynsford, 2017). Second, the Housing and Planning Act and subsequent secondary legislation also introduced 'permission in principle' or the permanent relaxation of permitted development rights. In association with a continued relaxation of Building Regulations, this 'permission in principle' has facilitated the controversial trend of converting offices and previously commercial premises into dwellings, without consideration of location and infrastructure issues (and, for example, homes being created on industrial estates). It is worth noting that planning 'betterment' powers which councils have in the form of Section 106 agreements and the Community Interest Levy cannot apply to permitted developments (PD). Evidence to the Raynsford Review suggested that the measures had delivered "a contractor - not designer - led process in which quality control has been side-lined so schemes can be value engineered to the lowest common denominator. The result

is shockingly poor design and dubious build quality" (Raynsford, 2018: 49).

The intense focus on housing delivery has had profound implications for local democratic control. The Housing Delivery Test (HDT), introduced in 2018 centrally determines the numbers of homes needed to be built across authorities, by calculating 'Objectively Assessed Need' (OAN), and imposes penalties for those who do not meet 95% of central targets for new homes.

For 2020, those not meeting 75% of target would see the 'presumption in favour of sustainable development' applied. This is the case whether or not there is a local plan in place. Results published in January 2021 indicated that 55 planning authorities would face this penalty, including, for example, Brentwood (69%), Spelthorne (50%) and Eastbourne (29%). Not only is the calculation of need, initially handed down by central government (in the OAN), it is controversial as it is calculated without due respect to local circumstances. Councils will often have severe restraints on available land and subsequent ability to deliver the numbers, leaving them with no effective control and open to relatively unrestrained development, whilst making it harder to enforce specific local planning policies, for example on tenure mixes of affordable housing.

Finally, the continued association of Building Regulations with unnecessary delay and the opening up of building control to private providers continued. In practice, the system allows a developer to choose their own regulator. By 2018, the NHBC had 80% of the market for new homes (Barratt, 2018). The Grenfell Fire Tragedy focused renewed attention on the reduction in Building Regulation requirements over the years, particularly with respect to fire safety, with the subsequent Hackitt Review recommending 'radical' and systemic change to the regulation and culture of building control' (Raynsford, 2018: 33). The Hackitt Review's recommendations were thus consistent with wider concerns, mentioned above, that the planning system was now allowing for lower quality standards of housing.

TABLE 3.3. LOCALISM PLANNING SINCE 2010

Accelerated reform – localism and planning since 2010	
Localism Act 2011	Abolishes regional plans. Introduced Neighbourhood Planning. Neighbourhood Plans, drawn up by Parish Councils or Neighbourhood Planning Forums in non-parished areas, which are adopted as part of local development plans.
2010-14 'Red Tape Challenge' required the removal of two regulations for each new one created	The Code for Sustainable Homes abolished. Prescribed national building standards reduced scope for councils to set building standards, particularly in terms of accessibility or space.
A new National Planning Policy Framework (NPPF), 2012	Reduced 1000 pages of policy down to 50; introduced a 'presumption in favour of sustainable development' criticised for its lack of statutory definition; presumption in favour of development 'can only be overturned by proving 'significant and demonstrable harm' to interests of acknowledged importance. Government would calculate if plans were 'out of date', with the key test being the failure to provide for a deliverable five year land supply, taking this out of local control and replacing it with a calculation of 'Objectively Assessed Need' (OAN).
2016 Housing and Planning Act	'Permission in principle' in the 2016 Housing and Planning Act the permanent relaxation of permitted development rights in subsequent secondary legislation. This has taken away controls over a range of developments, and, in association with a relaxation of Building Regulations (see below), has facilitated the controversial trend of converting offices and previously commercial premises into dwellings, without consideration of location and infrastructure issues (for example, homes being created on industrial estates). (Further, Section 106 agreements and Community Interest Levy cannot apply to the PD's, so the developer does not have to make a contribution).
Housing Delivery Test (HDT) 2018	Measures the number of homes built over a three year period against the calculated number deemed to be required, and applies penalties for those who do not meet 95% of this target.
2018 revision of the NPPF	Ends the need to develop detailed local development plans; rather, councils to develop strategic priorities set out in a strategic plan covering a small set of high-level issues.
White Paper, 'Planning for the Future' and associated consultation documents 2020.	Proposes permitted development in a 'zonal' planning development system, reducing local democratic determination of planning applications. Proposed use of a revised algorithm to calculate housing need, indicating a need for large scale house building in the south of England. January 2021 commitment to keep the existing method of calculation but apply a 35% 'uplift' in the numbers for London and the 19 largest cities and urban centres.
2010 - onwards	More developments defined as National Strategic Infrastructure Projects, determined by the Planning Inspectorate, with a limited role for local government.

Sources: authors' elaboration, based on literature review.

SUMMARY

Until the late 1970s, local government enjoyed direct responsibility as provider of a wide range of key services and was recognised as the principal local player, with relative discretion and autonomy. This trend has radically changed over the past decades.

- Councils have been stripped of many of their primary service delivery roles. At best, local authorities are now one provider amongst many, and face increasing difficulty in maintaining strategic oversight on key services.
- Councils have, at the same time, faced financial pressures and the imposition of additional duties which have perpetuated the trend to outsourcing and alternative methods of delivery.
- As a result, councils now have responsibility without power in many, crucial, policy areas - such as education, housing and social care.
- Changes have been complex and fast paced, creating a 'tangled web' of management, delivery, fragmentation, lack of clear lines of accountability and muddled structures.

The once 'Sovereign Council' has essentially been undermined by a thousand cuts and blows from the centre - to its funding, autonomy, and discretion – that have affected the way in which essential services are now delivered, to the detriment of local communities.

Image: David Story via Unsplash

4. SQUEEZING DEMOCRACY OUT OF THE LOCAL: REPRESENTATION DEFICITS AND 'TANGLED WEBS' OF ACCOUNTABILITY

Changes to central-local relations and accompanying transformations of local funding and service delivery have all served to raise questions over the competing electoral mandates and democratic legitimacy of central and local government. Councillors, and representative democracy, although not equating to the totality of 'local democracy', are key to the very health of local democracy and the concept of local government as representative of a community and provider of collective services. However, over time, we have witnessed an uncomfortable contradiction whereby ministers have asserted the ascendency of the national mandate at the same time as they have continued to stress the value of 'local democracy'. The national vote, in practice, persistently 'trumps' the legitimacy of the local, in a British political tradition that conceptualises centre-local relations as a zero-sum game of winners and losers, reluctant to seriously consider how collaboration across different tiers of political leadership and governance may come together in a healthy democratic system.

4.1 AD HOC LOCAL GOVERNMENT REORGANISATION

What has become clear since 1979 is that the basic democratic structures of local government have been increasingly used in an instrumental fashion by the centre. Central government's power to do so was clearly established by the abolition of the Greater London Council and the Metropolitan County Councils in the 1980s in what was a hurried and (largely perceived) outwardly political act. Indeed, the battles of Thatcher's governments with the New Urban Left Councils in the 1980s were driven by "her [Thatcher's] ideological distaste for the left [which] meant Labour-controlled councils became an inevitable target" (Travers, 2013). But, as we have seen, an overt, clear ideological distaste for local government has been rare, and then directed, of course, only at councils which are supposedly 'out of line'.

In fact, local governments have progressively been chopped, changed, and merged in a far more opaque and arbitrary fashion than ever. The re-organisation of the mid-1970s was the result of political machination and compromise, but at least, from 1966 with the establishment of a Royal Commission (Redcliffe-Maud) until the *Reform Act of 1972*, local government's place in national life was considered a matter of weighty concern. The Local Government Commission for England[1] established in 1992 (also known as Banham Commission) was a process, which initially endorsed this recognition of local government's place in national life, but the previous 'weighty concern' soon dissipated. Banham ended with 'unfinished business' in 2002, having created more unitary councils and leaving behind a more complex system than it started with. Post-Banham, local government reorganisation continued on an increasingly ad hoc basis, using increasingly dubious projections of financial benefits as a rationale for mergers (Chisholm, 2010). Indeed, the government's assessments of the financial savings from the creation of unitary councils was found, by some, to be seriously flawed, and ministerial statements during the process to be contradictory (Chisholm and Leach, 2011). Some commentators noted that "it is difficult to imagine how a disinterested observer could reach any conclusion other than that the Government has been persistently and deliberately dishonest" (Chisholm and Leach, 2011: 20).

Since 2010, the pattern towards *ad hoc* council mergers and the creation of unitary councils has become even stronger. In effect, District Councils in particular have been 'turkeys voting for Christmas', suggesting voluntary mergers. The main drivers here, from the government's perspective, are again "claims of cost savings

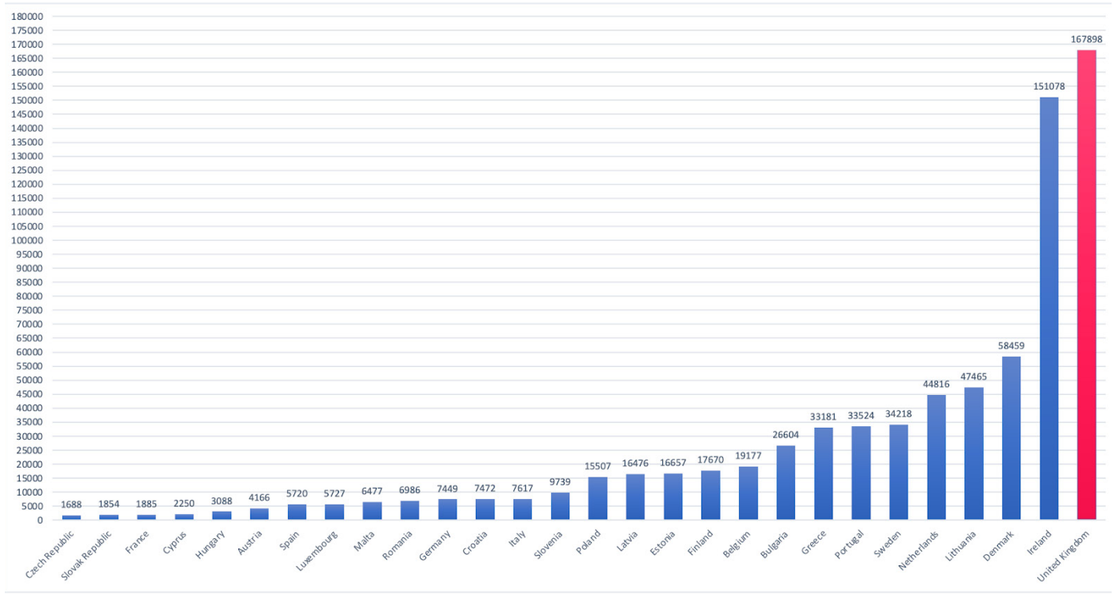
[1] Established under the Local Government Act 1992, the Banham Commission was responsible for reviewing the structure of local government in England from 1992 to 2002. The Commission could be ordered by the Secretary of State to undertake 'structural reviews' in specified areas, including recommendations for the creation of unitary authorities. It conducted a review of all the non-metropolitan counties of England from 1993 to 1994, making various recommendations on their future.

and more joined up delivery of services for customers" (Sandford, 2017). Many second-tier District Councils had no option but to intensify what had been an emerging trend towards providing services via contracts shared with neighbouring councils.

A 'stealthy' reorganisation was set in train with Ministers using financial pressure as a 'stick' and with Ministerial approvals being made on a case-by-case basis, on criteria which were largely kept guarded. Thus, for example West Northamptonshire and North Northamptonshire, from the existing county and six districts in Northamptonshire will come into being in April 2021. Notably, it now seems that Northamptonshire conveniently has no 'East' or 'South', and the fact that people in the previously named South Northamptonshire district now find that they are in fact in West Northamptonshire, as it is to that unitary council which they have been allocated.

This seemingly bizarre conclusion sums up in one example the extent to which considerations of expediency have triumphed completely with respect to local government structures. This has created a pattern of councils in England which is complex, but with a clear trajectory towards bigger authorities based on arguments of efficiency and effective service delivery – despite the fact that evidence on this still remains mixed. Indeed, ministers now recognise the 'magic figure' of over 300,000 people as the key requirement of a local authority. And yet, the average size of councils in our country is already much larger than their counterparts in the rest of Europe - as shown in table 4.1.

FIGURE 4.1. AVERAGE MUNICIPAL SIZE ACROSS EUROPE (NUMBER OF INHABITANTS)



Source: OECD & European Commission, Key Data on Local and Regional government in Europe (2016-17), available from: http://www.oecd.org/regional/EU-Local-government-key-data.pdf

Moreover, the whole issue of structure has been subsumed into a wider sub-regional agenda, as, particularly between 2010-2017, local governments have been an adjunct in the settlement of 'devolution deals' and the creation of Combined Authorities. Local authorities have been involved in devolution deals negotiations, but deal making has been quick and 'elite led', with negligible involvement of councillors, let alone local populations (Prosser et al, 2017) and was seen to be the only way to access essential funding, especially as austerity hit councils (Giovannini, 2018). In short, the sub-regional agenda has been 'the only game in town': local leaders recognised the limits of these new deals with central government, and yet had no other choice but to accept them (Giovannini, 2018). This 'devolution' of powers to local areas has been deployed as 'a functionally efficient means to achieve agreed policy outcomes' (Ayres, Flinders and Sandford, 2018), creating an essentially contractual relationship with the government in deals which are largely micro-managed by the Treasury (Lee, 2018). The result is a complex, overlapping plethora of institutional boundaries and 'deals' that vary considerably in terms of power and funding – as a consequence of various spatial 'imaginaries' and 'fixes' being deployed by governments at sub-national level (Giovannini, 2018). In addition, these deals cover only some parts of England - as such, only some local communities can benefit from them, creating a new 'geography of disparities' (Giovannini, 2018).

4.2 REDUCTION IN THE NUMBER OF COUNCILLORS

The push towards unitaries has inevitably led to a significant reduction in the numbers of elected local representatives, leaving us with "fewer councillors on super-sized councils" (Bottom and Game, 2012; Wilson and Game, 2011).

In 1978-79 there were 23,141 councillors in England and Wales, each representing an average population of 2,139. In 2017-18 the number had fallen by 18 per cent to 18,964, representing an average population of 3,177 (Barnett and Chandler, forthcoming; ONS, 2019).

Austerity has added to this, and the growing financial pressure on local authorities have led to calls for a 'councillor cull' as councillor expenses and allowances have been caught up in the drive for austerity and the general distrust towards politics (Clarke et al, 2016). Interestingly, some councils have been asking for Boundary Commission reviews based on suggestions for fewer councillors (Bottom and Game, 2012). The Conservative group on Croydon LBC, for example, in 2016 argued that there was 'a clear moral case', amidst austerity, for cutting councillor numbers. Indeed, since 2014, there has been a 'quiet revolution' in the local electoral landscape, with a loss of 500 councillors since 2014 (Game, 2019).

4.3 DECLINING OVERSIGHT AND THE RISE OF THE BACKBENCH COUNCILLOR

Central government has also not been averse to interfering in the internal democracy of councils and trying to change councillor behaviour. The Widdicombe Report of 1986 led to regulations concerning the make-up of Council committees. Increasingly the committee system, long the bedrock of local representative democracy, was 'tagged' as being cumbersome and inefficient. New Labour, as part of its programme of 'democratic renewal', sought to resolve the issue with the *Local Government Act 2000*, which for the first time created in law two types of councillor: the Executive and the 'Backbencher'. The centre's preference for readily identifiable, and for them hopefully more malleable, leaders is clear; both New Labour and Coalition/Conservative governments have attempted to push the Elected Mayoral model, now established in the Combined Authorities to this end, largely unsuccessfully.

'Backbench' councillors were to develop alternative, 'community leadership' roles, perceived to be a political community workers, but without the time and resources to do so (Barnett, Griggs, Howarth, 2019). The Committee system had provided these elected members with their main platform for influence, and offered an important route for communities, via their representatives, into the decision-making arena. The Scrutiny role has, in general, failed to fully establish itself, cutting across, as it does, party loyalties and failing to become embedded, culturally, as part of the ethos and practices of councils and, in practice, mainly concerned with retrospective review of decisions taken (Communities and Local Government Select Committee, 2017). The Executive/Cabinet model is essentially a managerial one in which 'strategic' decision making is separated from 'detailed' administration. Not only are councillors outside of the Executive/Cabinet further marginalised from decision-making, leading to the formation in authorities of 'two tribes' of councillors (APSE, 2014), the theoretical separation between 'key' decisions and the 'day to day' issues downgrades the importance of practical issues which Councillors deal with on a daily basis.

Alongside this, the trends in service delivery already noted have led to a reduction in the influence of the 'average' councillor. In essence, "the move towards service commissioning cuts councillors out of much day-to-day decision making" (Parker, 2013: 16; Barnett, Griggs, Howarth, 2019). Councillors not involved in the strategic decision making find themselves increasingly in the dark over the details of contractual arrangements which directly impact on their wards and which may be in place for 25 years (see the case of the Sheffield tree management crisis, Box 4.1; and also Box 3.2. in this report, p.27). This seems to represent an acceleration in a long-term trend towards the 'managerialisation' or de-politicisation' of the role of councillors, with elected members becoming overseers of contracts and monitors of performance at the expense of a fully formed 'political' role.

More broad trends are also at play: a mood of 'anti-politics' (Clarke et al, 2016) and distrust of politicians generally; the increasing salience of 'market based' or consumer democracy, with service users making direct contact with service provider and communicating preferences via choice; and the use of other participatory, deliberative initiatives.

BOX 4.1: THE 'SHEFFIELD TREE' MANAGEMENT CRISIS

In February 2019, seven campaigners who had been arrested whilst protesting against the felling of trees in Sheffield were judged to have been wrongfully detained, and given compensation, by the Independent Office for Police Conduct (Noor, 2019). Their arrest occurred between November 2016 and February 2017 amidst intense public objection to the City Council's highly controversial tree felling programme, which by April 2018 had seen nearly 6,000 trees felled (Flinders, 2018). The felling was being undertaken as part of a 25 year PFI contract, 'Streets Ahead', signed, amidst financial pressure from a shrinking city council budget, in 2012, with the private contractor Amey. 'Streets Ahead' covered a wide range of Highways management services with the street-tree element being seen by Amey as 'peripheral' to "the core highways-engineering element of the £2.4 billion contract. Furthermore, they had no knowledge of existing City Council strategies or policies relating to trees, environment, nature conservation, or public engagement" (Rotherham and Flinders, 2019: 194).
The controversy surrounded not only the actual felling, but also put the spotlight on local democracy and accountability, Council decision-making processes, and the opacity of service delivery by contract, where 'issues that are normally subject to scrutiny and public transparency, [are] classed as commercially confidential and access often tightly restricted' (Rotherham and Flinders, 2017: 193).

Sheffield, along with the majority of councils, had adopted the Council Leader and Cabinet model in the early 2000s. Prior to this, the Committee system had been in place and "the local political structures themselves had strong local democracy and accountability with hierarchies of council committees reporting to the main committee. Every ward member served on at least three committees/sub-committees" (Rotherham and Flinders, 2019: 194). 'Streets Ahead' was approved by the responsible Cabinet member later stating that he "was the democratic process and there was no need for further public consultation. The proposals from AMEY passed over his desk and he approved them as the democratically-elected member" (Councillor Jack Scott, Green Party community meeting, October 2013; cited in Rotherham and Flinders, 2019:194). It later became clear that neither the Council Leader nor other senior councillors even read an unredacted version of the contract (Sheffield Tree Action Group, n.d.)

Consistent with the nature of PFI contracts, campaigners had great difficulty in obtaining detail about what was in the 'Streets Ahead' contract. Frequent Freedom of Information requests and the intervention of the Information Commissioner were required to gain access to the documents and the Council's Highway Tree Replacement Policy, in 2018, which revealed, contrary to denials, that there was a total of 17,500 trees to be felled by the end of the contract (Whyman, 2020). In addition, the contract was inflexible, and would be costly to re-negotiate or cancel. The council made attempts to take on board public concerns, establishing a Highway Tree Advisory Forum (HTAF), which met twice (Heydon, 2020) and an Independent Tree Panel. In addition, the council had to pay Amey £70,000 for the 'delays' caused by considerations by the Panel. Overall, these attempts proved to be an "empty and frustrating form of engagement" (Heydon, 2020: 7). Indeed, "the existence of a long-term PPP has to a great extent severed traditional connections between governors and governed to leave the public frustrated by a lack of political responsiveness" (Rotherham and Flinders, 2019: 196).
In March, 2020, the city council agreed a revised approach, apologising for its past actions and announcing a partnership of the council, Amey, Sheffield Tree Action Groups, the Woodland Trust and tree valuation experts, which would take "smarter and more considered decisions" (Sharman, 2020). A longer term impact may well, however, be the galvanising of local democratic activity. The dispute saw the emergence of a campaign group 'It's Our City' and a campaign for the re-introduction of the Committee system in Sheffield which has been successful in securing a referendum to decide this on 6th May, 2021.

4.4. MULTIPLE ACCOUNTABILITIES AND BYPASSING OF LOCAL GOVERNMENT

The hollowing out of local government, new forms of service delivery, and the layering of reform upon reform, has seen the development of a complex range of overlapping accountabilities - be it market, contractual, managerial and performance related, or direct 'stakeholder' accountability through personal budgets and co-production. These overlapping chains of accountabilities have pushed local government to give account 'upwards', in the form of reporting and inspection to the centre, 'across' to partnerships and collaborations, and 'downwards' towards communities and individual service users.

A key concern, in terms of democratic accountability, has been the increased 'bypassing' of local government in favour of directly appointed bodies (quangos) which "exist between and around the core institutions of government" (Skelcher, 2000: 3). Concern over the growth of this 'new magistracy' of bodies appointed via political patronage (Stewart, 1996) grew in the 1980s. By 1996, there were 4,500 operating locally (Greer and Hogget, 1996), with a highly opaque variety of relationships with local authorities and growing influence of business interests (some examples of these, such as TECs, were outlined in Section 3 of this report). By 1995, it was already possible to identify the 'tangled webs' of accountability which had developed at local level (Charlesworth et. al, 1995). Such "changes ... stretched the elasticity of our received notions of accountability to the breaking point" (Considine, et al 2002: 23). The plethora of partnerships, particularly in the 2000s, the continued complexity of the sub-regional agenda, and the general 'hollowing out' of the once 'Sovereign Council' led to 'segmentation' of the public, and difficulty in establishing collective stewardship of a community.

Councils, weakened by a reduced service delivery role, have been able to maintain an influence in networks in which they remain the only local body with democratic legitimacy. However, they have lacked the 'hard power' to effectively establish a community leadership role (Stoker, 2011) or to effectively, democratically 'anchor' and hold to account the fragmented service delivery terrain. In other words, the Sovereign Council operated in a 'congested state' of partnerships and unelected bodies, "an alternative, collaborative governance structure for a locality which [was] largely outside of democratic processes" and which were closely linked to and regulated by the centre (Skelcher, 2004: 3).

Under the banner of 'localism', since 2010, there has been a trend to decrease some of the specific 'upwards' accountability and reduce it down to financial accountability. This has been coupled with an increase in accountability 'downwards' to individual taxpayers or 'armchair auditors'. The 2011 Right to Challenge and European procurement law also ushered in the risk that "outsourcing firms [could] effectively become the new, unaccountable observers of local public sector bodies" (Eckersley et al., 2014: 329). Meanwhile, accountability has also been further complicated by the ever-expanding web of local and regional bodies. As noted by the Institute for Government (2018), "the channelling of funds to autonomous and geographically overlapping bodies including academy schools, Local Enterprise Partnerships and an evolving system of Integrated Care partnerships ... have complicated accountability further, making it less clear who, if anyone, is accountable for the delivery of public services". Fast forward to the present, localities are now cross-cut with a range of often unclear and overlapping responsibilities (APSE, 2018) and, as a result, councils work in organisational and institutional arrangements which have 'fuzzy boundaries'.

BOX 4.2: TANGLED WEBS OF ACCOUNTABILITY

Schools
Multi Academy Trusts are now major players in the provision of secondary schooling, but councillors (and MPs too), let alone parents, find it difficult to hold them to account.

The *Wakefield Academies Trust* failed in 2017, leaving its 21 schools to be 'rebrokered' by the Secretary of State to other providers. The trust, the local authorities, the school commissioner and the Department of Education each attached blame to the others. Whilst local authority schools are inspected by OFSTED, Multi-Academy Trusts (MATs) and their governance are not. Regional Schools Commissioners provide oversight but again have no powers of inspection over MATs.

In fact, what we have now is an 'accountability maze' (Education Select Committee, 2017; Public Accounts Committee 2018). MATs are regulated financially by the EFA; their expansion is overseen by 8 RSCs; schools are inspected by OFSTED, who are not allowed to inspect MATs as a whole to scrutinise their governance procedures/Boards etc. Thus, whilst schools are inspected, Academy Chains themselves are not (Gash, 2015). Importantly, MATs are failing to connect with the school communities they serve (Baxter and Cornforth, 2021).

To add to this complexity, a move to a 'School Led Improvement' system after 2010 (Crawford et al, 2020) saw the evolution of forms of improvement partnerships, mainly Teaching Schools Alliances, adding to what had become a 'busy terrain' (Courtney, 2015: 799). Within this terrain, the House of Commons Education Select Committee (2017) recommended that there was a need for government to clearly define the role of local authorities.

Integrated Care
In December 2015, NHS England, along with the other arm's length bodies, issued a new requirement for all areas to produce a five-year Sustainability and Transformation Plan (Hudson, 2018: 15). Thus, since 2016, in England, Local Sustainability and Transformation Partnerships have been established to attempt to coordinate all health and care providers in 42 'local' areas, with these developing incrementally into Integrated Care Systems (ICS). ICS are not statutory bodies, and have no formal requirements as to their governance - so ICS have created their own structures (Kings Fund, 2018). Local government involvement varies and it has become increasingly difficult, therefore, to see how decisions are made and how local democratic oversight or scrutiny occurs (Ham, 2018; Hudson, 2016: 13). ICS have had little or no contact with Council scrutiny arrangements, while Health and Well-Being Boards have been sidelined (Humphreys, 2019). In evidence to the House of Commons Health and Social Care Committee in 2019, the chief executive of the King's Fund Sir Chris Ham stated that local authorities had received too little attention in the NHS Forward Plan.

Yet another model, Accountable Care Organisations, where all provider organisations would come together to deliver care against a capitated budget, with outcome objectives set for the health of the population was promoted from 2017. Despite the plethora of initiatives, barriers to integrated care persisted (Exworthy et al, 2017). Further complexity has been added by the Devolution of Health responsibility to the Greater Manchester Combined Authority. The result is a complex and overlapping set of geographical arrangements with more or less relationship to LA boundaries and serious doubts about the extent to which the boundaries represent 'place'.

Housing
There are concerns over representation for councils and tenant involvement on the boards and governing structures of Housing Associations and housing delivery vehicles.

Research has highlighted the prevalence of Boards with unequal representation of Council tenants and 'independents', and a trend for reduced numbers of Councillors (Pawson and Fancy, 2003). Smyth (2013:37) noted the anti-democratic tactics employed in 'persuading' tenants to choose (in ballots) alternative providers. He characterised the balloting of tenants as a "profoundly flawed and unequal process, given a veneer of democratic legitimacy' in which 'the empty rhetoric of tenant participation, [...] is contradicted by the increased power of private finance" and the misplaced introduction of corporate governance forms of accountability.

SUMMARY

The concept of local government as representative of a community, as well as provider of collective services, is key to a healthy democracy. However, the democratic role and legitimacy of councils and local representatives has been steadily weakened through central government reforms implemented over the past decades.

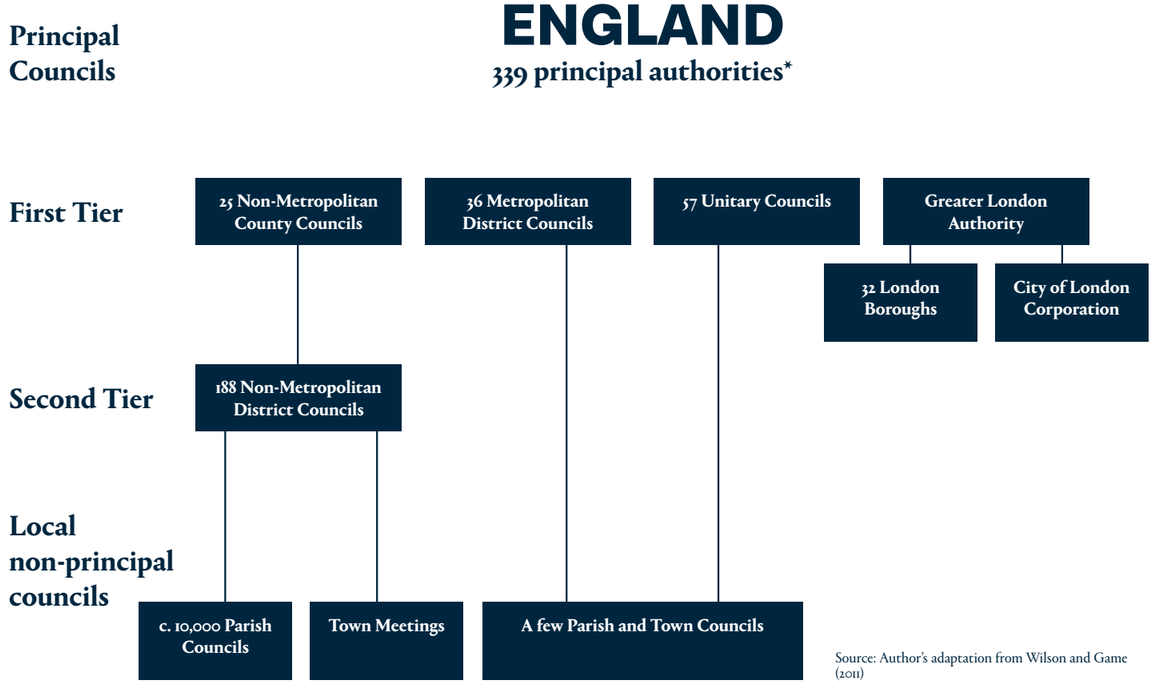
- Local government's representation and legitimacy has been reduced: the size of councils has grown, the number of councillors has fallen, and the introduction of 'backbench' councillors has left many local representatives playing only residual roles.

- Within councils, the introduction of the executive/cabinet model was meant to improve accountability. Instead, it has arguably introduced a more managerial model, while also fostering the creation of 'two tribes' of councillors, with very different leverage over local affairs. As a result, the influence of the average councillor has been reduced, and the role of the councillor has been increasingly 'managerialised' and 'depoliticised'.

- Councillors now also sit at the centre of a maze of multiple accountabilities. They are under increasing pressure to develop different skills, capabilities and modes of oversight that are often difficult to 'juggle'. In this way, there is a risk that 'accountability gaps' emerge, leaving communities disempowered.

- New 'tangled webs of accountability', especially over service delivery, have also coincided with local government being bypassed by a 'new magistracy' of unelected bodies, and having to operate within an organisational and institutional arrangement with fuzzy boundaries.

The erosion of local democracy has thus been substantial - putting into jeopardy the extent to which local government can continue to provide a vital democratic link for the communities it is elected to serve.



Source: Author's adaptation from Wilson and Game (2011)

* There are also Combined Authorities (CA) in some areas (i.e., Cambridgeshire and Peterborough; Greater Manchester; Liverpool City Region; North East; North of Tyne; Sheffield City Region; Tees Valley; West Midlands; West of England; West Yorkshire). Typically, Combined Authorities are groups of at least two councils that collaborate and take collective decisions across council boundaries. Currently, 9 Combined Authorities (all of the above except the North East CA) oversee a devolution deal under the lead of a metro mayor. Cornwall is the only unitary authority that has agreed a devolution deal individually, and does not have a metro mayor.

Overall, there are 10 directly elected mayors administering areas that include more than one council (i.e. in Cambridgeshire and Peterborough; Greater London; Greater Manchester; Liverpool City Region; North of Tyne; Sheffield City Region; Tees Valley; West Midlands; West of England; and West Yorkshire).

In addition, there are 15 mayors leading single local authority areas (i.e. mayors of Bedford Borough Council, Bristol City Council, Copeland Borough Council, Doncaster Metropolitan Council, Hackney London Borough Council, Leicester City Council, Lewisham London Borough Council, Liverpool City Council, Mansfield District Council, Newham London Borough Council, North Tyneside Council, Salford City Council, Tower Hamlets London Borough Council and Watford Borough Council).

APPENDIX 1 – LOCAL GOVERNMENT IN THE UNITED KINGDOM

There is no one system of local government across the United Kingdom (UK). There have always been variations of local leadership, organisational structures, and responsibilities across the UK landscape of local government. However, since devolution in 1997, local government across the four nations of the UK has taken different trajectories. In Scotland and Wales, there has been a sustained move towards collaboration, delivered for example in Scotland through single outcome agreements and community planning partnerships and through regional partnership boards and local public service boards in Wales. In contrast, in England, local government has arguably moved towards a multi-speed regime of 'go it alone' localism, typified by devolution and city deals between some authorities and not others (Cairney et al, 2016; Lowndes and Gardner, 2016).

Behind such contrasting overarching logics of governance are a series of organisational differences. First it is worth considering the responsibilities of local government. In Northern Ireland, local authorities are responsible for neighbourhood services such as street scene services, local planning, ground maintenance, cemeteries and waste collection and disposal. In the rest of the UK, councils have additional responsibilities, being also responsible for social care, parts of transport, housing, and education.

These responsibilities are undertaken by councils of different sizes and organisational forms. Here, the organisation of local government in England stands in marked contrast to the organisation of local government in Scotland, Wales, and Northern Ireland. In these latter nations, local government is composed of primarily single-tier unitary authorities (32 unitary authorities in Scotland, 22 unitary authorities in Wales[1] and 11 districts in Northern Ireland). However, in England, there is a complex patchwork of multiple tiers and structures. Local government, depending on the area of the country, can include parishes and

[1]There are over 730 town and community councils in Wales.

town councils (over 9,000 across England); two tier authorities (including some 26 counties and 192 district councils); single tier authorities (including unitary authorities, metropolitan and London borough councils).

Most recently, as part of the devolution and city deal processes in England, 10 combined authorities had been put in place, with councils often benefiting from increased powers and budgets as part of devolution deals with central government. Nine[2] of these ten combined authorities in England are led by directly elected metropolitan mayors, while some 15 unitary authorities have also transitioned to directly elected executive mayors at the head of the political leadership of the council. However, there are no legal provisions for combined authorities in Northern Ireland, Scotland, and Wales. There are also no executive mayors in Northern Ireland, Scotland, and Wales (although there is provision for executive mayors in Wales). In fact, councillors are elected through the First-Past-The-Post system at local elections in England and Wales, whereas they are elected under a Single Transferable Vote system in Northern Ireland and Scotland. Voting at local elections has been extended to 16 and 17-year-olds in Scotland and Wales. This is not the case in England and Northern Ireland.

Finally, local government is funded across the UK through a mix of central grants and local taxes. However, the balance between central and local sources of funding varies from country to country. In Northern Ireland, 70 per cent of local authority income comes from district rates. In contrast, local government in Scotland and Wales relies primarily for its funding on central government revenue grants (respectively 58 per cent and 67 per cent of council income) (Institute for Government, 2020a). In England, following the policy of financial localisation, which aimed to make local authorities more dependent on locally raised sources of income, council tax and business rates now account for some 70 per cent of local income. At the same time, under austerity, central government grants to English local authorities fell by 38 per cent in real terms (2009/10 to 2018/19) (Institute for Government, 2020b). Local authorities across the UK have been faced with continued reductions to central funding under austerity. But these cuts to spending have hit England the hardest and come later to local authorities in Scotland and Wales. In England, council spending on local services dropped by 24 per cent (from 2009 to 2017), compared to 11.5 per cent in Scotland, and 12 per cent in Wales (Gray and Barford, 2018).

[2]The most recent one, West Yorkshire, will elect its first 'metro mayor' in May 2021.

Image: Matthew Gerrard via Unsplash

APPENDIX 2 – INCREASED CENTRAL CONTROL THROUGH LEGISLATION

As detailed in Section 1, the use of Acts of Parliament has been one of the tools of central control that has been used to erode the power of local government over time. This appendix offers further examples of such cases.

The Education Reform Act 1988 gave to 'the Secretary of State far greater powers than ever before and arguably greater than those of any corresponding government minister in the western world' ranging from giving directions to the Higher education funding councils, to determining how governing bodies are allocated funds by LEAs, and being able to determine a high percentage of the curriculum for all but Independent schools (Harding, 1988: 131). Under the Act, the Secretary of State was given new powers to send a 'hit squad' (or 'Educational Association') into schools which he or she deemed to be 'failing'. The most important centralising instrument of the Education Reform Act was the introduction of a National Curriculum (for all maintained schools). In many ways, this was a remarkable innovation. Just a few years previously, it had been seen as an unacceptable and quite un-British intervention in a longstanding voluntarist tradition (Pierson, 1998). Also, the Act made possible the creation of a new form of school – City Technology Colleges (CTC) – that could operate under a different legal model which was designed to grant them additional freedom to innovate. Rather than following the legislation that governed maintained schools, CTCs had individual funding agreements with the Secretary of State for Education. Their relationship was based on individual contract, rather than common statute (Thornley and Clfton, 2016: 7).

The Children and Young Persons Act 2008 provided for local authorities to delegate social care functions relating to looked after children and care leavers to third parties and gave the Secretary of State power to make regulations extending the range of relevant care functions that may be delegated.

The Academies Act 2010 crystallised in law the model of individual funding agreements that had been used by previous Labour administrations, allowing the Secretary of State to 'enter into Academy arrangements with any person'. The Act set out only very minimal requirements on what a school must do to be classified as an academy (Thornely and Clifton: 9). The sole requirement that each school was able to enter into a mutually agreeable contract with the Secretary of State, meant that the statutory framework regulating academies remained extremely sparse (Thornley and Clifton, 2016: 10). The government is able to make changes to the requirements placed on academies (through funding agreements) without parliamentary approval (Thornley and Clifton, 2016: 4). This potentially gives government the power to make changes to schools' terms and conditions without sufficient parliamentary scrutiny and oversight. Conversely, if school freedoms were guaranteed through legislation then such moves would, at least in theory, be subject to greater parliamentary oversight (Thornley and Clifton, 2016: 4). Government is still able to make retrospective changes to academy freedoms and conditions if it wants to.

Freedoms afforded by individual contracts are, in reality, never entirely free from the possibility of government interference (Thornley and Clifton, 2016: 12). Decisions to add freedoms to, or remove them from, one model agreement have often been reversed subsequently – in some instances even within the course of a single parliament (ibidem).

The Care Act 2014 requires a care and support plan and personal budget for every person in need, but much is left to guidance, which has been changed several times (Tarrant, 2020).

The Education (Student Support) (Amendment) Regulations 2015 replaced, via secondary legislation, Education Maintenance Grants for Further Education, with loans - a major policy change.

The Cities and Devolution Act 2015 conferred wide discretionary powers on the Secretary of State with respect to the formation and operation of Combined Authorities. It is an enabling act creating the legal framework for 'deals' between central government and localities on the basis of which the nature of the devolution can be negotiated and agreed.

As noted by a local government law expert, one "of the more controversial aspects of the Act is the ability of the Secretary of State to change the constitution and membership of local authorities and make structural and boundary arrangements. For parts of England where there is no strong drive to establish combined authorities, or no consensus, the Act enables the Secretary of State to make regulations that fast-track changes to local authorities' governance, structural or boundary arrangements, or electoral arrangements" (Barnes, 2016). In addition, "the Act now enables the Secretary of State to make regulations about structural or boundary change in relation to a two-tier council area without the need for the unanimous consent of the affected councils" (idem).

REFERENCES

Allmendinger, P. and Twedwr-Jones, M. (2000) 'New Labour, New Planning? The Trajectory of Planning in Blair's Britain', *Urban Studies* 37(8), 1379-1402.

Atkinson, H. and Wilks-Heeg, S. (2000) *Local Government from Thatcher to Blair*. Oxford: Blackwell.

APSE (Association of Public Service Excellence) (2014) *Two Tribes? Exploring the Future Role of Elected Members*. Manchester: APSE.

APSE (Association of Public Service Excellence) *Bringing order to chaos How does local government hold to account agencies delivering public services?* Manchester: APSE.

APSE (Association of Public Service Excellence), (2020) *Selling services to schools Facing the future*. Manchester: APSE.

Ayers, S., Flinders, M. and Sandford, M. (2018) 'Territory, power and statecraft: understanding English devolution', *Regional Studies*, 52(6), 853-864.

Ball, S.J. (2018) 'The tragedy of state education in England: Reluctance, compromise and muddle— a system in disarray', *Journal of the British Academy*, 6, 207–238.

Barnes, J., Thompson, S. and Ashcroft, R. (2014) 'The Care Act 2014: the key points for local authorities', *Local Government Lawyer*, 5 June, available at https://www.localgovernmentlawyer.co.uk/adult-social-care/307-adult-care-features/18757-the-care-act-2014-the-key-points-for-local-authorities.

Barnes, J. (2016) 'Devolution Act gets Royal Assent', *Local Government Lawyer*, 4 February, available at: https://localgovernmentlawyer.co.uk/governance/314-governance-a-risk-articles/28721-devolution-act-gets-royal-assent

Barnett, N. and Chandler, J. (forthcoming) *Local Government and Democracy*. Manchester: Manchester University Press

Barnett, N., Griggs, S. and Howarth, D. (2019) 'Whatever Happened to Councillors? Problematising the Deficiency Narrative in English Local Politics', *Political Studies*, 67(3), 775-794.

Barratt, L (2018) 'London building control officers call for post-Grenfell renationalisation', *Inside Housing*, 2 May, available at: https://www.insidehousing.co.uk/news/news/london-building-control-officers-call-for-post-grenfell-renationalisation-56095

Baxter, J. (2018) Multi-Academy Trusts in England: Are they really Accountable? *Discover Society*, 1 August, available at https://discoversociety.org/2018/08/01/multi-academy-trusts-in-england-are-they-really-accountable/

Baxter, J.A. and Cornforth, C. (2021) 'Governing collaborations: how boards engage with their communities in multi-academy trusts in England', *Public Management Review*, 23(4), 567-589

BBC (2020) 'Coronavirus: UK councils fear bankruptcy amid Covid-19 costs', *BBC News* , 25 June 2020 https://www.bbc.co.uk/news/uk-53069772

Bennett, L. and Humphries, R. (2014) *Making best use of the Better Care Fund*. The King's Fund, available at https://www.kingsfund.org.uk/sites/default/files/field/field_publication_file/making-best-use-of-the-better-care-fund-kingsfund-jan14.pdf

Beswick, J, and Penny, J. (2018) 'Demolishing the present to sell of the future?' *International Journal of Urban and Regional Research*, 42(4), 612-632

Bottom, K. and Game, C (2012) 'Fewer councillors on super-sized councils: the UK's formula for increasing local democracy – not!'. Paper submitted to the IPSA 22nd World Congress of Political Science, Madrid, 8-12 July.

Boyle, D., Coote, A., Sherwood, C. and Slay, J. (2010) *Right Here Right Now. Taking co-production into the mainstream.* New Economic Foundation and Nesta. https://media.nesta.org.uk/documents/right_here_right_now.pdf

Bramley, G. (1985) 'Incrementalism Run Amok'. *Public Administration*, 63(1), 100-107.

Bulpitt, J. (1989) 'Walking Back to Happiness? Conservative Party Governments and Elected Local Authorities in the 1980s'. In C. Crouch and D. Marquand (eds) *The New Centralism*. Oxford: Basil Blackwell, pp. 56-74.

Butler, P. (2020) 'Former 'red wall' areas could lose millions in council funding review' *The Guardian*, 25th January, available at https://www.theguardian.com/society/2020/jan/25/former-red-wall-areas-could-lose-millions-in-council-funding-review.

Butler, P. (2021a) 'Swingeing cuts on cards as councils in England face funding crisis, watchdog warns', *The Guardian*, 10 March 2021, available at: https://www.theguardian.com/society/2021/mar/10/swingeing-cuts-on-cards-as-councils-in-england-face-funding-crisis-watchdog-warns

Butler, P. (2021b) 'Covid has exposed dire position of England's local councils', *The Guardian*, 10 March 2021. Available at: https://www.theguardian.com/society/2021/mar/10/covid-has-exposed-dire-position-of-englands-local-councils

Brady, D. (2019) Coming home: local government insourcing, *Public Finance*, 6 February 2019.

Brien, P., Sandford, M. and Keep, M. (2020) Local Government Finance Settlement 2020-21. House of Commons Library Brief N. Number 08818. London: House of Commons Library

Cairney, P., Russel, S., and St. Denny, E. (2016) 'The "Scottish Approach" to policy and policymaking', *Policy & Politics*, 44(3), 333-350.

Charlesworth, J., Clarke, J, and Cochrane, A. (1995) 'Tangled Webs? Managing Local Mixed Economies of Care'. *Public Administration* 74(1), 67-88.

Cherry, G (1995), *Town Planning in Britain Since 1900: The Rise and Fall of the Planning Ideal*. London: Blackwell.

Chisholm, M. (2010) 'Emerging realities of local government reorganization', *Public Money and Management*, 30(3), 143-150.

Chisholm, M., and Leach, S., (2011), 'Dishonest Government: Local Government Reorganisation, England 2006–2010', *Local Government Studies*, 37(1), 19-41.

Clarke, N., Jennings, W., Moss, J. and Stoker, G (2016), *The rise of anti-politics in Britain*, University of Southampton http://antipolitics.soton.ac.uk/files/2014/10/The-rise-of-anti-politics-in-Britain.pdf

Considine, M. (2002) 'The End of the Line? Accountable Governance in the Age of Networks, Partnerships, and Joined-Up Services', *Governance*, 15(1), 21-40.

Copus, C., Roberts, M., and Wall, R., 2017, *Local Government in England: Centralisation, Autonomy and Control*, Basingstoke: Palgrave.

Crawford, M., Bronwen, M., Coldron, J. and Simkins, T. (2020) 'Local authorities as actors in the emerging "school-led" system in England', *Educational Review*, Online first: https://www.tandfonline.com/doi/abs/10.1080/00131911.2020.1739625

Cunningham, C. (2017) '"Appalled": Council forked out £86,000 on getting Essex firm to write educational plans for children with special needs', *The Messenger*, 11 January 2017.

Daly, G. Mooney, G., Poole, L. and Davis, H. (2005) 'Housing Stock Transfer in Birmingham and Glasgow: The Contrasting Experiences of Two UK Cities', *European Journal of Housing Policy*, 5(3), 327-341.

Davies, H. W.E., 'Continuity and Change: The Evolution of the British Planning System, 1947-97' The Town Planning Review, 69(2), 135-152.

DLTR (Department for Transport, Local Government and the Regions) (2001), *Strong Local Leadership – Quality Public Services*. London: The Stationary Office.

Donnelly, K (2004) 'Education: No Longer a Role for Local Government?'. In G. Stoker and D. Wilson (eds) *British Local Government into the 21st Century*, Basingstoke: Palgrave, 107-110

Duncan, A. and Smith, P. (1995) 'Modelling local government budgetary choices under expenditure limitation' *Fiscal Studies*, 16(4), 95-110.

Dunleavy, P. (1995) Policy Disasters: Explaining the UK's Record, *Public Policy and Administration*, 109(2), 52-70.

Eckersley, P., Ferry, L and Zakaria, Z. (2014) 'A 'panoptical' or 'synoptical' approach to monitoring performance? Local public services in England and the widening accountability gap', *Critical Perspectives on Accounting*, 25(6), 529-538.

Exworthy, M., Powell, M. and Glasby, J. (2017) The governance of integrated health and social care in England since 2010: great expectations not met once again?, *Health Policy*, 121(11), 1124-1130.

Flinders (2018) 'The death of democracy in Stump City', OUP Blog, 1 April, available at https://blog.oup.com/2018/04/democracy-sheffield-trees/

Foster, D, Sandford, M, and Harker, R. (2020) *Adult Social Care (England)*, House of Commons Library Briefing Paper N. CBP07903

Fox, R and Blackwell, J. (2014) *The Devil is in the Detail: Parliament and Delegated Legislation*. London: Hansard Society.

Game, C. (2019) 'Local elections 2019: gone missing – 500 councillors', Democratic Audit , 2 May, available at https://www.democraticaudit.com/2019/05/02/local-elections-2019-gone-missing-500-councillors/

Gash, T (2015) '*Academy chains in a tangle*', Institute for Government Blog, available at https://www.instituteforgovernment.org.uk/blog/academy-chains-tangle

Giovannini, A. (2018). "The uneven path of devolution deals in Yorkshire: opportunities, challenges and local (di)visions". In C. Berry and A. Giovannini (eds.) *Developing England's North. The Political Economy of the Northern Powerhouse*. Basingstoke: Palgrave

Giovannini, A. (2021, forthcoming) In the eye of the storm: English local government and the COVID-19 crisis. In: Andres, L., Bryson, J.R, Ersoy, A. and Reardon, L. (eds) *Living with Pandemics: People, Place and Policy*. Cheltenham: Edward Elgar

Goldsmith, M. and Newton, K. (1983) 'Central-Local Government Relations: The Irresistible Rise of Centralised Power', *West European Politics*, 6(4), 216-233.

Gray, M. and Barford, A. (2018) 'The Depth of the Cuts: The Uneven Geography of Local Government Austerity', *Cambridge Journal of Regions, Economy and Society*, 11(3), 541-563.

Greer, A. and Hoggett, P. (1996) 'Quangos and Local Governance' in Government'. In L. Pratchett and D. Wilson (eds) *Local Democracy and Local Government*, Basingstoke: Palgrave, 150-169

Ham, C. (2018) 'Making sense of integrated care systems, integrated care partnerships and accountable care organisations in the NHS in England', The King's Fund, 28 January, available at https://www.kingsfund.org.uk/publications/making-sense-integrated-care-systems

Hambleton, R. (2014) *The 'Devo Manc' proposals represent centralisation on steroids*. LSE Blog, 7 November, available at https://blogs.lse.ac.uk/politicsandpolicy/the-devo-manc-proposals-represent-centralisation-on-steroids/

Harding, Sir Roy (2008) 'The effects of the education reform bill on education', *Local Government Studies*, 14(1) 131-137.

Haughton, G., Deas, I., Hinks, S., and Ward, K. (2016) 'Mythic Manchester: Devo Manc, the Northern Powerhouse and rebalancing the English economy', *Cambridge Journal of Regions, Economy and Society*, 9:2, pp. 355–370.

Heydon, J. (2020) 'Procedural Environmental Injustice in 'Europe's Greenest City': A Case Study into the Felling of Sheffield's Street Trees', *Social Sciences*, 9(6) 9-20.

Hodgkinson, S. (2011) 'The Private Finance Initiative in English Council Housing Regeneration: A Privatisation too Far?', *Housing Studies*, 26(6), 911-932.

Hudson, B. (2016) *The failure of privatised adult social care in England: what is to be done?* London: Centre for Health and the Public Interest.

Hudson, B. (2018) 'Commissioning for change: A new model for commissioning adult social care in England', *Critical Social Policy*, 39(3), 413-433.

House of Commons Education Committee (2017) *Multi-academy trusts* (HC 204) Seventh Report of Session 2016-17. London: HMSO. https://publications.parliament.uk/pa/cm201617/cmselect/cmeduc/204/20402.htm

House of Commons Housing, Communities and Local Government Committee (2016) *Housing associations and the Right to Buy. Second Report of Session 2015–16.* London: HMSO.

House of Commons Housing, Communities and Local Government Committee (2019). *Local government finance and the 2019 Spending Review. Eighteenth Report of Session 2017–19.* London: HMSO.

House of Commons Housing, Communities and Local Government Committee (2020) *Building more social housing. Third Report of Session 2019-21.* London: HMSO.

House of Commons Communities and Local Government Committee (2017) *Effectiveness of local authority overview and scrutiny committees First Report of Session 2017–19.* London: HMSO.

House of Commons Communities and Local Government Committee (2016) *Housing associations and the Right to Buy Second Report of Session 2015-16.* London: HMSO.

House of Commons Health and Social Care Committee (2019), *NHS Long-term Plan: legislative proposals Fifteenth Report of Session 2017–19.* London: HMSO.

House of Lords (2018) *The Legislative Process: The Delegation of Powers. 16th Report of Session 2017-19,* London: HMSO.

House of Lords Select Committee on the Constitution (2018) Corrected oral evidence: The legislative process: the passage of legislation through Parliament. Wednesday 13 June 2018, Evidence Session No. 3 Heard in Public Questions 168 – 175 (Evidence of Lord Lisvane), London: HMSO.

Humphries, R. (2019) 'Health and Well Being Boards and Integrated Care Systems' King's Fund, 13t November, available at https://www.kingsfund.org.uk/publications/articles/health-wellbeing-boards-integrated-care-systems

IFS (Institute for Fiscal Studies) (2007) *A Survey of UK Local Government Finance* IFS Briefing Note 74, London: IFS.

IFS (Institute for Fiscal Studies) (2019) Written evidence submitted [FSR 090] to the Housing, Communities and Local Government Committee: Local Government Finance and the 2019 Spending Review (HC2036), London: HMSO.

IFS (Institute for Fiscal Studies) (2020) *COVID-19 and English council funding: how are budgets being hit in 2020–21?* London: IFS. available at https://www.ifs.org.uk/uploads/R-174-COVID-19%20and%20English-council-funding-how-are-budgets-being-hit-in-2020–21.pdf

Insall, L (2020) *Fixing the Plumbing: Resetting the Framework of Local Government Funding*. London: Tony Blair Institute

Institute for Government (2020) *Parliamentary Monitor*. Available at https://www.instituteforgovernment.org.uk/parliamentary-monitor

Institute for Government (2018) *Parliamentary Monitor 2018*. London: Institute for Government

Institute for Government (2020a) *Local Government*, available at: https://www.instituteforgovernment.org.uk/explainers/local-government

Institute for Government (2020b), *Local Government Funding in England*, available at: https://www.instituteforgovernment.org.uk/explainers/local-government-funding-england

Jackman, R. (1985) 'Local Government Finance'. In M. Loughlin, D. Gelfand and K. Young (eds) *Half a Century of Municipal Decline*, London: Allen and Unwin, 44-168

Jessup, F. (1949) *Problems of Local Government in England and Wales*. Cambridge: Cambridge University Press.

Johns, M., Lockwood, R., Qureshi, A., Longlands, S. and Round, A. (2020) *State of the North 2020/21: Power up, level up, rise up*, IPPR North State of the North 2020-21 Report.

Jones, G, and Stewart, J (2012) 'Reflections on the Localism Act'. In J. Raine and C. Staite, (2012) *Will the World Be Your Oyster? Reflections on the Localism Act, 2011*, Institute of Local Government Studies, University of Birmingham.

Jones, R. (2015a) 'The marketisation and privatisation of children's social work and child protection: Integration or fragmentation?', *Journal of Integrated Care*, 23(6), 364-375.

Jones, R. (2015) 'The end game: The marketisation and privatisation of children's social work and child protection', *Critical Social Policy*, 35(4), 447-469.

Ladner, A, Keuffer, N. and Baldersheim, H. (2015) *Self Rule Index for Local Authorities* European Commission: Brussels.

Ladner, A, Keuffer, N. and Baldersheim, H. (2016) 'Measuring Local Autonomy in 39 Countries (1990–2014)', *Regional & Federal Studies*, 26:3, pp. 321-357.

Lansley, S., Goss, S. and Wolmar,C. (1989) *Councils in Conflict*, Basingstoke: MacMillan.

Le Sueur, A. (2012) *'Fun-loving guys', government 'doing anything that individuals do' and the rule of law'*, UK Constitutional Law Association Blog, 19 March, available at https://ukconstitutionallaw.org/2012/03/19/andrew-le-sueur-fun-loving-guys-and-the-rule-of-law/

Leach, S, Stewart, G. and Jones, G. (2018) *Centralisation, Devolution and the Future of Local Government in England*, Abingdon: Routledge.

LGA (Local Government Association) (2019) Right to Buy rules undermining council efforts to boost housebuilding, 24August, available at https://www.local.gov.uk/about/news/right-buy-rules-undermining-council-efforts-boost-housebuilding

LGA (Local Government Association) (2020) *Fragmented Funding*. London: LGA. available at https://www.local.gov.uk/fragmented-funding-report

Loughlin, M. (1985) 'Administrative Law, Local Government and the Courts'. In M. Loughlin, D. Gelfand and K. Young (eds) *Half a Century of Municipal Decline'*, London: Allen and Unwin, 121-143.

Loughlin, M. (1996a) 'Understanding Central-Local Relations', *Public Policy and Administration*, 11(2), 48-65.

Loughlin, M. (1996b) 'The Constitutional Status of Local Government', In L. Pratchett and D. Wilson (eds) *Local Democracy and Local Government*, Basingstoke: MacMillan, 38-61

Lowndes, V. (2002) 'Between rhetoric and reality: does the 2001 White Paper reverse the centralising trend in Britain?', *Local Government Studies*, 28(3), 135–147.

Lowndes, V. and Pratchett, L. (2012) 'Local Governance under the Coalition Government: Austerity, Localism and the 'Big Society'', *Local Government Studies*, 38(1), 21-40.

Lowndes, V. and Gardner, A. (2016) 'Local governance under the Conservatives: super-austerity, devolution and the 'smarter state'', *Local Government Studies*, 42(3), 357-375.

Martin, S. (2002) 'The Modernization of UK Local Government'. *Public Management Review*, 4(3), 291-307.

Midwinter, A. and Monaghan, C. (1995) 'The New Centralism: Local Government Finance in the 1990s', *Financial Accountability and Management* 11(2), 141-151.

Mladendov, T., Owens, J. and Cribb, A. (2015) 'Personalisation in disability services and healthcare: A critical comparative analysis', *Critical Social Policy*, 35(3), 307-326.

Murie, A. (1997) 'Housing'. In M. Parkinson (ed) *Reshaping Local Government*, Hermitage: Policy Journals, 38-61

Murie, A. (2004) 'Rethinking Housing and Planning'. In G. Stoker and D. Wilson (eds) *British Local Government into the 21st Century*, Basingstoke: Palgrave, 133-150.

National Audit Office (NAO) (2021) *Local government finance in the pandemic*. London: NAO.

Noor, P. (2019) 'Sheffield tree protesters win wrongful arrest payout', *The Guardian*, 4 February, available at: https://www.theguardian.com/uk-news/2019/feb/04/sheffield-tree-protesters-win-wrongful-arrest-payout

Parker, S (2013) 'Connected localism and the challenge of change'. In *Connected Localism'*, LGIU Report, London: LGIU, 53-67.

Parish, N., Baxter, A. and Sandals, L. (2012) *Action research into the evolving role of the local authority in education*. The final report for the Ministerial Advisory Group. Department for Education, available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/184055/DFE-RR224.pdf

Pawson, H. and Fancy, C. (2003) Maturing assets *The evolution of stock transfer housing associations*, Bristol: Policy Press.

Patterson, A. and Pinch, P. L. (2000) 'Public sector restructuring and regional development: the impact of compulsory competitive tendering in the UK', *Regional Studies*, 34(3), 265-275.

Partridge, S. (2019) Reopening the Housing Revenue Account - is it actually an option? *Social Housing*, 9 October available at https://www.socialhousing.co.uk/comment/comment/reopening-the-housing-revenue-account--is-it-actually-an-option-63624

Phillips, D. (2018) 'Equalisation, incentives and discretion in English local public service provision'. In *Governing England: Devolution and Funding*, British Academy Report, London: British Academy, 35-52

Pierson, C. (1998) 'The New Governance of Education: the Conservatives and education 1988-1997', *Oxford Review of Education*, 24(1), 131-142.

Power, M. (1994) *The Audit Explosion*, London: Demos.

Pratchett, L. (2004) 'Local Autonomy, Local Democracy and the 'New Localism'', *Political Studies*, 52(2), 358-375.

Prosser, B., Renwick, A., Giovannini, A. et al. (2017) 'Citizen participation and changing governance: cases of devolution in England', *Policy and Politics*, 45(2), 251-269

Public Accounts Committee (2018) *Converting schools to academies. Fifty-Second Report of Session 2017–19*, available at https://publications.parliament.uk/pa/cm201719/cmselect/cmpubacc/697/697.pdf

Pycock, G. (2020) 'London governance and the politics of neighbourhood planning: a case for investigation', *Town Planning Review*, 91(1), 21-45.

Quirk, B (2015) *Not Even Wrong: local government finance in England*, available at https://cdn.ps.emap.com/wp-content/uploads/sites/2/2015/01/not-even-wrong.pdf

Raikes, L., Giovannini, A. and Getzer, B. (2019) *Divided and Connected: Regional Inequalities in the North, the UK and the developed world*, IPPR North, State of the North 2019 Report.

Ranson, S. and Thomas, T. (1989) 'Education Reform: Consumer Democracy or Social Democracy?'. In J. Stewart and G. Stoker (eds) (1989) The Future of Local Government Basingstoke: Palgrave, 55-77
Ranson, S. (1995) 'From Reforming to Restructuring of Education'. In J. Stewart and G. Stoker (eds) (1989) *The Future of Local Government* Basingstoke: Palgrave, 107-125

Raynsford, N. (2017) *The Raynsford Review of Planning Creating a blueprint for a new planning system. Background Paper 2: The rise and fall of town planning*, available at https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=fffe8fd5-734f-489d-bd9e-d4e211a91b0b

Raynsford, N. (2018) *Planning 2020: Raynsford Review of Planning in England*, London: TCPA

Rome, A. (2020) *Profit-making and Risk in Independent Children's Social Care Placement Providers*. London: LGA & Revolution Consulting.

Rotherham, I.D. and Flinders, M. (2019) 'No Stump City: The Contestation and Politics of Urban Street-Trees – A Case Study of Sheffield', *People, Place and Policy*, 12(3), 188-203.

Sandford, M. (2016) 'Public services and local government: the end of the principle of 'funding following duties', *Local Government Studies* 42(4), 637-656.

Sandford, M. (2017) 'Two Tier or Not too Tier', *House of Commons Library Insight*, 18 April, available at https://commonslibrary.parliament.uk/two-tier-or-not-two-tier-that-is-the-question/

Sandford, M. (2020) *Reviewing and Reforming Local Government Finance*, House of Commons Briefing Paper No. 07538, London: HMSO.

Sandford, M. and Brien, P. (2021) *The Local Government Finance Settlement 2020-21*, House of Common Briefing Paper No. 09129

Sharman, L. (2020) 'Sheffield approves new approach to managing street trees', *LocalGov*, 12th March, available at https://www.localgov.co.uk/Sheffield-approves-new-approach-to-managing-street-trees/50170

Sheffield Tree Action Group (n.d) 'The 'Streets Ahead' PFI contract', available at: https://savesheffieldtrees.org.uk/the-streets-ahead-pfi-contract/

Shelter (2012) *Bricks or Benefits? Rebalancing Housing Investment*. London: Shelter.

Skelcher, C. (2000) 'Changing images of the State: overloaded, hollowed-out, congested', *Public Policy and Administration*, 15(3), 3-19.

Skelcher, C. (2004) 'The New Governance of Communities', In G. Stoker and D. Wilson (eds) *British Local Government into the 21st Century*, Basingstoke: Palgrave, 25-42.

Smyth, S. (2013) 'The Privatization of Council Housing: Stock Transfer and the Struggle for Accountable Housing', *Critical Social Policy* 33(1), 37–56.

Spencer, K.M. (1995) 'The Reform of Social Housing'. In J. Stewart and G. Stoker (eds) *Local Government in the 1990's*, Basingstoke: Palgrave, 145-165

Stanton, J. (2013) Localism in Action? UK Constitutional Law Association Blog, 14 March, available at https://ukconstitutionallaw.org/2013/03/14/john-stanton-localism-in-action/

Stewart, J. (1996) 'Reforming the New Magistracy', In L Pratchett and D. Wilson (eds) *Local Democracy and Local Government*, Basingstoke: Palgrave, 170-187

Stoker, G. (2004) *Transforming Local Governance: From Thatcherism to New Labour*. Basingstoke: Palgrave.

Stoker, G. (2011) 'Was Local Governance such a good idea?' *Public Administration*, 89(1), 15-31.

Tarrant, A. (2020) 'Personal budgets in adult social care: the fact and the fiction of the Care Act 2014', *Journal of Social Welfare and Family Law*, 42(3), 281-298.

Tait, M., Chapman, K. and Inch, A. (2020) 'Is the planning system broken?'. In *The Wrong Answers to the Wrong Questions: Countering the misconceptions driving the Government's planning reform agenda: A report by a group of independent planning academics*, 56-62. available at https://southhamssociety.org/wp-content/uploads/2020/09/TheWrongAnswers.pdf

Taylor-Goodby, P. and Stoker, G. (2011) 'The Coalition Programme: A New Vision for Britain or Politics as Usual?', *Political Quarterly*, 82(1), 4-15.

Thornley, C. and Clifton, J. (2016) *A Legal Bind: The Future Legal Framework for England's Schools*. London: IPPR.

Travers, T. 'Block Grant: the Story of a Failure', *Public Money and Management*, 5(2), 17-22.

Travers, T. (1986) 'An honourable draw? Local versus central government in the 1970s and 1980s', *Public Money and Management*, 6(3), 48-52.

Travers, T. (1987) 'Current Spending'. In M. Parkinson (ed) *Reshaping Local Government* Hermitage: Policy Journals, 9-24.

Travers, T. (1989) 'The Threat to the Autonomy of Elected Local Government'. In C. Crouch, and D. Marquand (eds) *The New Centralism*, Oxford: Basil Blackwell, 3-20

Travers, T (2004) 'Local Government Finance: Busy Going Nowhere? In G. Stoker and D. Wilson (eds) *British Local Government into the 21st Century*, Basingstoke: Palgrave, 151-164

Travers, T. and Esposito, L. (2003) *The Decline of Local Democracy: A History of Local Government Finance*. London: Policy Exchange.

Travers, T. (2013) 'Local government: Margaret Thatcher's 11-year war', *The Guardian*, 9 April, available at https://www.theguardian.com/local-government-network/2013/apr/09/local-government-margaret-thatcher-war-politics

Turner, A., (2020) 'Children's trusts: lessons from outsourcing 'failing' council services', *Community Care*, 9 October, available at https://www.communitycare.co.uk/2020/10/09/childrens-trusts-lessons-outsourcing-failing-local-authority-services/

UK2070 Commission (2020) *Make No Little Plans Acting At Scale For A Fairer And Stronger Future*. Final Report, available at: http://uk2070.org.uk/wp-content/uploads/2020/02/UK2070-FINAL-REPORT.pdf

Waterman, C. (2014) 'Local Government and Local Governance: 1944–2011 *Local Government Studies*, 40(6), 938-953.

Watt, P. (2004) 'Financing Local Government', *Local Government Studies,* 30(4,) 609-623.

West, A. and Bailey, E. (2013) 'The Development of the Academies Programme: 'Privatising' School-Based Education in England 1986–2013', *British Journal of Educational Studies*, 61(2), 137-159.

Whyman, P.B. (2020) 'Street Trees, the Private Finance Initiative and Participatory Regeneration: Policy Innovation or Incompatible Perspectives', *The Political Quarterly*, 91(1), 156-164.

Wilks-Heeg, S. (2009) 'New Labour and the Reform of English Local Government, 1997–2007: Privatizing the Parts that Conservative Governments Could Not Reach?' *Planning Practice and Research*, 24(1), 23-39.

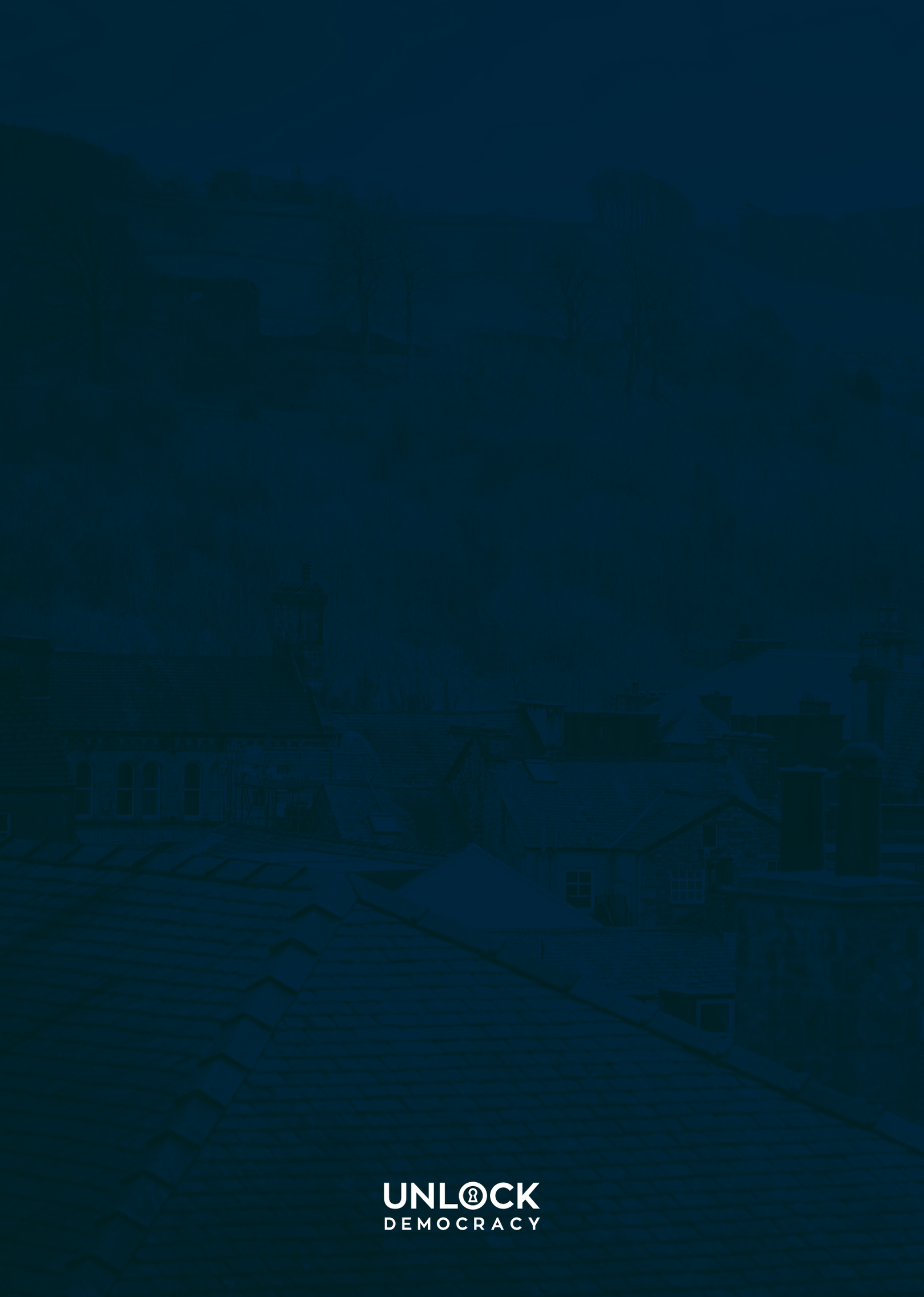
Wilson, D. (2003) 'Unravelling Control Freakery: Redefining Central-Local Government Relations', *The British Journal of Politics and International Relations*, 5(3), 317-346.

Wilson, D., and Game, C., 2011, *Local Government in the United Kingdom* (5th Ed.), Basingstoke, Palgrave.

Wistow, G., Knapp, M., Hardy, B. and Allen, C. (1992) 'From Providing to Enabling: Local Authorities and the Mixed Economy of Care', *Public Administration*, 70(1), 25-47.

Wright, T. (2002) 'The curse of centralism', *Public Finance*, 28 June, pp 22-23.

Young, K. and Rao, N. (1997) *Local Government Since 1945*, Oxford: Blackwell.



UNLOCK
DEMOCRACY