

The Rt Hon Angela Rayner MP
Deputy Prime Minister
Secretary of State for Housing, Communities and Local Government
Ministry of Housing, Communities and Local Government
2 Marsham Street
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Friday, 8 August, 2025

Dear Deputy Prime Minister,

I am writing to share the Centre for Governance and Scrutiny's views on the English Devolution and Community Empowerment Act.

Your ambition with this Bill is to provide citizens with the tools they need to change their futures and provide greater opportunities for locally led economic growth.

By empowering communities at different geographic levels – strategic authorities, principal authorities and neighbourhood governance – the Bill opens a door to greater democracy, if robust and effective scrutiny is embedded. While the Bill addresses some of this need, there is a genuine opportunity to go even further.

The Centre for Governance and Scrutiny was created out of the Local Government Act of 2000, which introduced overview and scrutiny committees for councils adopting the then-new leader-cabinet system. The Act established an explicit role for scrutiny in our local decision-making system for the first time. Since our founding in 2003, our mission has been to build on the principle that effective scrutiny reinforces and improves good governance and the delivery of local democracy.

Governance, accountability and scrutiny are at the heart of a thriving democracy. They help us to make better decisions and to understand decisions that are made. Our experience in local government shows that effective scrutiny is a bellwether for sound governance and decision making. We work with councils across all tiers, and in those under intervention, almost always, scrutiny and governance are weak in those authorities.

We see this Bill as a vital opportunity to rethink the accountability system to meet your ambition for devolution and community empowerment, ensuring that the strength of scrutiny and accountability are equal to the powers the Bill devolves. Along with colleagues working in local government and other sector partners, we stand ready to work with you. By delivering the right scrutiny and governance, your plan to give more power to people will be realised.

While we will submit detailed evidence to the Public Bill Committee, we set out initial

comments below. We look forward to having an opportunity to discuss these initial reflections with you.

Yours sincerely,

Mel Stevens,

Chief Executive

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Initial comments

Mayoral powers and responsibilities

We welcome Government's creation of frameworks that will create a clear codified process for expanding mayoral powers duties. However, we think this must go hand in hand with stronger expectations on accountability.

- **The ability of the Secretary of State to grant mayors additional powers:** It is good to see in the interests of transparency the arrangements set out in the Bill on the potential granting of Mayoral powers through provision for a "right to request" powers and connected provisions, as well as the clarity and focus provided by the mayoral powers of competence. We would suggest:
 - strengthening these arrangements by requiring full mayoral consent for the removal or modification of powers;
 - stronger accountability arrangements to accompany additional powers, with expectations that areas benefiting from integrated settlements show a culture of transparency, self-awareness and openness to challenge.
- **Mayoral commissioners:** The role offers enhanced executive capacity allowing the mayor to draw on technical expertise and skill from outside the strategic authority. Accountability for these roles is essential, and clearer provision should be made within the Bill itself. We would also suggest that the justification and cost is visible and subject to scrutiny.
- **Revised voting arrangements:** Moving from unanimity to majority voting could speed up decisions but it risks undermining local consensus if not handled with care. Authorities will need to be supported to consider how this might affect the balance of representation on combined authority cabinets and voting arrangements.
- **Wider accountabilities:** We hope to see future legislation covering the wider governance eco-system, including mechanisms for public accountability and the role of local accounting officers to build public assurance and support joined-up governance.

Local audit

We see audit as a key part of ensuring the ability of councils to manage risk and governance weaknesses. These are welcome moves, particularly the establishment of the Local Audit Office (LAO) and plans for a more reliable local audit system. However, we think there are missed opportunities to strengthen assurance in practice and provide reassurance that capacity for audit in the sector will be addressed. The Bill could go further in the powers of the newly established LAO and the rights held by local councillors, and the public, with

regard to financial oversight. And key matters from the Redmond Review that remain to be addressed, and substantial risks in the audit landscape (e.g. disclaimed audits) that may require stronger safeguards for authorities and Government.

- **Overall role and remit of Local Audit Office:** More detail about the role of the LAO is needed, especially regarding the oversight that the LAO might play in the wider assurance framework for local government. We are disappointed not to see provision brought forward for the designation of local accounting officers, which we think should be seen as a vital part of the governance jigsaw.
- **Audit insight and alignment with the National Audit Office's complementary thematic value for money work:** We think that there is a clear opportunity for the LAO to carry out a broader sector insights function, supporting Government's stewardship role on sector performance and wider sector improvement activity.
- **The work of audit committees:** While audit committee duties are rightly formalised, it is important that this doesn't inadvertently sideline the role of scrutiny committees or cabinet leadership in wider oversight and assurance – especially where duties around finance, risk, and value for money overlap with overview and scrutiny committees.

Local authority governance and neighbourhoods

This Bill offers an opportunity to reimagine local democracy, not just structures but in culture and practice. However, we think the Bill could go further and do more to support authorities to build and maintain the systems to support local accountability and local involvement in the design and delivery of public services.

- **Neighbourhood governance:** We welcome the provisions requiring local authorities to secure effective neighbourhood governance, an essential step to ensure that structural reform does not diminish local voices. However, we urge Government to avoid a prescriptive model that could stifle local flexibility and innovation. The opportunity in this Bill is to go beyond a one-size-fits-all model and instead offer a pluralist approach that retains flexibility to design models appropriate to local contexts. Our work around [relational constitutions](#) shows how co-created governance can embed local knowledge, trust and participation.
- **Abolition of the committee system:** Our experience of working with different governance systems is that it is better to set standards and principles for their operation than to set hard rules on governance arrangements. For that reason, it's regrettable that the government has chosen to remove choice from authorities by abolishing the committee system, particularly for those councils that have a direct mandate from residents. Public voice should have a role in shaping what future governance looks like. Support should also be provided to councils adapting their structures as a result.

What comes next

We understand that further legislation is expected and welcome clarification on the timing, and detail, of your plans for legislation in the following areas:

- **Enhanced powers for strategic authority (including provision for local Public Accounts Committees):** We have noted above that the Bill as it stands focuses on Mayoral powers. We hope and expect that legislation soon to come will balance those arrangements with strengthened systems for scrutiny and accountability. Along with your ongoing work

exploring options for local Public Accounts Committees, we would welcome discussion about the accountability implications of public service reform – notably, how partners coming together locally to delivery commonly held priorities will ensure that the work will be subject to meaningful oversight.

- **Local authority scrutiny:** In a fragmented public policy landscape, stronger collaboration between institutions is essential. This must be underpinned by clear, effective governance. Without this, there's a risk of decisions being made informally or without sufficient oversight. As Government looks to create incentives for more joined-up work, we believe there's a real opportunity to position good governance and particularly effective overview and scrutiny, as a core enabler of successful and sustainable public service reform.
- **Remote meetings:** Noting Government's earlier commitment to bringing forward legislation on this, we would highlight this as a matter of priority. This is a long-standing issue that will affect growing numbers of combined authorities and short-term arrangements connected to local government reorganisation. A legal framework exists, tested during the pandemic and informed by Welsh experience. As such we would recommend bringing plans forward to this Bill rather than waiting to legislate in the future.
- **Proxy voting:** We would reiterate the concerns about this as expressed in our response to your initial consultation, and are keen to support you to ensure that such arrangements, when introduced, are robust and serve the interests of local democracy.
- **Community involvement:** While most councils are committed to involving local people, rigid statutory consultation duties can be counterproductive. However, there is value in learning from the broader statutory duties introduced in Wales through the Local Government and Elections (Wales) Act 2021. These offer a useful model for strengthening community involvement in more meaningful ways – particularly when considering the wider accountability needs of Mayors and local authorities as public service reform progresses.
- **Standards:** We've responded previously on this issue and continue to see growing challenges around poor conduct and behaviours – both by some councillors and, increasingly, by the public. There is a clear opportunity to strengthen protections for councillors against harassment, bullying and intimidation.

We are committed to working with you, to contribute more to the Bill, to further legislation and then to supporting councils, strategic authorities and sector partners to meet this exciting moment for local democracy.

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