



House of Commons  
Communities and Local  
Government Committee

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# The work of the Communities and Local Government Committee since 2010

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**Tenth Report of Session 2014–15**

*Report, together with formal minutes relating  
to the report*

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## The Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

### Current membership

[Mr Clive Betts MP](#) (*Labour, Sheffield South-East*) (Chair)

[Bob Blackman MP](#) (*Conservative, Harrow East*)

[Simon Danczuk MP](#) (*Labour, Rochdale*)

[Mrs Mary Glendon MP](#) (*Labour, North Tyneside*)

[David Heyes MP](#) (*Labour, Ashton under Lyne*)

[Mark Pawsey MP](#) (*Conservative, Rugby*)

[John Pugh MP](#) (*Liberal Democrat, Southport*)

[Alec Shelbrooke MP](#) (*Conservative, Elmet and Rothwell*)

[John Stevenson MP](#) (*Conservative, Carlisle*)

[Heather Wheeler MP](#) (*Conservative, South Derbyshire*)

[Chris Williamson MP](#) (*Labour, Derby North*)

### Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

Committee reports are published on the Committee's website at [www.parliament.uk/clg](http://www.parliament.uk/clg) and by The Stationery Office by Order of the House.

Evidence relating to this report is published on the [inquiry page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Glenn McKee (Clerk), Dr Anna Dickson, (Second Clerk), Stephen Habberley (Inquiry Manager), Kevin Maddison, (Committee Specialist), David Nicholas (Senior Committee Assistant), Eldon Gallagher (Committee Support Assistant) and Gary Calder (Media Officer).

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## Summary

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For this, our final report of the Parliament, we decided to look back at our work since 2010 and to look ahead to the next Parliament. As well as drawing on our own reflections and deliberations, we sought views from those with an interest in our work. We issued a call for written submissions, to which we received over 20 responses. We supplemented this written evidence with a roundtable discussion with some of those who answered our call for submissions, specialists who have advised us and witnesses.

It is one of the strengths of scrutiny by select committees that they have freedom to determine what they will examine. This report is intended to distil our experiences over the Parliament for the benefit of our successors and also serves as a report on our work for the Liaison Committee. It considers how we approached our work, the way we have used research and how this might be strengthened, and our own assessment of performance against the core tasks set by the Liaison Committee. It then suggests some matters our successors might consider examining in the next Parliament (but it is, of course, for the new committee to determine its own priorities and programme). These include both 'unfinished business', topics we have looked at over the Parliament to which our successors might wish to return, and new developments, which we consider will emerge as major issues over the next five years.

We wish those scrutinising local government matters in the next Parliament well in what is a crucial and interesting area of government. We also put on record our thanks to all who have contributed to our work over the last five years.



# 1 Introduction

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## Purpose of the report

1. For our final report of this Parliament we decided to look back over our work since 2010. In the past, we, like other select committees, have produced reviews of our work towards the end of each session and these have examined how during the preceding year we addressed the core tasks suggested as a guide by the Liaison Committee.<sup>1</sup> It is our intention in this report not only to cover these core tasks and to comment on our recent work but also to provide a wider perspective on our work since the beginning of the Parliament in 2010 and to reflect on major issues likely to arise in the next Parliament. To assist in the preparation of this report, we sought views on how we carried out our work and what changes may be ahead from 2015. Our objective is to distil our experience into a report for the benefit of our successor committee in the next Parliament as well as the Liaison Committee.

## Written contributions

2. In reviewing our work we have, as we have done previously,<sup>2</sup> drawn on our own experiences and deliberated as a committee. In addition, several members have produced personal reflections on working on a select committee and these are interspersed through this report. To obtain the views of those beyond our Committee with an interest in our work we issued a call for written submissions on 12 November 2014.<sup>3</sup> We sought views on four areas.

- a) First, on how we carried out our work since 2010, particularly in scrutinising and reporting on the Department for Communities and Local Government (DCLG), its agencies and local government. We explained the broad strategy we had adopted since 2010 which focused on (i) the review of policies as they were formulated by the Coalition Government in the earlier years and how we then shifted later in the Parliament to reviewing the implementation and impact of these policies; and (ii) carrying out inquiries into the major areas of policy for which DCLG is responsible. As is usual select committee practice we also carried out a number of inquiries as new issues and concerns emerged. We made it clear in the call for submissions that we welcomed contributions reflecting on our approaches and techniques used for identifying, collecting and analysing evidence and publicising our activities, and on the impact of the recommendations in our reports. (There is a complete list of the reports we have published since 2010 at the end of this report.)
- b) Second, we have firmly supported the Coalition Government's policy of greater localism. For this policy to operate effectively local services have to be scrutinised

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1 Liaison Committee, Second Report of Session 2012–13, [Select committee effectiveness, resources and powers](#), HC 697, paras 16–20

2 See Liaison Committee, Session 2013–14, written evidence from the Communities and Local Government Committee ([SCE 002](#)).

3 CLG Committee Press Notice, '[CLG Committee to report on its own work](#)', 12 November 2014

effectively. The recent reviews into child sexual exploitation in Rotherham<sup>4</sup> and governance in Tower Hamlets<sup>5</sup> have revealed systemic weaknesses in local scrutiny and have given us concern that scrutiny within local government is not operating as effectively as it should. In the time available we took evidence on child sexual exploitation in Rotherham (and produced two reports),<sup>6</sup> which underlined our concerns about local scrutiny. We would have wished to carry out a major inquiry—which typically takes six to nine months—into local government scrutiny if there had been time. Instead, in the call for evidence made in November 2014 we sought views on local scrutiny.

- c) The third area on which we sought written submissions were the changes and challenges that can be expected from 2015, which may affect the work of the select committee scrutinising DCLG and local government. We see this as an opportunity to scan the horizon and provide some pointers.
- d) Finally, we asked for views on how we have handled and weighed up evidence. We wish to take the opportunity of this report to reflect on the types of evidence we have used to carry out our work. One question we posed was whether there could be greater scope to use and test research evidence—for instance, where an inquiry could be informed by social science research—and if so, how this might be best incorporated into the ways in which we work. Our interest in this issue arose from our participation in a project being led by the Parliamentary Office of Science and Technology in partnership with the Economic and Social Research Council and with support from University College London.<sup>7</sup> This project is studying the ways that research feeds into parliamentary processes of scrutiny, debate and legislation.

We received over 20 submissions which we have published.<sup>8</sup> **We have drawn on the written submissions we received at several points in this report but we have not set out to summarise them and we suggest that our successor committee may wish to read them.**

## Roundtable discussion

3. We supplemented the written evidence with a roundtable discussion with some of those who answered our call for submissions, specialists who have advised us and witnesses. A note of the main points made in discussion is appended to our report.

## Coverage of the report

4. Our report therefore not only looks back to the work we have done since 2010 but also forward to the next Parliament. It is our intention that this report will provide one of the

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4 Rotherham Metropolitan Borough Council, [Independent Inquiry into Child Sexual Exploitation in Rotherham 1997–2013](#), August 2014

5 PWC, [Best Value Inspection of London Borough of Tower Hamlets Report](#), 16 October 2014

6 Communities and Local Government Committee, Third Report of Session 2014–15, [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648; Ninth Report of Session 2014–15, [Child sexual exploitation in Rotherham: Ofsted and further government issues](#), HC 1144

7 Parliamentary Office of Science and Technology, [Evaluation](#), accessed February 2015

8 CLG Committee, [Written evidence submitted to inquiry into the Work of the Committee since 2010](#)



briefing papers for the new committee. We also hope that it can be used to improve continuity between this Parliament and the next. It is neither our job, nor intention, to trespass on the discretion of the new committee or to set its agenda but the business of local government does not stop with the dissolution of Parliament and we have therefore used our report to set out, at chapter 5, some unfinished business which the new committee may wish to follow-up and include in its programme of work. As well as that chapter we have structured our report with chapters on: our methods of working (chapter 2); and linked to that, how we handle research, including both that submitted to, and used in, inquiries and the research we commissioned (chapter 3); a review of the core tasks for select committees suggested by the Liaison Committee (chapter 4); and a review of major developments that we suggest may inform the new committee's deliberations (chapter 6).

### **Record of appreciation**

5. We must put on record our thanks not only to those who have contributed to this report but all those since 2010 who have taken the trouble and effort to submit written evidence and to appear before us to give oral evidence, all of which has been essential to our work. We also put on record our thanks to the specialist advisers who have provided professional and technical guidance in many of our reports.

## 2 Methods of working

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6. In this chapter, we consider how we have approached our work over the course of the Parliament. We set out the approach we have taken to collecting evidence, some of the difficulties that have arisen and also give examples of some of the more innovative approaches we have used.

### Gathering evidence

7. In most cases, our inquiries have begun with a call for written evidence. Usually, this has been a general call, sent out to all those who have asked to be on our circulation list and to contacts in the media. Calls for evidence have also been put up on our website and, since 2013, tweeted from our Twitter account.<sup>9</sup> Over the last two years, we have taken particular steps to encourage local authority scrutiny committees to contribute to our inquiries.<sup>10</sup> We understand, however, that our calls have not always reached those working in local government scrutiny, and would encourage our successors to explore further how links can be made.

8. We have published on our website all written submissions that we have accepted to our inquiries. We regularly receive requests to keep evidence private and for private meetings. While recognising these requests are made for the best motives, we have resisted them as they can be an impediment to our work: our reports need to be based on evidence and we need to be able to cite evidence that is publicly available. Unless there has been a good reason to withhold material such as the need for confidentiality we publish it.<sup>11</sup>

9. When drawing up a programme for oral evidence, we have taken care to ensure we hear as wide a range of views as possible within the time available to us. The composition of panels giving oral evidence has varied depending on the nature of the inquiry and the aims of particular sessions. For longer inquiries, we have often taken a thematic approach, looking at a different aspect of the inquiry in each session. We have also found it useful to have witnesses with differing viewpoints on the same panel, enabling us to test the strength of the conflicting opinions and evidence.

10. As well as full inquiries, we have also held a number of ‘one-off’ oral evidence sessions. These have usually taken place in response to a particular development or announcement: one example was the session we held with the Housing and Planning Ministers in October 2012, after the announcement of a housing stimulus package the previous month.<sup>12</sup> In

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9 See Twitter: [@CommonsCLG](#).

10 See, for example CLG Committee, ‘[Call for evidence on fiscal devolution](#)’, 27 November 2013; ‘[Community Rights: Terms of Reference](#)’, 9 June 2014.

11 For example, in our inquiry into Park Homes we redacted details that would have identified those living in park homes who may have been at risk of retaliatory action by site owners—see CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I.

12 CLG Committee, Oral and Written Evidence, [15 October 2012](#), HC (2012–13) 626-i

some cases, when wider issues have emerged during these sessions, they have led to a letter to the relevant Minister<sup>13</sup> or even a report.<sup>14</sup>

### **Approaches to questioning**

11. In 2013, we took advantage of the Committee Office's provision of support on questioning techniques from an external provider, in order to review not only our methods of questioning but also the techniques that some witnesses increasingly use to deflect questions. **We found support on questioning techniques to be beneficial and would commend it to our successor committee, perhaps at an earlier stage in the next Parliament than we took it.**

### **Other approaches to evidence gathering**

12. We consider that our approach to gathering evidence ensured our inquiries were conducted transparently and in public. What is now as important—compared to previous Parliaments—is that the evidence is available quickly. With the move from printing to digital technology, we were one of the first committees to invite people to submit evidence through an online portal. This has enabled us to ensure that written evidence is published online shortly after we have reviewed it in committee and reported it to the House. In addition, we can now publish transcripts of oral evidence sessions more quickly, and they are also usually available to watch on the parliamentary website.

13. There are, however, limitations: not all people are comfortable submitting evidence to a parliamentary inquiry, and we recognise that some might be put off by the formality of our procedures. The layout and atmosphere of the committee room can make witnesses guarded in their responses to our questions: moving to a more informal setting can encourage them to open up. Moreover, as Professors George Jones and John Stewart said in evidence to this inquiry, “the process of question–and–answer can confine rather than extend the range of information and opinion available to the committee”.<sup>15</sup> **For some of our inquiries we therefore concluded it was necessary to go beyond the traditional approach of the witness–at–the–horseshoe. We supplemented that method with seminars, discussion forums, social media and visits.**

### **Seminars**

14. At the start of some major inquiries, we held a seminar to gather preliminary information to inform our later work. One example came at the start of our inquiry into fiscal devolution. We brought together a number of ‘key players’ to give us their views on the issues raised by our terms of reference.<sup>16</sup> The information helped to inform the lines of questioning we took during formal, oral sessions. On a few occasions, seminars have been

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13 See, for example, CLG Committee, Oral Evidence, [30 January 2013](#), HC (2012–13) 940-i and subsequent [Letter from Committee Chair to Nick Boles MP, dated 13 February 2013](#).

14 See, for example, CLG Committee, Seventh Report of Session 2012–13, [The Committee's response to the Government's consultation on permitted development rights for homeowners](#), HC 830. This followed the Committee's 15 October evidence session on Planning, Housing and Growth.

15 Professor George Jones and Professor John Stewart ([WSC 007](#)) para 13

16 CLG Committee, First Report of Session 2014–15, [Devolution in England: the case for local government](#), HC 503

hosted by external organisations, such as the Local Government Association for our inquiry into councillors and the Royal Institution of Chartered Surveyors for some of our housing and regeneration inquiries. Professors Jones and Stewart in their written submission told us that the use of seminars could be “helpful both at the start of an enquiry and at a later stage when the Committee is forming its views”.<sup>17</sup> We agree but we add a word of caution. The purpose of the seminar needs to be clear—for example, at the start of an inquiry we have found that a seminar that set out facts and issues objectively was helpful but we would not be comfortable with a seminar that was a lobbying exercise for interested groups (though we must add that none of those we participated in fell into this category). During our roundtable discussion, it was suggested that our successors could also hold seminars to help determine potential topics for future inquiries.

### *Discussion forums*

15. One innovative approach has been the use of discussion forums to ensure we reach out to a wider group of people. For our inquiry into councillors, with the Parliamentary Outreach service, we invited to parliament around 30 people who had been identified through the service’s database. They included serving councillors, former councillors and, a group that was difficult to reach—people who had chosen not to be councillors but to serve their communities in other ways. To ensure we each heard from as many people as possible, we adopted a ‘speed dating’ approach, with each of us separately moving between tables to hear from small groups of participants. Notes were taken of the points made and published as an appendix to our report, but comments were not attributed to individuals.<sup>18</sup> This ensured that the points made were on the record, whilst enabling people to speak freely. We held a similar event during our inquiry into the operation of the National Planning Policy Framework, to ensure we heard from the large number of community groups and parish councils who had submitted written submissions about the impact of development.<sup>19</sup> In his written submission to this exercise, Richard Bate, one of our specialist advisers, referred to the benefits of this type of approach which he said could take “various forms, with either Committee members or other chosen individuals providing a panel for a ‘Question Time’ type of event, [...] discussion in groups, short presentations followed by views from the floor, or other options”.<sup>20</sup> **We found the use of discussion forums useful and beneficial when we came to deliberation on our report. Not only would we commend their use and that of informal approaches but we hope our successors in the next Parliament will develop the format.**

### *Twitter*

16. Since 2013, we have had our own Committee Twitter account, which we use to publicise details of evidence sessions, reports and inquiries. We also ‘live tweet’ our oral evidence sessions, summarising key aspects of the discussion. Our number of followers has grown steadily and is now approaching 2,500—including councillors, people working in

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17 Professor George Jones and Professor John Stewart ([WSC 007](#)) para 13

18 CLG Committee, Sixth Report of Session 2012–13, [Councillors on the Frontline](#), HC 432-I

19 CLG Committee, Fourth Report of Session 2014–15, Operation of the National Planning Policy Framework, HC 190

20 Richard Bate ([WSC 012](#)) para 9

local government and the communities sector and media professionals. A number of us retweet the Committee's messages from our own Twitter accounts.

17. We have also used Twitter to source input to some of our inquiries. In December 2013, we launched our first #AskPickles exercise, taking questions via Twitter to put to the Secretary of State, Rt Hon Eric Pickles MP.<sup>21</sup> We repeated the exercise in December 2014.<sup>22</sup> In both cases, we gave a subsequent account of the exercise using Storify.<sup>23</sup> In our view, #AskPickles was a success, and enabled us to have input from those who would not usually contribute to our inquiries and to put matters of concern to ministers on a wide range of topics that we would not cover in an inquiry. It was recognised in the recent report from the Speaker's Commission on Digital Democracy, which described how, as a result of an #AskPickles question, the Secretary of State changed the law to enable councils to circulate agendas electronically.<sup>24</sup> We would stress, however, that this approach has its limitations and does not necessarily allow us to follow up on questions in the way we would normally do. **We have used Twitter to source questions as a complement to some of our regular inquiries.**

18. We have also posted Vines and longer videos to publicise our work, including one of our evidence sessions at The Ivy House pub, a first we believe for a select committee, and subsequent report on Community Rights. After using tweeted questions in our session with Mr Pickles, we tweeted links to the YouTube video of his response, including the Twitter handle of those who submitted questions so they could see what impact their questions had. **London Councils in its submission on our work suggested we build on our use of Twitter with more detailed tweets, a live Twitter feed running during sessions and a Storify account of them afterwards. We leave that for our successor committee to consider.**

## Visits

19. We always looked to include at least one visit in our longer inquiries. Over the course of the Parliament, we have made the following visits to the following places and, where relevant, for the inquiries indicated in parentheses:

- the Olympic Park, East London to see plans for the legacy of the 2012 Games;
- Exeter and Torbay, Devon (Localism);
- Croydon, South London (Localism);
- Greater Manchester (Regeneration and Fiscal devolution);
- the West Midlands (Financing of new housing supply);
- the Netherlands (Financing of new housing supply);

21 CLG Committee news story, '[Secretary of State answers the public's #AskPickles questions](#)', 22 January 2014

22 CLG Committee news story, '[Secretary of State answers the public's #AskPickles questions](#)', 18 December 2014

23 [#AskPickles](#), Storify, January 2014 and [#AskPickles](#), Storify, December 2014

24 Speaker's Commission on Digital Democracy, [Open Up](#), 26 January 2015, section 7.3

- Bournemouth (Park homes);
- Lambeth, South London, (Co-operative councils);
- Sunderland, (Councillors and the community);
- Kent (The role of local authorities in health issues);
- Stockholm, Sweden (The role of local authorities in health issues);
- Berlin, Germany (Private rented sector);
- Leeds (Private rented sector);
- Sheffield (Local government procurement);
- City Hall, London, to meet the Mayor of London;
- Lyon, France (Fiscal devolution);
- Gloucestershire (Operation of the National Planning Policy Framework); and
- Nunhead, South London (Community Rights).

Increasingly during the Parliament we took some of our inquiry evidence sessions on the road, hearing from witnesses in Bournemouth, Cheltenham, Leeds, Manchester, Sheffield and Sunderland, as well as the Ivy House pub in Nunhead. In addition, we have found it beneficial to make annual visits to DCLG, as well as visits to the Local Government Ombudsman (in preparation for our second inquiry into the Ombudsman's work) and the Planning Inspectorate (in preparation for our inquiry into the Operation of the National Planning Policy Framework). We must put on record our thanks to all those who made the arrangements for our visits and to all those whom we met.

20. Richard Bate suggested that our successor committee should undertake more visits to see for itself the application of policy and practice.<sup>25</sup> We agree as visits have given us an important opportunity to see the impact of policies 'on the ground' and to meet a range of people. For instance, when we visited Greater Manchester as part of our regeneration inquiry, we were able to see places where regeneration had been successful and others in need of regeneration, and to discuss opportunities and obstacles with civic leaders and local residents.<sup>26</sup>

## Use of research

21. In addition to the evidence we have gathered, a number of inquiries have been informed by research. We have received research in the written submissions to our inquiries and we have commissioned two pieces of research ourselves: one into the nature

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25 Richard Bate ([WSC 012](#)) para 5

26 CLG Committee, Sixth Report of 2010–12, [Regeneration](#), HC 1014-I, Annex

of planning constraints and one on the labelling of electrical products in large retail stores. We discuss our use of research further in chapter 3.

## Joint working with other Committees

22. While it is our role to scrutinise the policy, administration and expenditure of DCLG, the nature of DCLG's functions means that there is sometimes overlap between our work and that of other committees. On these occasions, we have sought to keep the other committees fully informed about what we are doing. We have also had the opportunity to undertake joint work with other committees. In particular, we have worked with the Political and Constitutional Reform Committee (PCRC) on the prospects for a constitutional settlement for local government. PCRC's Chair, Graham Allen MP, has twice given evidence to us on this matter,<sup>27</sup> and our Chair has also given evidence to PCRC.<sup>28</sup> The Environmental Audit Committee contributed to our inquiry into the draft National Planning Policy Framework, by considering the sustainable development aspects of the proposed framework.<sup>29</sup> Occasionally, where we have had particular concerns about the use of public money, such as the mismanagement of the FiReControl project,<sup>30</sup> we have referred the matter to the Committee of Public Accounts.

23. The debate about devolution has generated a renewed focus on the need to break down silos, especially those in which central government departments often operate. It would be easier for our successors to make the case for more joined-up government, if they were leading by example, in terms of their relationship with other select committees. **We would encourage our successors to explore opportunities for joint working and collaboration with other select committees. In our view, there would be particular merit in close co-operation with the Committee of Public Accounts.**

### *Reflection: John Stevenson MP*

*Reflecting on my time as a member of the Communities and Local Government Select Committee I would conclude that it has been interesting and worthwhile. I felt it was a real opportunity to make a difference and try and influence policy.*

*As an individual MP your ability to influence can be limited. However being part of a Select Committee allows you to develop a greater knowledge and understanding of one department of Government and therefore have a better opportunity to influence Government. It also gives you a chance to gain a degree of expertise.*

*My particular experience was positive. Interestingly the Committee although politically mixed was quite collegiate and remarkably united around the simple fact that virtually all members were supporters of the concept of localism believing in devolution and local decision making. There were, of course, differences as to how this should be implemented.*

27 CLG Committee, Oral Evidence, [16 April 2012](#), HC (2010–12) 1518-I; CLG Committee, Oral Evidence, [11 March 2013](#), HC (2012–13) 1049-i.

28 Political and Constitutional Reform Committee, Oral Evidence, [20 January 2011](#), HC (2010–12) 656-i, Qq 267–286

29 Environmental Audit Committee, Oral and Written Evidence, [1 December 2011](#), HC (2010–12) HC 1480

30 Public Accounts Committee, Fiftieth Report of Session 2010–12, [The Failure of the FiReControl Project](#), HC 1397

*The key part of the Committee was taking evidence and preparing reports. These helped as over time you became aware of the key issues and developed your own knowledge. There are two points I would make. I did feel that politicians giving evidence were much less effective than those actually directly involved in the subject; I also think it is important for the Committee not to take on too heavy a workload which would therefore dilute the effectiveness of reports.*

*I also believe that Parliament needs to see ways to incentivise members of the Committees to make a proper commitment to the Select Committee and ensure that they are well attended. This Committee was well supported but there were times when one or two members did not attend as I believe they should.*

*Overall I consider it to have been a positive experience and would encourage any backbench MP to get involved in a Select Committee.*

### **Devolved assemblies and local government**

24. We have also contributed to the work of committees in devolved assemblies and local government. Following the publication of our report into park homes, our Chair gave evidence to the Communities, Equalities and Local Government Committee of the National Assembly for Wales about our findings.<sup>31</sup> Our Chair has also attended meetings of the London Assembly, to discuss our report on the role of the Assembly,<sup>32</sup> and Westminster City Council's Scrutiny Commission, to discuss our report, *Councillors on the Frontline*.<sup>33</sup>

25. There is a wider issue here brought into relief by the Scottish referendum on independence in September 2014. With devolution of responsibility for the bulk of the DCLG functions outside England to the parliament and assemblies in Scotland, Wales and Northern Ireland each appears to be operating—quite reasonably—with its focus on its own arrangements. In contrast the guidance from the Liaison Committee here at Westminster does not appear to have kept pace with devolution. First, it is clear that policy on matters affecting local government England will increasingly diverge from the other countries of the UK but the issues to be tackled may not. The committee scrutinising communities and local government policy in each country may benefit from finding out how a sister committee and the administration in that country have dealt with similar issues. We were able to do this to a limited extent on the question of whether we should recommend to DCLG that the fees charged by letting agents to tenants should be banned as they have been in Scotland. We sought and were provided with written evidence from the Scottish Minister and housing organisations in Scotland,<sup>34</sup> although it would have been

31 The National Assembly for Wales, Communities, Equalities and Local Government Committee, [Transcript of evidence taken on 6 December 2012](#), Qq 251–341; for the report see CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I.

32 London Assembly, [Transcript of question and answer session at meeting on 15 January 2014](#); for the report see CLG Committee, Fourth Report of Session 2013–14, [Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly](#), HC 213.

33 Westminster City Council, [Committee agenda: Scrutiny Commission 9 April 2014](#); for the report see CLG Committee, Sixth Report of Session 2012–13, [Councillors on the frontline](#), HC 432-I.

34 [Correspondence from various organisations relating to letting agents' fees and charges in Scotland](#)



more useful to have met them and taken oral evidence. Going further we were struck, after our Chair met a delegation from the Tynwald in the Isle of Man, that our report on fiscal devolution might have benefitted from input from the Isle of Man and the Channel Islands, which have the equivalent of extensive fiscal devolution. Second, the outcome of the referendum in September 2014 was that Scotland will remain within the UK but the governmental structure of the UK has changed in the past 15 years. With devolved matters such as local government the four countries within the UK are developing their own structures and arrangements. The result is that we as parliamentarians have less and less contact with Scotland, Wales and Northern Ireland.

**26. We suggest that the Liaison Committee in the new Parliament consider revising the guidance on core tasks to encourage greater formal and informal contact between select committees at Westminster and their counterparts in the parliaments and assemblies in the UK, and, if appropriate, in the Isle of Man and the Channel Islands.**

## 3 Research

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### Overview

27. This chapter focuses on how we have handled research since 2010, including the research that has been cited in written submissions to our inquiries and that which we have commissioned. More than half of the submissions we received in response to our call for evidence in November 2014 discussed the use of research.<sup>35</sup> Four issues were identified:

- a) the sources of information we draw upon in our work, including research that we commission ourselves;
- b) how we identify relevant information for our work;
- c) how we treat the information we receive; and
- d) the role of specialist advisers in our work.

### The sources of information we use

28. Most of the submissions considered that we could draw upon wider sources of information than we do currently.<sup>36</sup> Suggestions included consulting organisations such as think-tanks or the media that regularly scrutinise policy or, making greater use of information released through Freedom of Information requests.<sup>37</sup>

29. We were also alerted to a number of organisations working on relevant topics that have been set up explicitly to provide robust research evidence to inform decision-making and enable better use of it by governments at all levels. The new What Works Centres were highlighted in three submissions as a potential source of information.<sup>38</sup> Set up in 2013, the What Works Centres aim to improve the way government and other organisations create, share and use high quality evidence for decision-making by collating existing evidence on policy programmes and practices, producing high quality synthesis reports and systematic reviews in areas where they do not currently exist, and assessing how effective policies and practices are against an agreed set of outcomes.<sup>39</sup> There are currently nine What Works

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35 Professor Christine Whitehead ([WSC 023](#)); Richard Styles ([WSC 001](#)); Professor Jane South ([WSC 021](#)); Local Government Ombudsman ([WSC 020](#)); Local Government Ombudsman ([WSC 019](#)); Educe Ltd ([WSC 018](#)); Association Of Independent LSCB Chairs ([WSC 016](#)); Centre For Public Scrutiny ([WSC 015](#)); ACCA ([WSC 014](#)); What Works Centre For Local Economic Growth ([WSC 013](#)); Local Government Knowledge Navigator ([WSC 022](#)); Dr Tim Brown ([WSC 011](#)); London Councils ([WSC 010](#)); Brethren's Gospel Trusts Planning Group ([WSC 009](#)); Core Cities UK ([WSC 008](#)); Professor George Jones and Professor John Stewart ([WSC 007](#)); Westminster City Council ([WSC 006](#)); John Thornton ([WSC 005](#)); British Property Federation ([WSC 004](#)); Richard Tracey ([WSC 002](#)); Richard Bate ([WSC 012](#))

36 Richard Styles ([WSC 001](#)); Professor Jane South ([WSC 021](#)); Educe Ltd ([WSC 018](#)); ACCA ([WSC 014](#)); What Works Centre For Local Economic Growth ([WSC 013](#)); Local Government Knowledge Navigator ([WSC 022](#)); Dr Tim Brown ([WSC 011](#)); London Councils ([WSC 010](#)); Brethren's Gospel Trusts Planning Group ([WSC 009](#)); Professor George Jones and Professor John Stewart ([WSC 007](#))

37 ACCA ([WSC 014](#))

38 Educe Ltd ([WSC 018](#)); What Works Centre For Local Economic Growth ([WSC 013](#)); Dr Tim Brown ([WSC 011](#))

39 For more information on What Works Centres see Cabinet Office, '[What Works Network](#)', accessed 11 February 2015.

Centres, several of which focus on areas relevant to our work such as the What Works Centre on Local Economic Growth.<sup>40</sup> Other initiatives highlighted include the Local Government Knowledge Navigator funded by the Economic and Social Research Council (ESRC)<sup>41</sup> and the Alliance for Useful Evidence, both of which have published reports that relate to areas of our work for example on the issue of scrutinising the effectiveness of local authorities.<sup>42</sup>

**30. Although we have not used organisations such as the What Works Centres or the Alliance for Useful Evidence and cannot comment on their value, the committee in the new Parliament may wish to explore how such organisations might usefully feed into the committee's future work. The committee could, for example, as a pilot ask one of these organisations to review rapidly the available evidence. The potential benefit would be the ability to draw upon information from a range of sources in addition to the submissions received, and the skills and expertise of such organisations in terms of assessing the quality and reliability of this information through methods such as systematic reviews.**

31. We were also encouraged to consider broader types of information, for example making more use of statistical data in our work,<sup>43</sup> or drawing upon academic research in the field of social sciences.<sup>44</sup> It was suggested that research councils such as the ESRC would be able to assist us in identifying, or even undertaking, relevant research.<sup>45</sup> Two submissions suggested that we ask DCLG to provide an overview of the research and evidence that they use to inform their policies and decisions.<sup>46</sup> This could be based on the approach taken by the Education Committee in its 'Evidence check' web forum to ask the Department for Education to outline its evidence on nine topics, which was then published by the Committee and views invited on the strength of the evidence provided.<sup>47</sup>

**32. We have examined the Education Committee's evidence web forum. The committee in the new Parliament may wish to explore its use with the Department for Communities and Local Government. During this Parliament we have pressed DCLG to explain the evidence base underpinning some of its policies with limited success and an arrangement to elicit better evidence would have been of assistance. It would also be**

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40 What Works Centre For Local Economic Growth ([WSC 013](#)). The What Works Network includes: The National Institute for Health and Care Excellence (NICE); the Education Endowment Foundation (EEF); The Early Intervention Foundation; The College of Policing; The What Works Centre for Local Economic Growth; The What Works Centre for Wellbeing; The Centre for Ageing Better; What Works Scotland; and The Public Policy Institute for Wales.

41 Professor Jane South ([WSC 021](#)); Local Government Knowledge Navigator ([WSC 022](#)); Educe Ltd ([WSC 018](#))

42 For example the submission from Educe Ltd ([WSC 018](#)) refers to the Alliance for Useful Evidence report [Squaring the Circle: Evidence at the Local Level](#), May 2013, while the submission from Local Government Knowledge Navigator ([WSC 022](#)) refers to two reports: Local Government Knowledge Navigator, [Collaboration in action: local authorities that are making the most of research](#), June 2014 and Local Government Knowledge Navigator [The role of evidence and research in local government](#), September 2014. Other examples include Professor Jane South ([WSC 021](#)) reference to the Knowledge Navigator Evidence Review on local government and public health, which focuses on some of the same issues that we covered in our Eighth Report of Session 2010–12, [The role of local authorities in health issues](#), HC 694-I.

43 London Councils ([WSC 010](#))

44 Professor Jane South ([WSC 021](#))

45 Professor George Jones and Professor John Stewart ([WSC 007](#))

46 Brethren's Gospel Trusts Planning Group ([WSC 009](#)); Richard Styles ([WSC 001](#))

47 Education Committee, ["Evidence check" web forum](#), accessed 11 February 2015

helpful if DCLG was more transparent in sharing the business cases used to inform ministers' policy decisions.

### *Use of commissioned research*

33. We have commissioned two pieces of research<sup>48</sup> since 2010:

- a) *The nature of planning constraints* from the Cambridge Centre for Housing and Planning Research;<sup>49</sup> and
- b) *Investigation into the British Retail Consortium's Voluntary Agreement Regarding the Sale of Electrical Products* from Electrical Safety First.<sup>50</sup>

(In addition, Professor Colin Copus from De Montfort University undertook, on his own initiative but with our encouragement, research in relation to our 2013 follow-up work on our report, *Councillors on the frontline*;<sup>51</sup> we found his research useful and published it.<sup>52</sup>)

34. Our use of commissioned research was welcomed by four respondents to our call for evidence.<sup>53</sup> Commissioning research was seen to be a useful way for a committee to get an overview of a particular topic and to understand the key issues within it. Specifically, it was suggested that it could assist the committee to:

- i) avoid drawing conclusions from a small number of experiences based on the submissions it receives;<sup>54</sup>
- ii) help to identify further lines of enquiry which could inform the call for evidence;<sup>55</sup> and
- iii) provide a basis upon which to question witnesses.<sup>56</sup>

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48 The process for select committees commissioning external research has several stages:

the committee draws up a specification;

it is assessed in terms of appropriateness, feasibility, timetable and value for money;

invitation to tender and submit bids (if above a threshold); and

bids received are considered against the tender.

49 Cambridge Centre for Housing and Planning Research, *The nature of planning constraints*, March 2014

50 Electrical Safety First, *Investigation into the British Retail Consortium's Voluntary Agreement Regarding the Sale of Electrical Products*, January 2015

51 CLG Committee, Sixth Report of Session 2012–13, *Councillors on the frontline*, HC 432-I

52 Professor Colin Copus, *Report to Communities and Local Government Select Committee: Councillor Workshops: Councillors on the Frontline*, August 2014

53 Centre for Public Scrutiny ([WSC 015](#)); Dr Tim Brown ([WSC 011](#)); Richard Bate ([WSC 012](#)); Professor Christine Whitehead ([WSC 023](#))

54 Centre for Public Scrutiny ([WSC 015](#))

55 Richard Bate ([WSC 012](#))

56 Dr Tim Brown ([WSC 011](#))

35. We welcome the positive feedback on our commissioned work. In particular, we agree that such research works best when it addresses a clearly defined objective:

- i) in the planning research—relevance to the forthcoming inquiry and a starting point for the inquiry setting out the key issues; and
- ii) in the labelling of electrical products—following up an undertaking given in response to a recommendation in a report.

36. The process of commissioning research requires greater planning ahead and a longer lead time for inquiries, which may make it impractical for inquiries that require a short timetable. **We consider that select committees will be assisted in their work if they commission more research and they should build time to commission, carry out and review such research into the timetables for their work.**

### *Reflection: Simon Danczuk MP*

*I have really enjoyed serving on the Communities and Local Government Select Committee over the past few years and it has been a real privilege to have contributed to the work of the Committee during this time. I believe we have a really good mix of people on the Committee, with different members bringing unique experience and perspectives. This has contributed to a refreshingly non-partisan work environment with members mixing well as a team and using their different strengths to add breadth and depth to the work of the Committee.*

*In particular I am pleased that the Committee has been involved in some really high profile issues in the recent past. This ranges from huge and complicated policy areas such as fiscal devolution and the future of local authority funding to more sensitive issues such as the Rotherham abuse scandal. I believe the Committee has acquitted itself well under the pressure that accompanies the profiles of these issues and has made a good contribution to shaping policy recommendations and holding people to account for their failures. I would certainly like to see the Committee spend more on such high profile and popular issues going forward.*

*I have always been of the opinion that the CLG Committee should focus on accountability as much as on policy recommendations and that this scrutiny should apply to individual local authorities as well as the department. In the future I would like to see the Committee take a more wide-ranging approach to scrutinising local government and exposing failings, especially if more powers are to be devolved downwards.*

*Finally I would like to thank the clerks for all of their hard work and commitment, they have been an invaluable help and ensured that the whole Committee has run effectively.*

## **How we treat the information we receive**

37. Several submissions saw greater scope to assess and challenge the evidence we receive. The British Property Federation, for example, said that “more could be done to ensure that

the research evidence and statistics submitted to the Committee are challenged with rigour”.<sup>57</sup>

38. Distinguishing between the quality and robustness of evidence received as part of select committee inquiries has been highlighted previously.<sup>58</sup> In 2007, the Science and Technology Committee recognised the importance of differentiating between submissions that “are firmly evidence-based” and those that “are primarily opinion pieces”.<sup>59</sup> The Committee recommended asking organisations and individuals to declare potentially relevant interests when submitting evidence and give their expertise and experience when stating opinions about particular matters, and it is for our successor committee to explore whether to use different terminology when referring to evidence-based submissions and other submissions.

39. Another approach was to use established checklists or tools to check the quality and appropriateness of evidence submitted as part of our inquiries. One example is the Bond Evidence Principles checklist, designed for use by non-governmental organisations (NGOs) in the international development sector.<sup>60</sup> This checklist can be used to examine a wide range of evidence from statistics, case studies, annual reports and research studies, and assess it according to the extent that it draws upon the views of people actually affected by particular policies (such as park home residents)<sup>61</sup> and the appropriateness of the methods used for what it is trying to find out. The checklist scores the evidence on a scale from 1–4 and then gives it an overall score, and colour (amber, yellow, light green or dark green) based on the quality and robustness of the evidence. The use of a checklist like this might help us to better assess the evidence received, provide an additional tool to help scrutinise and challenge this evidence, as well as be more transparent about how evidence is handled and weighed up.<sup>62</sup> Other suggestions included:

- i) holding seminars or meetings to get an overview of the volume and quality of the evidence available on a particular topic;
- ii) seeking briefings from organisations with specialist and technical expertise such as the National Audit Office at the start of inquiries;<sup>63</sup> and
- iii) training committee staff so they are better able to apply a checklist such as the Bond Evidence Principles checklist to the evidence received—this checklist is used for assessing and improving the quality of evidence in evaluation reports, research reports and case studies.<sup>64</sup>

**40. The committee in the new Parliament may wish to review how it handles research evidence—or, as we sometimes found, material that purports to be such evidence. We**

57 British Property Federation ([WSC 004](#)); Centre For Public Scrutiny ([WSC 015](#))

58 Science and Technology Committee, Thirteenth Report of Session 2006–07, [The Last Report](#), HC 1108

59 Science and Technology Committee, Thirteenth Report of Session 2006–07, [The Last Report](#), HC 1108, para 33

60 Educe Ltd ([WSC 018](#))

61 CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I

62 Professor George Jones and Professor John Stewart ([WSC 007](#))

63 We consider the position of the NAO at paragraph 54.

64 [Bond Evidence Principles](#), accessed February 2015

see scope to improve the process, for example by asking respondents in the call for written submissions if they cite research to explain the methodology and what degree of review the research has been subject to.

41. The committee may wish to pilot an evidence checklist, for example, based on the Bond Evidence Principles. This would give a clear indication to both committee staff and members of the overall quality of the evidence submitted, based on the score and colour it receives.

### Role of specialist advisers

42. Several submissions we received discussed our use of specialist advisers.<sup>65</sup> Suggestions included appointing specialist advisers on the basis of their subject knowledge, specialist and technical expertise (such as in the areas of research methodology, finance or performance management) or likely awareness of, and where possible contact with, relevant research. We were surprised by these comments as such considerations are already taken into account when we appoint specialist advisers.

43. Where we did see some scope for change was in the suggestions for adapting the way that we work with specialist advisers. Our usual method of operation was to appoint a specialist adviser for an inquiry with the appointment effectively terminating when the Government responds to our report. Following the lead of the Liaison Committee, we have given greater emphasis to following-up the recommendations in our reports and to monitoring the regular announcements of initiatives in key policy areas. We therefore see a case for appointing advisers for longer terms than just a single inquiry, or appointing a panel of advisers each covering a key area scrutinised by the committee, to provide us with access to expertise. But there will likely still be areas of inquiry, such as procurement, where more specific or in-depth knowledge or expertise may be required.

44. The committee in the next Parliament may wish to appoint a panel of advisers in 2015 to cover the key areas it is scrutinising.

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65 Professor Christine Whitehead ([WSC 023](#)); Brethren's Gospel Trusts Planning Group ([WSC 009](#)); Professor George Jones and Professor John Stewart ([WSC 007](#)); British Property Federation ([WSC 004](#)); ACCA ([WSC 014](#))

## 4 Review of core tasks

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### Introduction

45. Throughout the 2010–15 Parliament our scrutiny work has been guided by a set of select committee ‘core tasks’, which the House agreed in 2002 and which were revised in 2013.<sup>66</sup> Although not prescriptive, the new list aligned more closely the existing committee tasks of scrutinising departmental policy and expenditure; included the task of examining departmental strategy; and, perhaps most notably, added the task of engaging with the public, which we comment on at the end of this chapter. In this chapter we consider our performance against these core tasks, based on our own assessment and the views of those who made submissions to this exercise.

### Strategy, Policy, Expenditure and Performance

*Task 1: To examine the strategy of the department, how it has identified its key objectives and priorities and whether it has the means to achieve them, in terms of plans, resources, skills, capabilities and management information.*

*Task 2: To examine policy proposals by the department, and areas of emerging policy, or where existing policy is deficient, and make proposals.*

*Task 3: To examine the expenditure plans, outturn and performance of the department and its arm's length bodies, and the relationships between spending and delivery of outcomes.<sup>67</sup>*

46. During the 2010–15 Parliament we have produced 37 reports covering a range of policy areas. These have included: housing;<sup>68</sup> planning;<sup>69</sup> devolution;<sup>70</sup> localism;<sup>71</sup> local government administration;<sup>72</sup> and building regulations.<sup>73</sup> We have also investigated

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66 Liaison Committee, Second Report of Session 2012–13, [Select committee effectiveness, resources and powers](#), HC 697, pp 9–11

67 Liaison Committee, Second Report of Session 2012–13, [Select committee effectiveness, resources and powers](#), HC 697, p 11

68 CLG Committee, Eleventh Report of Session 2010–12, [Financing of New Housing Supply](#), HC 1652-I; First Report of Session 2012–13, [Park Homes](#), HC 177-I; First Report of Session 2013–14, [The Private Rented Sector](#), HC 50-I; Fifth Report of Session 2014–15, [Pre-appointment hearing with the Government's preferred candidate for the post of Housing Ombudsman](#), HC 877

69 CLG Committee, Second Report of Session 2010–12, [Abolition of Regional Spatial Strategies: a planning vacuum?](#), HC 517-I; Eighth Report of Session 2010–12, [The National Planning Policy Framework](#), HC 1526-I; Fourth Report of Session 2014–15, [Operation of the National Planning Policy Framework](#), HC 190

70 CLG Committee, Fourth Report of Session 2013–14, [Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly](#), HC 213; First Report of Session 2014–15, [Devolution in England: the case for local government](#), HC 503

71 CLG Committee, Third Report of Session 2010–12, [Localism](#), HC 547-I; Fifth Report of Session 2010–12, [Localisation issues in welfare reform](#), HC 1406-I; Ninth Report of Session 2010–12, [Taking Forward Community Budgets](#) HC 1750; Fifth Report of Session 2012–13, [Mutual and co-operative approaches to delivering local services](#), HC 112; Ninth Report of Session 2012–13, [Implementation of welfare reform by local authorities](#), HC 833-I; Third Report of Session 2013–14, [Community Budgets](#), HC 163; Sixth Report of Session 2014–15, [Community Rights](#), HC 262

72 CLG Committee, First Report of Session 2010–12, [Proposed Code of Recommended Practice on Local Authority Publicity](#), HC 666; Fourth Report of Session 2010–12, [Audit and inspection of local authorities](#), HC 763-I; Third Report of Session 2012–13, [The work of the Local Government Ombudsman](#), HC 431-I; Sixth Report of Session 2012–13,



discrete topics and produced reports on the *European Regional Development Fund, Regeneration* and *The Role of Local Authorities in Health Issues*.<sup>74</sup> At first, we based our programme of work on examining policy as it was formulated by the coalition Government. We then shifted our focus to monitoring policy as it was implemented and, later, on to reviewing its impact. In doing so we have sought to review each major policy area at least once during the Parliament. According to Dr Tim Brown, from the Department of Politics and Public Policy at De Montfort University, about 60% of our recommendations in housing, planning and regeneration reports have been accepted by the Government, compared with a select committee average of about 40%, but he said it was difficult to assess the significance of those parts of our reports which related to policy areas with fast-changing agendas.<sup>75</sup>

47. In the 2010–12 session we focused nine of our 11 inquiries on new policy as it was formulated by the Coalition Government. For example in 2011 as an in-depth examination of DCLG's decentralisation and planning policies, we produced our reports, *Localism; The Abolition of Regional Spatial Strategies: a planning vacuum?*; and *The National Planning Policy Framework*.<sup>76</sup> We had two clear purposes in devoting so much of our time and energy to emerging policy: (1) to test each element of the Government's proposed policies and, if necessary, to suggest alterations; and (2) to press the Government on the outcomes which it expected from its policies. From our work in the first session we were clear that localism was going to be a key theme in this Parliament. As a committee we have supported localism and 'is it localist?' became a third test we applied in our subsequent work.

48. In the 2012–13 session we considered, among other inquiries, the operation of the mobile homes sector, in our report, *Park Homes*.<sup>77</sup> The issue arose because of concerns raised with Members at constituency surgeries. Similarly, following concerns about the adequacy of its operations, we reviewed the work of the Local Government Ombudsman.<sup>78</sup> In this session we also began to move the focus of our scrutiny from emerging policy to

[Councillors on the frontline](#), HC 432-I; Fifth Report of Session 2013–14, [Further review of the work and performance of the Local Government Ombudsman](#), HC 866; Sixth Report of Session 2013–14, [Local government procurement](#), HC 712; Second Report of Session 2014–15, [Local government chief officers' remuneration](#), HC 191

73 CLG Committee, Tenth Report of Session 2010–12, [Building regulations applying to electrical and gas installation and repairs in dwellings](#), HC 1851-I; Seventh Report of Session 2013–14, [Building regulations certification of domestic electrical work](#), HC 906

74 Respectively CLG Committee, Second Report of Session 2012–13, [European Regional Development Fund](#), HC 81-I; Sixth Report of 2010–12, [Regeneration](#), HC 1014-I; Eighth Report of Session 2010–12, [The role of local authorities in health issues](#), HC 694-I

75 Dr Tim Brown ([W5C 011](#)), paras 2.3, 2.4. Dr Brown also noted the percentage of recommendations accepted measure does not take account of the relative importance / significance of recommendations; and studies have shown that the Government is more likely to accept minor rather than major recommendations.

76 CLG Committee, Third Report of Session 2010–12, [Localism](#), HC 547-I; Second Report of Session 2010–12, [Abolition of Regional Spatial Strategies: a planning vacuum?](#), HC 517-I; ; Eighth Report of Session 2010–12, [The National Planning Policy Framework](#), HC 1526-I

77 CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I

78 CLG Committee, Third Report of Session 2012–13, [The work of the Local Government Ombudsman](#), HC 431-I; Fifth Report of Session 2013–14, [Further review of the work and performance of the Local Government Ombudsman](#), HC 866

implementation with inquiries into: the Government’s localist policies for mutual and co-operative approaches to delivering local services;<sup>79</sup> the return to local authorities of control over public health;<sup>80</sup> and the implementation by local authorities of the Government’s welfare reform agenda.<sup>81</sup> With the Government’s localist reforms in view, we also considered their likely impact on the role of councillors, in our report *Councillors on the Frontline*.<sup>82</sup>

49. In the 2013–14 session we continued to analyse policy implementation, tracking initiatives such as *Community Budgets*<sup>83</sup> and the Government’s Building Regulations reforms,<sup>84</sup> both of which we had previously considered in 2010–12. We also undertook a major inquiry into England’s housing in our report, *The Private Rented Sector*,<sup>85</sup> and considered the operation of *Local government procurement*.<sup>86</sup>

50. Citing our report on procurement, Professor George Jones and Professor John Stewart said that the 2013–14 session was when we shifted our focus to local authority management practices.<sup>87</sup> They criticised this as “encouraging centralisation, by making local authorities answerable to a committee of the House of Commons instead of to their own electorates”.<sup>88</sup> We would disagree with their view for several reasons:

- i) In 2014–15 Parliament voted resources of over £25 billion to local government in England, most of which was allocated via central government.<sup>89</sup> Central government does not act as an automatic transfer service and the money, under the current arrangements, is allocated to meet certain policy objectives set by central Government. There has to be accountability to Parliament for that funding. We therefore see it as part of our job to track expenditure from central Government to local government and to form a view on whether the expenditure is producing the results which the Government intended.
- ii) We have concerns about the effectiveness of local government scrutiny both in terms of scrutiny across the sector—and here our work on procurement revealed the need for improvement across large parts of the sector—and also within individual authorities. Inadequate local scrutiny arrangements were one factor that

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79 CLG Committee, Fifth Report of Session 2012–13, [Mutual and co-operative approaches to delivering local services](#), HC 112

80 CLG Committee, Eighth Report of Session 2010–12, [The role of local authorities in health issues](#), HC 694-I

81 CLG Committee, Fifth Report of Session 2010–12, [Localisation issues in welfare reform](#), HC 1406-I

82 CLG Committee, Sixth Report of Session 2012–13, [Councillors on the frontline](#), HC 432-I

83 CLG Committee, Third Report of Session 2013–14, [Community Budgets](#), HC 163

84 CLG Committee, Seventh Report of Session 2013–14, [Building regulations certification of domestic electrical work](#), HC 906

85 CLG Committee, First Report of Session 2013–14, [The Private Rented Sector](#), HC 50-I

86 CLG Committee, Sixth Report of Session 2013–14, [Local government procurement](#), HC 712

87 Professors Jones and Stewart refer to our 2014–15 reports on chief officers pay and local authority governance in Rotherham as further examples of this shift. See Professor George Jones and Professor John Stewart ([WSC 007](#)), paras 2, 9 and 10.

88 Professor George Jones and Professor John Stewart ([WSC 007](#)), para 11

89 HM Treasury, [Central Government Supply Estimates 2014–15 Supplementary Estimates](#), February 2015, HC 1019, p 175

prompted our 2014–15 inquiry into child sexual exploitation in Rotherham Metropolitan Borough Council and our subsequent reports.<sup>90</sup>

Participants at our roundtable discussion suggested that select committees needed to tread carefully when scrutinising and criticising individual local authorities.<sup>91</sup> We agree, and do not see it is our role to routinely challenge individual councils on decisions they have made. We consider that the main thrust of our scrutiny should be on the systems in operation across local government and particular sectors of local government. Nevertheless, in exceptional circumstances, such as serious service failures of the kind seen in Rotherham, we do have an important role to play in holding local authorities to account.

51. If local government itself were able to raise more of the money that it spends, we would expect local authorities to have enhanced arrangements in place to scrutinise local expenditure and policy. In our first report of the 2014–15 session we examined the case for decentralising tax and spending powers, *Devolution in England: the case for local government*.<sup>92</sup> London Councils described this as a “timely and articulate consideration of one of the central issues facing local government. The inquiry produced recommendations that were widely supported by experts and the local government sector and we are keen to see these shape future government policy”.<sup>93</sup> **If fiscal devolution happens in England, then our role in scrutinising local government would change. We would expect to see a shift in accountability from the national to the local level, and a strengthened approach to local scrutiny. In the meantime, it is right and proper that we hold local government to account for the money Parliament allocates to it.** We consider local government scrutiny further in Chapter 6.

### *Reflection: Alec Shelbrooke MP*

*During my relatively short time on the Select Committee I have been privileged to be involved in some of the key questions that relate to local government in this country.*

*The report on devolution for local government is a key milestone in the reform of how we are governed at the local level and is a driving reason behind my membership of the Committee.*

*The recommendations to give more spending control to local government are a vital first step towards a whole hearted root and branch overhaul of local government that will bring much greater accountability and direct influence to the provision of local services that have a wide ranging day to day effect on people’s lives.*

*The inquiry into Rotherham Council is in my opinion, some of the most important work to have taken place in the Committee. The importance in being not only to ascertain what went wrong, but to also probe the robustness of existing bodies to prevent further dereliction of duties is hugely important. When finally produced, I believe that this report will be ground*

90 CLG Committee, Third Report of Session 2014–15, [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648; Ninth Report of Session 2014–15, [Child sexual exploitation in Rotherham: Ofsted and further government issues](#), HC 1144

91 See Appendix.

92 CLG Committee, First Report of Session 2014–15, [Devolution in England: the case for local government](#), HC 503

93 London Councils ([WSC 010](#)) para 5

*breaking in its conclusions.*

*As my first select committee it has been a hugely worthwhile experience to understand the important work that this aspect of Parliament undertakes. The strength of the Committee in being able to probe the honesty and probity of any witness is a huge asset to our democracy and should help reassure the public that governance is always under the strictest scrutiny whether it be through their existing polices or recommendations to the department for new, relevant policies.*

52. Our final major inquiry of the 2010–15 Parliament demonstrated the approach we have sought to take throughout: following up previous reports. By returning to the Government’s National Planning Policy Framework, this time to examine its operation two years after its introduction, we sought to build on the conclusions and recommendations we made to Government when it was a policy proposal and most of which the Government accepted.<sup>94</sup>

53. We have sought not only to focus on the detail of particular policies and initiatives but also on shaping the climate of wider debate. As a result, we would seek to assess our impact not only in terms of the implementation of particular recommendations, but also of how we have influenced the thinking of the Government and others. Examples of reports that have generated a wider discussion include those on *Localism*,<sup>95</sup> *The Private Rented Sector*<sup>96</sup> and *Devolution in England*.<sup>97</sup>

54. Throughout the 2010–15 Parliament we have scrutinised the expenditure and performance of DCLG, with annual and, when required, one-off sessions with officials and ministers, examining the Department’s objectives and priorities and whether they had the means to achieve them.<sup>98</sup> To that end we have built a good working relationship with the National Audit Office (NAO). NAO officials have provided us with written and oral briefings on detailed topics, including departmental spending and the financial sustainability of local authorities. The NAO and House of Commons Scrutiny Unit<sup>99</sup> have also provided particularly useful assistance during our inquiries into the performance of DCLG, as over the Parliament DCLG has moved from making grant payments to local authorities to providing guarantees and assessing and managing risk. A further feature highlighted in several NAO reports has been DCLG’s inconsistent use of data and infrequent recourse to impact assessments to inform formulation of policy. The

94 CLG Committee, Fourth Report of Session 2014–15, [Operation of the National Planning Policy Framework](#), HC 190

95 CLG Committee, Third Report of Session 2010–12, [Localism](#), HC 547-I

96 CLG Committee, First Report of Session 2013–14, [The Private Rented Sector](#), HC 50-I

97 CLG Committee, First Report of Session 2014–15, [Devolution in England: the case for local government](#), HC 503

98 See for example CLG Committee, Oral Evidence, [28 November 2011](#) and [14 December 2011](#), HC (2010–12) 1668; [12 November 2012](#) and [12 December 2012](#), HC (2012–13) 693; [14 October 2013](#), [9 December 2013](#) and [22 January 2014](#), HC (2013–14) 711; [16 December 2014](#) and [3 February 2015](#), HC 878.

99 The Scrutiny Unit is a section within the House of Commons Committee Office providing technical support and analysis to committees to assist them in carrying out effective scrutiny. In this Parliament we have drawn in particular on the Unit’s financial expertise.

Association of Chartered Certified Accountants said that it was “aware that the Committee regularly draws upon this wider (NAO) expertise and consider this good practice”.<sup>100</sup>

**55. We must put on record our thanks to both the National Audit Office (NAO) and the House of Commons Scrutiny Unit. We would urge our successor committee in the new Parliament to make contact with the NAO at an early stage and to build on what we consider has been a good working relationship. Both the NAO and Scrutiny Unit provide invaluable assistance in understanding policies, testing evidence and the impact of policies and in sharpening scrutiny of government.**

56. We have had concerns about both the timing and quality of some Government responses to our reports. Several have taken far longer than two months to emerge. It took Ministers almost four months to respond to our report on the *Role of Local Authorities in Health Issues*,<sup>101</sup> almost three months to respond to our report on the *Private Rented Sector* and more than seven months to reply to *Devolution in England: the case for local government*.<sup>102</sup> The quality of some responses gave us concern. In our report on the *Private Rented Sector*, we asked the Government to provide specific data on the impact of its private rented sector taskforce; no data were provided.<sup>103</sup> In its response to the report on the *Financing of New Housing Supply*, the Government failed to engage with the substance of many recommendations, and it was unclear to us whether or not they had been accepted.<sup>104</sup>

**57. We alert our successor committee to keep an eye on the quality and punctuality of Government responses to their reports.**

## Draft Bills

*Task 4: To conduct scrutiny of draft bills within the committee's responsibilities.*

58. No draft Bills have fallen within our scrutiny remit during the 2010–15 Parliament, although three of our members, including the Chair, sat on the Committee that undertook pre-legislative scrutiny of the draft Local Audit Bill.<sup>105</sup>

## Bills and Delegated Legislation

*Task 5: To assist the House in its consideration of Bills and statutory instruments, including draft orders under the Public Bodies Act.*

100 ACCA ([WSC 014](#))

101 Department of Health, *Government Response to the House of Commons Communities and Local Government Committee Eight Report of Session 2012–13: The role of local authorities in health issues*, July 2013, [Cm 8638](#)

102 DCLG, *Government Response to the Communities and Local Government Select Committee Report: Devolution in England: the case for local government*, February 2015, [Cm 8998](#)

103 DCLG, *Government Response to the Communities and Local Government Select Committee Report: The Private Rented Sector*, October 2013, [Cm 8730](#)

104 DCLG, *Government Response to the Communities and Local Government Committee's Report on Financing of New Housing Supply*, July 2012, [Cm 8401](#)

105 The members were Mr Clive Betts MP, Mark Pawsey MP and Heather Wheeler MP.

59. We considered the Government's localism policy as the Localism Bill proceeded through the House. Our report, *Localism*,<sup>106</sup> was published some six months before the legislation gained Royal Assent. In responding to the call for evidence on our work London Councils commented that we had "carefully [examined] the extent of the transfer of power achieved by the Act".<sup>107</sup> Our inquiry into localisation issues in welfare reform also took place in parallel with parliamentary debate about the then Welfare Reform Bill.<sup>108</sup>

## Post-legislative Scrutiny

*Task 6: To examine the implementation of legislation and scrutinise the department's post-legislative assessments.*

60. Departments are expected to publish assessments of legislation between three and five years after enactment. DCLG produced its required assessments of legislation usually five years after enactment, and we considered each one. This meant that legislation we reviewed dated from 2007 and 2008, and we found it had often been superseded because of the change of government in 2010 and the changed economic climate since the downturn in 2007–08.

61. We did, however, carry out an inquiry into one piece of legislation, the previous Government's Greater London Authority Act 2007.<sup>109</sup> It made a relatively minor change in the law, and most of its provisions had been superseded by the Coalition Government's Localism Act 2011 and Police Reform and Social Responsibility Act 2011. We used the 2007 Act, however, as a starting point for a more general review of the role of the London Assembly. During our inquiry we were surprised to encounter questioning that we had not restricted ourselves to the 2007 Act. In our view, for post-legislative scrutiny to be effective select committees must be able to shape it to their own requirements. In this case it provided a useful path into a new subject for us, the governance of London, which we used as a springboard for our major inquiry into fiscal devolution in 2014.<sup>110</sup>

**62. In our view post-legislative scrutiny is a good idea but too often stifled by an overly bureaucratic process and is frequently an ineffective use of resources. We ask the Liaison Committee to consider whether a lighter touch review could be put in place under which, for example, select committees could drop the requirement for a review by the parent department which serves no purpose or, if they consider it necessary, ask the department to review legislation sooner than three years after it has been enacted.**

**63. As was highlighted during the roundtable discussion it appears that Government is carrying out less evaluation of the impact of its policies. The committee in the new Parliament may wish to consider how to fill this gap. Some of the methods we outline in the previous chapter on research may be of use.**

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106 CLG Committee, Third Report of Session 2010–12, [Localism](#), HC 547-I

107 London Councils ([WSC 010](#)) para 6

108 CLG Committee, Fifth Report of Session 2010–12, [Localisation issues in welfare reform](#), HC 1406-I

109 CLG Committee, Fourth Report of Session 2013–14, [Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly](#), HC 213

110 See CLG Committee, First Report of Session 2014–15, [Devolution in England: the case for local government](#), HC 503.

## European Scrutiny

*Task 7: To scrutinise policy developments at the European level and EU legislative proposals.*

64. The main European policy development affecting local government in England is the European Regional Development Fund. We dealt in 2011–12 with the process of programming, financing and implementing the economic regeneration and development projects associated with the Fund. We recommended that Government plan for more projects than might actually be started, as inevitably some would not reach the point where they could be implemented.<sup>111</sup> Ministers wrote to us to say they would do so. As we note in the next chapter (on unfinished business), we continue to raise with DCLG officials issues regarding the Fund's management up to 2020.

## Appointments

*Task 8: To scrutinise major appointments made by the department and to hold pre-appointment hearings where appropriate.*

65. Over the 2010–15 Parliament we have held pre-appointment hearings for the posts of

- Chair of the Regulation Committee of the Homes and Communities Agency,<sup>112</sup>
- Chair of the Audit Commission,<sup>113</sup> and
- following representations to the Secretary of State to add it to the list of pre-appointment hearings, the Housing Ombudsman.<sup>114</sup>

In 2012 we also held a post-appointment hearing with the Government's Chief Fire and Rescue Adviser.<sup>115</sup> We consider that as well as testing the fitness of the candidate for the post we have been able to ensure that their independence is safeguarded. In our hearing in 2014 with the Secretary of State's preferred candidate for the post of Housing Ombudsman, we endorsed her appointment but, to maintain the independence of the post, recommended she resign from the civil service.<sup>116</sup> She has now resigned.<sup>117</sup>

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111 CLG Committee, Second Report of Session 2012–13, [European Regional Development Fund](#), HC 81-1

112 CLG Committee, Seventh Report of Session 2010–12, [Pre-appointment hearing with the Government's preferred nominee for Chair of the Homes and Communities Agency Regulation Committee](#), HC 1612

113 CLG Committee, Fourth Report of Session 2012–13, [Pre-appointment hearing for the Chair of the Audit Commission](#), HC 553

114 CLG Committee, Fifth Report of Session 2014–15, [Pre-appointment hearing with the Government's preferred candidate for the post of Housing Ombudsman](#), HC 877

115 CLG Committee, Oral Evidence, [15 May 2013](#), HC (2013–14) 105

116 CLG Committee, Fifth Report of Session 2014–15, [Pre-appointment hearing with the Government's preferred candidate for the post of Housing Ombudsman](#), HC 877; see also CLG Committee, Seventh Report of Session 2010–12, [Pre-appointment hearing with the Government's preferred nominee for Chair of the Homes and Communities Agency Regulation Committee](#), HC 1612.

117 See [Letter to the Clerk of the Committee from David Kuenssberg, Deputy Director, Finance Change, DCLG, dated 3 February 2015, relating to the appointment of the Housing Ombudsman](#).

## Support for the House

*Task 9: To produce timely reports to inform debate in the House, including Westminster Hall, or debating committees, and to examine petitions tabled.*

66. A number of our reports have been produced to coincide with the commencement of legislation, or with emerging national debates. For example, our report, *The role of local authorities in health issues*,<sup>118</sup> was published in the week leading up to the transfer of responsibility for public health to local government in April 2013. Similarly our report on the *Implementation of welfare reform by local authorities*<sup>119</sup> came out in the week of some of the most far reaching reforms to the welfare system in 60 years. The recommendations in our 2011 report on the Government's emerging National Planning Policy Framework were taken up almost in their entirety by the Government and cited by the then Planning Minister as a valuable contribution to the Government's consultation on the new planning framework.<sup>120</sup> Another of our reports, *Devolution in England: the case for local government*,<sup>121</sup> was the first of several in the summer of 2014 to address the devolution of powers from Westminster to English city and county regions, an issue that we expect to build and to be the subject of debate in the next Parliament.<sup>122</sup>

67. We have launched reports such as those on the *Private Rented Sector*<sup>123</sup> and the *Operation of the National Planning Policy Framework*<sup>124</sup> on the Floor of the House, with a statement by our Chair. We have also debated our reports and the Government's responses to them in Westminster Hall, the Commons' second Chamber. For example, the debate on our report, *Councillors on the Frontline*, attracted interest from a range of Members and maintained the momentum behind the ongoing debate about the role, functions and recruitment of councillors throughout England.<sup>125</sup> We have also made good use of the 'tagging' process, which allows committees to alert Members to documents relevant to debates in the House by listing them on the Order Paper.<sup>126</sup>

68. We consider petitions referred to us by the House. When we received more than 150 relating to the effect of the Government's local government finance settlement for 2014–15 on rural areas, we decided to take oral evidence from the Minister on the settlement, at which we questioned him on the concerns raised in the petitions.<sup>127</sup> We also invited those who submitted petitions on planning issues to the discussion forum that we held for our inquiry into the operation of the national planning policy framework.<sup>128</sup>

118 CLG Committee, Eighth Report of Session 2010–12, *The role of local authorities in health issues*, HC 694-I

119 CLG Committee, Ninth Report of Session 2012–13, *Implementation of welfare reform by local authorities*, HC 833-I

120 HC Deb, 27 March 2012, [col 1337](#)

121 CLG Committee, First Report of Session 2014–15, *Devolution in England: the case for local government*, HC 503

122 See paragraph 119.

123 HC Deb, 18 July 2013, [col 1331](#)

124 HC Deb, 18 December 2014, [col 1606](#)

125 HC Deb, 5 September 2013, [col 151WH](#)

126 See for example HC Deb, 20 October 2011, [col 1076](#); 5 March 2013, [col 890](#); 22 July 2014, [col 436WH](#); 27 November 2014, [col 1145](#).

127 CLG Committee, Oral Evidence, [27 January 2014](#), HC (2013–14) 1024

128 See para 15.



## Public Engagement

*Task 10: To assist the House of Commons in better engaging with the public by ensuring that the work of the committee is accessible to the public.*

69. We have sought to make our work accessible to the public in a number of ways during the 2010–15 Parliament. We have worked closely with Parliament’s outreach team and the Centre for Public Scrutiny (CfPS) to host delegations of councillors and council officers from local authorities in England and those from further afield who were interested in learning more about the work of select committees generally and ours in particular. These have taken the form of presentations by Members and staff, followed by question and answer sessions and, on some occasions, attendance at evidence sessions followed by a meeting in private with us to analyse the proceedings and how we carry out scrutiny. Committee staff took part in an exchange programme with the overview and scrutiny teams and executive staff on Hertfordshire and Hackney councils, and arranged a reciprocal opportunity for officers from Hackney and Hertfordshire, to enable them to gain an understanding of scrutiny work in Parliament. Additionally, in February 2013 and February 2014 committee staff worked with the CfPS to organise two seminars bringing together scrutiny officers from local government with those from Parliament. CfPS said such seminars were “greatly valued” by local councillors and officers.<sup>129</sup>

70. We have also used social media, discussion forums and visits to engage with the public. We describe these in detail in chapter 2.

71. Following our *Councillors on the Frontline* report,<sup>130</sup> Professor Colin Copus ran a series of seminars considering the issues raised in the report and Government response. His report was then the subject of a further evidence session, at which he appeared alongside the Chair of the Local Government Association and DCLG Minister, Kris Hopkins MP.<sup>131</sup> The CfPS said we had “led the way in terms of gathering more evidence in different ways”.<sup>132</sup> Our Chair was also happy to have the tables turned and appear as a witness himself. He did so before the London Assembly, giving evidence into our report on the role of the London Assembly, something Richard Tracey AM described as “positive” and “right”.<sup>133</sup>

72. Finally, in our view public engagement is not all in one direction. It is also responding to public concerns. There are limitations—for example, we took a decision not to review individual cases such as planning decisions or the Local Government Ombudsman’s handling of specific cases on the grounds that we are not a court of appeal and it would be unfair to select one case over another. But we are clear that we should respond to evidence of systemic failures in central and local government. When such failures give rise to serious

129 Centre For Public Scrutiny ([WSC 015](#)), para 1.2

130 CLG Committee, Sixth Report of Session 2012–13, [Councillors on the frontline](#), HC 432-I

131 CLG Committee, Oral Evidence, [21 October 2014](#), HC 748

132 Centre For Public Scrutiny ([WSC 015](#)), para 1.1

133 Richard Tracey ([WSC 002](#)), para 2

public concern, as the Jay Report into child sexual exploitation in Rotherham did<sup>134</sup> we have to move quickly.

**73. The Liaison Committee may wish to consider whether committee core tasks need to include responding to serious public concern about systemic failure of government falling within the area of responsibility of the department it scrutinises.**

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134 Professor Alexis Jay OBE, [Independent Inquiry into Child Sexual Exploitation in Rotherham 1997–2013](#), August 2014

## 5 Unfinished business

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### Introduction

74. We have been conscious of the need to follow-up our work. By the nature of committee work it is easy to consider a subject completed when the report has been published and the Government has responded and then move on to the next topic. We have, however, made a determined effort during the Parliament to follow-up reports and recommendations. In this chapter we list unfinished business to continue that process and to improve continuity between this Parliament and the 2015 Parliament.

**75. We list issues that to us constitute unfinished business and which our successor committee may wish to pursue.**

76. In the summer of 2013 we conducted a review of our recommendations to the Government up to that point. We identified those recommendations that Ministers had accepted and asked for an update on their progress in dealing with them.<sup>135</sup> In this chapter we identify outstanding items from that audit, and issues from our reports since then, which we would have followed up in 2015–16.

### European Regional Development Fund

77. In late 2011 we held an inquiry into the operation of the European Regional Development Fund (ERDF). The ERDF is used to part-fund economic regeneration and development schemes in England; for projects to begin, they require match funding from other sources. In our 2012 report,<sup>136</sup> and subsequently, we expressed concern that a lack of match funding would mean some areas would miss the 2015 deadline for starting projects agreed in the 2007–13 operational programme.<sup>137</sup> In February 2015 we were assured by Sir Bob Kerslake, then Permanent Secretary at DCLG, that the 2007–13 programme allocations had been contractually committed.<sup>138</sup>

**78. While not doubting the assurances given that the resources in the 2007–13 round of the European Regional Development Fund (ERDF) will be fully drawn down, our successor committee may wish to check that the actuality matches the intention.**

79. Another issue has arisen with the current ERDF funding round. In February 2015 Sir Bob Kerslake also told us that the 2014–20 ERDF Operational Programme for England had not been agreed with the European Commission, although he assured us that “good progress” was being made. The sticking point appeared to be the role played in the process by Local Enterprise Partnerships (LEPs), with the Commission expressing concern about potential conflicts of interest, given that businesses are represented on LEPs and would, in

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135 CLG Committee, Written Evidence, Performance of DCLG 2012–13 Inquiry, Department for Communities and Local Government ([D13 009](#))

136 CLG Committee, Second Report of Session 2012–13, *European Regional Development Fund*, HC 81-I

137 See CLG Committee, Oral Evidence, [12 November 2012](#), Qq29ff and HC Deb, 28 February 2013, [col 141WH](#).

138 CLG Committee, Oral Evidence, [3 February 2015](#), HC 878, Q113

theory, be able to both bid for and influence the allocation of funding.<sup>139</sup> In a subsequent letter to LEPs, Lord Ahmad, Parliamentary Under Secretary of State at DCLG, stated that while the Government had sought “to give LEPs and partners a direct role in decision making on projects”, it had concluded that continuing discussion on the matter with the European Commission created “the risk of an impasse”. As a result, the Government proposed to “proceed with a model in which LEPs and partners have a key advisory role while decisions will remain with the Managing Authorities”. There would be exceptions for the Greater London Authority, which would have “full intermediate body status”, enabling it to manage and take decisions about all aspects of the programme, and the eight core cities, which would have “limited intermediate” body status.<sup>140</sup> In evidence on 24 February 2014, the Secretary of State for Communities and Local Government, Rt Hon Eric Pickles MP, said that his “long term aim would be to see more intermediate status in the UK” through a roll-out process.<sup>141</sup>

**80. We suggest our successor committee may wish to monitor the operation of the 2014–20 ERDF programme, and the division of responsibilities between DCLG and Local Enterprise Partnerships. In particular, it may wish to press the Government on progress in rolling out intermediate status within the UK.**

### Localisation issues in welfare reform

81. In our 2013 audit of recommendations, we asked the Government what analysis had been made of the impact on working-age recipients of the localisation of council tax support. The Government said an independent review would be carried out within three years of the scheme coming into force in April 2013. A review should therefore be expected by April 2016.

**82. Our successor committee may wish to look out for the independent review in April 2016 of the localisation of council tax support.**

### Community Budgets

83. Community Budgets allow providers of public services to establish joint budgets and share local knowledge. According to the Government, the benefits are that: the budgets remove central restrictions; give local people greater control over their local public services; and establish local partnership and governance arrangements to create a unified approach for a given area. Sixteen first-phase Community Budgets for families with multiple problems were announced in April 2011. Two further pilots were announced in December 2011: whole-place Community Budgets to bring together all funding for local public services in an area; and the *Our Place!* programme to give communities the opportunity to take control of local issues in their area.<sup>142</sup> The Government agreed in principle with many

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139 CLG Committee, Oral Evidence, [3 February 2015](#), HC 878, Qq113 - 118

140 [Letter from Lord Ahmad of Wimbledon, dated February 2015 to European Growth programme colleagues](#)

141 CLG Committee, Oral Evidence, [24 February 2015](#), HC 878, Q240

142 DCLG, [‘Giving local authorities more control over how they spend public money in their area’](#), accessed 13 February 2015

of the recommendations in our 2013 report, *Community Budgets*.<sup>143</sup> Its response largely covered what it was already doing, however, and no firm undertakings were given to take further action.<sup>144</sup> Since then Ministers have not given a timetable for a “national roll-out” of community budgets beyond their pilot stage.<sup>145</sup>

**84. We suggest our successor committee might ask the next Government for an update on the current status of, and future plans for, the Community Budgets programme.**

## London Government

85. In 2013, we examined the Greater London Authority Act 2007 and the role of the London Assembly. Our main recommendation was that, if London receives further devolved powers, the Government should review the scrutiny powers of the London Assembly.<sup>146</sup> In its response the Government agreed, stating that, if there were any further devolution of powers to the Mayor, it would consider the role of the Assembly and what the appropriate level of resourcing should be.<sup>147</sup>

**86. In the event of further powers being devolved to the Mayor of London, our successor committee may wish to consider pressing the Government to review the powers of the London Assembly.**

## The Local Government Ombudsman

87. In July 2012 we published a report criticising the way in which the Local Government Ombudsman (LGO) was run.<sup>148</sup> A follow-up report in January 2014 noted the improvements the LGO had made but highlighted several areas where work was still required.<sup>149</sup> The LGO agreed to write regularly to us with updates on its work, performance and responses to our recommendations. The LGO’s updates may also include responses to new issues that come to light. We published its most recent update in February 2015.<sup>150</sup>

**88. Our successor committee may wish to continue the arrangement by which the Local Government Ombudsman provides regular written submissions to the committee on its work, performance and responses to our recommendations.**

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143 CLG Committee, Third Report of Session 2013–14, [Community Budgets](#), HC 163

144 Department for Communities and Local Government, *Government response to the Communities and Local Government Select Committee Report: Community Budgets*, [Cm 8794](#), January 2014

145 HC Deb, 6 February 2014, [col 145WH](#)

146 CLG Committee, Fourth Report of Session 2013–14, [Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly](#), HC 213

147 Department for Communities and Local Government, *Government response to the Communities and Local Government Select Committee Report: Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly*, [Cm 8761](#), December 2013

148 CLG Committee, Third Report of Session 2012–13, [The work of the Local Government Ombudsman](#), HC 431-I

149 CLG Committee, Fifth Report of Session 2013–14, [Further review of the work and performance of the Local Government Ombudsman](#), HC 866

150 [Letter to the Chair from the Local Government Ombudsman, dated 30 January 2015, relating to the Committee’s inquiry into the work and performance of the LGO](#)

89. In response to our call for submissions on our work we received a submission from the LGO expressing her concern, supported by the Parliamentary and Health Service Ombudsman (PHSO), about an accountability gap in school admissions appeals: neither the LGO nor the PHSO can consider allegations of maladministration in relation to admissions to academies or free schools.<sup>151</sup> Our Chair wrote to the Secretaries of State for Communities and Local Government and Education. In her reply, the Education Secretary, Rt Hon Nicky Morgan MP, stated that she had asked her officials to include this issue within a wider review of the operation of the admission appeals system that had already been planned to take place.<sup>152</sup>

**90. Our successor committee may wish to establish the outcome of the Government's review of the admissions appeals system for academies and free schools, and whether the Government intends to make any changes in respect of complaints about admissions to academies and free schools.**

### *Reflection: Clive Betts MP, Chair of the Committee*

*The two features of the Select Committee's work which I'm most pleased about are the effort made in every inquiry to obtain wide ranging and robust evidence to base our recommendations on. Secondly, we have all supported a localist approach and seen local government at the heart of localism.*

*With these as our foundations we have managed to produce reports on many controversial issues with the agreement of all members. We have only had one vote in four and a half years.*

*Sometimes reaching agreement can mean reaching agreement to say nothing. I believe, however, we have produced reports of substance challenging the Government, as well as local councils and bodies such as the Local Government Ombudsman and the Housing Regulator.*

*Have we had an impact? Ultimately it's for ministers and others to decide how they respond. There have been clear acceptances by government of our proposals to alter the draft NPPF, legislate on park homes, and review policy on the private rented sector. The LGO and the Housing Regulator have also responded with changes in how they operate. The LGA welcomed our comments on local authority procurement.*

*Not all reports have received such a positive response and I once asked a civil servant how long it took for a report to get from the minister's in-tray to his waste paper basket.*

151 Local Government Ombudsman ([WSC 019](#)) and ([WSC 020](#)). The LGO can investigate complaints about school admissions appeals dealt with by the local authority. It does not, however, have any jurisdiction over academies and free schools. Parents concerned about the way academies and free schools have dealt with admissions can appeal to the Education Funding Agency (EFA). If in turn they are not satisfied with the way the EFA carries out the appeal work, they can take their complaint about that to the PHSO. The apparent gap arises because, while the PHSO can investigate how the EFA handled the complaint, it cannot look at whether the free school or academy took the original decision fairly and properly. It can therefore recommend remedy for the actions of the EFA but not those of the academy or free school.

152 [Letter to the Chair from Rt Hon Nicky Morgan MP, dated 2 February 2015, relating to complaints about admission appeals to academies and free schools](#)

*We shouldn't just be judged, however, on how many recommendations immediately lead to policy change. Our proposals on fiscal devolution to local councils have not immediately been embraced by either front bench. Many in local government and elsewhere have, however, seen our report as laying down important principles, whilst also grappling with difficult technical challenges, and forming the basis for a major debate in the next Parliament.*

*Can we do things better? We have tried to recognise the need not just to do a report and then move on. Our follow up report on welfare reform showed the need to keep major policy changes under review. We have started to commission our own research and there is more scope for that in the future.*

*There is also the dilemma as to whether we are just charged with scrutinising the Executive or also looking at the performance of local councils. While councils spend a large amount (although reduced) of central funds, Parliament has to be interested in how that is spent. We also have looked at high profile failures such as child sexual exploitation in Rotherham. What we can't do, however, is to scrutinise every council or pinpoint responsibility for every individual's failures. It's rather been our job to try and learn lessons which can be applied more widely. In the next Parliament the viability of local government may be a key issue where individual authorities entering the danger zone may require particular attention as a part of how a wider problem is addressed.*

## Regulation Committee of the Homes and Communities Agency

91. The Regulation Committee of the Homes and Communities Agency is responsible for ensuring that the registered providers of 2.6 million homes in the social rented sector are financially viable and properly managed. In July 2013, we published a report critical of the Regulation Committee's approach to financial viability assessments.<sup>153</sup> In response the Regulator introduced a 'watch list' on its website, giving an earlier signal that a provider's grading was at risk of being downgraded. The Regulation Committee agreed to provide us with regular updates on its work, between evidence sessions. The most recent letter dated 26 January 2015 is on our website.<sup>154</sup>

**92. Our successor committee may wish to continue the arrangement by which the Chair of the Regulation Committee of the Homes and Communities Agency provides regular written submissions to it on the committee's work, performance and responses to our recommendations.**

93. In February 2015, the HCA reported that 47 registered providers had indicated that they used free-standing derivatives to mitigate interest rate fluctuations. It stated:

In the December [2014] quarter, falling swap rates led to an increased exposure to margin calls, a trend which continued through January [2015]. The mark-to-market (MTM) exposure net of unsecured thresholds increased

<sup>153</sup> CLG Committee, Second Report of Session 2013–14, [The work of the Regulation Committee of the Homes and Communities Agency](#), HC 310

<sup>154</sup> [Letter to the Chair from Julian Ashby, dated 26 January 2015, relating to the work and performance of the Regulation Committee of the Homes and Communities Agency](#)

to £1.9bn (September £1.1bn). Collateral of £2.4bn in the form of property and cash has been given against this exposure (September £2.1bn).<sup>155</sup>

94. The HCA said that it was “continuing to monitor providers’ exposure to cash calls”.<sup>156</sup> **We have some unease at the increasing extent of housing associations’ exposure on the derivatives market. Were any housing association to find itself in financial difficulties as a result of its use of derivatives, it would be a matter of serious public concern. When revisiting social housing regulation, our successors may wish to consider the Regulation Committee’s attitude to housing associations’ use of derivatives and the extent to which sufficient safeguards have been put in place.**

### Operation of park homes legislation

95. We published our assessment of the park homes sector in June 2012 and found that malpractice was widespread, with frequent complaints from residents about unfair fees, poor maintenance and sale blocking by site owners.<sup>157</sup> We also concluded that the existing legislation was inadequate, as it neither deterred unscrupulous park home site owners from exploiting residents nor provided local authorities with effective powers to monitor or improve site conditions. The Mobile Homes Act 2013 was enacted to tackle some of the abuses. By early 2015 preliminary indications are that the 2013 Act is not working as well as intended. The problems identified included:

- notices stating all sales must be carried out through site owners;
- continued forced sales of homes to site owners;<sup>158</sup>
- failure to recognise the establishment of residents’ associations; and
- lack of local authority action to prosecute site owners.<sup>159</sup>

In late 2014 the Government announced a series of roundtable meetings on park homes, involving MPs and representative groups. The first meeting was scheduled for February 2015.<sup>160</sup>

96. As a result of a recommendation we made,<sup>161</sup> the 2013 Act included an enabling power to introduce a fit and proper person scheme to apply to site owners but this has not yet been commenced. The Government, preferring to try other changes first, told us it would not consider until April 2017 the option of using the power.<sup>162</sup>

155 Homes and Communities Agency, [Quarterly Survey of Private Registered Providers](#), December 2014, p 4

156 Homes and Communities Agency, [Quarterly Survey of Private Registered Providers](#), December 2014, p 4

157 CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I

158 HC Deb, 13 May 2014, [col 204WH](#). The 2013 Act prevented site owners blocking residents’ sales on the open market.

159 HC Deb, 5 November 2014, [col 275WH](#). The 2013 Act gave councils the power—but no duty—to prosecute site owners. Members also highlighted concerns about pitch fees rising in line with RPI while the state pension increases by the lower consumer prices index. The majority of park home owners are pensioners (HC Deb, 13 May 2014, [col 207WH](#)).

160 HC Deb, 5 November 2014, [col 282WH](#)

161 CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I

162 CLG Committee, Written Evidence, Performance of DCLG 2012–13 Inquiry, Department for Communities and Local Government ([D13 009](#))



97. We wish to make our successor committee aware of the Government's undertaking to review in April 2017 the need for a fit and proper person scheme applying to owners of park home sites.

### Knights review of fire and rescue authorities

98. Following publication in May 2013 of the review of the fire and rescue service by Sir Ken Knight, former Government chief fire and rescue adviser, we launched an inquiry and held two evidence sessions.<sup>163</sup> The Government did not respond to Sir Ken's review and we put our inquiry on hold. Instead, the Government decided to establish another review into the conditions of service for operational staff. This review led by Adrian Thomas was due to report in February 2015.<sup>164</sup>

99. Our successor committee may wish to review the conclusions of the Thomas review of the fire and rescue services and the Government's response to them.

### The Private Rented Sector

100. In July 2013 we published our report *The Private Rented Sector*, calling for the consolidation of existing legislation, greater flexibility for councils to enforce the law and raise standards and better regulation of letting agents and longer tenancies.<sup>165</sup> The Government's response and subsequent actions were constructive and took on board a number of points that we made.<sup>166</sup> In 2015–16, nevertheless, we would have followed up a number of issues:

- the Government's review of property conditions in the private rented sector began with a consultation paper, but, although the consultation closed in March 2014, the Government has yet to publish its response;<sup>167</sup>
- Ministers said they would issue revised guidance to local authorities on prosecuting rogue landlords,<sup>168</sup> but this guidance has still to be published;<sup>169</sup>
- the Government agreed to the Committee's recommendation on establishing a working party to improve the eviction process,<sup>170</sup> but, although the group appears to have met,<sup>171</sup> no announcements on its findings have been made; and

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163 CLG Committee, '[Knight Review of the Fire and Rescue Authorities in England: Call for submissions on Sir Ken Knight's review of the Fire Service](#)', 6 June 2013; Oral Evidence, [15 July 2013](#) and [9 September 2013](#), HC (2013–13) 311

164 '[Minister opens independent review of firefighter conditions](#)', DCLG press release, 7 August 2014

165 CLG Committee, First Report of Session 2013–14, [The Private Rented Sector](#), HC 50

166 DCLG, *Government Response to the Communities and Local Government Select Committee Report: The Private Rented Sector*, October 2013, [Cm 8730](#)

167 DCLG, [Review of Property Conditions in the Private Rented Sector](#), February 2014

168 DCLG, *Government Response to the Communities and Local Government Select Committee Report: The Private Rented Sector*, October 2013, [Cm 8730](#)

169 [Letter to the Chair from Brandon Lewis MP, dated 23 January 2015, relating to the private rented sector](#)

170 DCLG, *Government Response to the Communities and Local Government Select Committee Report: The Private Rented Sector*, October 2013, [Cm 8730](#)

- the Government also agreed to hold a mortgage lenders summit to understand the barriers to lenders allowing longer tenancies in their buy to let mortgages,<sup>172</sup> but we have had no indication that this has taken place.

**101. Our successor committee may wish to follow up a number of issues outstanding from our report into Private Rented Sector.**

102. Additionally, in March 2015 we published a report on research into Scotland’s ban on letting agents’ fees and charges, *Private Rented Sector: the evidence from banning letting agents’ fees in Scotland*.<sup>173</sup>

**103. We recommended that the Government undertake research on the likely impact of a ban on letting agents’ fees and charges to tenants in England, similar to the one applying in Scotland. We await the Government’s response.**

## Building Regulations

104. During the 2010 Parliament we have taken a close interest in the Government’s changes to Building Regulations, particularly those applying to electrical installation and repairs in domestic buildings. In our 2014 report, *Building Regulations certification of domestic electrical work*, we noted that the introduction of Part P to the Government’s Building Regulations, which brought some domestic electrical work within building control, had pushed up domestic electrical installation standards.<sup>174</sup> But we said further improvement was needed; we called for competence requirements to be rolled out to all those doing electrical work to which Part P applied; and noted that public awareness of Part P was a “dismal” 14%.<sup>175</sup> In response the Government declined to accept most of our recommendations. Indeed, we were so concerned by the Government’s failure to engage with our recommendations that we took the unusual step of inviting back the Minister, Stephen Williams MP, to discuss the response in a further oral evidence session.<sup>176</sup>

105. In response to an earlier report, published in 2012, *Building Regulations applying to electrical and gas installation and repairs in dwellings*, the Government undertook to monitor the success of changes made to Part P and to report back within two years of any changes being made.<sup>177</sup> In its response to our 2014 report, the Government stated that it

171 HL Deb, 13 March 2014, [col WA403](#); see also ‘[Government plans to speed up tenant evictions](#)’, Landlord Law Blog, accessed 5 March 2015.

172 DCLG, *Government Response to the Communities and Local Government Select Committee Report: The Private Rented Sector*, October 2013, [Cm 8730](#)

173 CLG Committee, Eighth Report of Session 2014–15, [Private Rented Sector: the evidence from banning letting agents’ fees in Scotland](#), HC 964

174 CLG Committee, Seventh Report of Session 2013–14, [Building regulations certification of domestic electrical work](#), HC 906, para 7

175 CLG Committee, Seventh Report of Session 2013–14, [Building regulations certification of domestic electrical work](#), HC 906, summary

176 CLG Committee, Oral Evidence, [9 July 2014](#), HC 544

177 DCLG, *Government Response to the Communities and Local Government Select Committee Report: Building Regulations applying to electrical and gas installation and repairs in dwellings*, July 2012, [Cm 8369](#), para 28

would “use its best endeavours” to ensure we received this review by February 2015.<sup>178</sup> We received a memorandum from the Government on 3 March, setting out the conclusions from this review.<sup>179</sup> This memorandum gave us some comfort that progress was being made. On competence requirements, the Government was considering the introduction of new roles of “qualified inspector” and “qualified installer” subject to the conclusions of fieldwork that would be completed in April 2015. In addition, the Government proposed to strengthen provisions to ensure adequate instruction and supervision of those, such as labourers, fitters’ mates and apprentices, who were not subject to minimum technical competence assessments. The memorandum did, however, give us some cause for concern. It suggested that that the number of electrical firms registered with full scope Part P schemes might be levelling off. In addition, the memorandum included a number of statistics about accidents, which might merit further examination.

106. In our view, the issues raised in the memorandum are broad and would merit further examination. **We suggest that our successors consider the Government's conclusions on the review of the operation of Part P of the Building Regulations and, if necessary, call for evidence.**

107. In our 2012 report we recommended that sockets and other electrical equipment sold by DIY retailers carry a health warning stating that it is illegal for an unregistered person to carry out electrical works without the required checks being made.<sup>180</sup> In May 2013, at our prompting the British Retail Consortium (BRC) agreed on the wording of advice to consumers which its members could voluntarily include on their electrical product packaging.<sup>181</sup> The wording stated:

For your safety, this product must be installed in accordance with Local Building Regulations. If in any doubt, or where required by the law, consult a competent person who is registered with an electrical self-certification scheme. Further information is available online or from your Local Authority.

BRC members signing up to the agreement began including this advice on their products from late 2013.

108. In September 2014 we commissioned research from Electrical Safety First (ESF) into the effectiveness of the BRC’s voluntary agreement. We received ESF’s report in January 2015. Some of the findings gave us cause for concern—for example ESF found that it was “still entirely possible to purchase a product either online or in store without the customer being made aware of the advice unless specifically looking for it” and most staff in stores were found to be unaware of the advice to be provided to customers. The research also suggested that the voluntary agreement had “the potential to become considerably more

178 DCLG, *Government Response to the CLG Select Committee’s report Building Regulations Certification of Domestic Electrical Work*, May 2014, [Cm 8853](#), para 8

179 [Memorandum from DCLG to CLG Committee on Part P of the Building Regulations](#), March 2015

180 CLG Committee, Tenth Report of Session 2010–12, [Building Regulations applying to electrical and gas installation and repairs in dwellings](#), HC 1851

181 The wording is: “For your safety, this product must be installed in accordance with Local Building Regulations. If in any doubt, or where required by the law, consult a competent person who is registered with an electrical self-certification scheme. Further information is available online or from your Local Authority.”

effective in educating consumers if straightforward improvements are made, such as standardising the measures the agreement covers, which are currently selected by the retailer”.<sup>182</sup>

109. We wrote to the BRC and six retailers identified as not fully in compliance with the voluntary agreement in the research asking them to respond in writing to the findings. We received six responses, which we have published.<sup>183</sup> Some of the retailers indicated that they would take further steps to ensure their stores complied with the voluntary agreement. The BRC and one of the retailers, Kingfisher plc, suggested, however, that a regulatory approach might be needed if a more standardised approach was to be achieved. The BRC noted that “substantial extra activity would be needed to establish whether this route would achieve the desired outcome and whether the cost and complexity would be commensurate with the issue”.<sup>184</sup>

110. We are clear that the existing voluntary arrangement is not operating comprehensively across the sector as we expected in 2012. Our purpose was to make sure that those carrying out electrical works to which part P applied were aware of Part P and carried out works that met its requirements. It is disappointing that the large retailers, major public companies, having signed up to a voluntary agreement, feel unable to commit to it, and now consider that regulation might be needed. The issue is what should be done now. We see several ways forward, which include (1) pressing the BRC and retailers to implement the agreement comprehensively and reviewing progress again in 2016 and (2) launching an inquiry inviting submissions on the rationale and scope of regulation. **We consider that further consideration needs to be given to the merits of a regulatory approach to the inclusion of safety warnings on electrical equipment sold to the public. We have not had time to consider these matters in full, but suggest that our successors may wish to examine them early in the next Parliament.**

## Litter

111. In our March 2015 report, *Litter and fly-tipping in England*, we noted the costs to local authorities of cleaning up chewing gum. We considered a tax on chewing gum to cover these costs but stopped short of recommending such a tax at the present time. However, we emphasised that it was the last chance for the chewing gum industry to get its house in order and recommended that our successors returned to the issue in a year's time.<sup>185</sup> **Our successors may wish to revisit the issue of chewing gum litter in 2016 to consider progress made by the industry.**

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182 Electrical Safety First, [Investigation into the British Retail Consortium's Voluntary Agreement Regarding the Sale of Electrical Products](#), January 2015

183 [Correspondence from various organisations in response to a letter from the Chair dated 12 February 2015 regarding the voluntary agreement on the sale of electrical products](#)

184 As above

185 CLG Committee, Seventh Report of Session 2014–15, [Litter and fly-tipping in England](#), HC 607, para 38

## Government responses awaited

112. Finally, as well as a response to our report on the Private Rented Sector, responses are due to the following reports:

- i) *Community Rights*, published February 2015;<sup>186</sup>
- ii) *Litter and fly-tipping in England*, published March 2015;<sup>187</sup>
- iii) *Private Rented Sector: the evidence from banning letting agents' fees in Scotland*, published March 2015;<sup>188</sup> and
- iv) *Child sexual exploitation in Rotherham: Ofsted and further government issues*, published March 2015.<sup>189</sup>

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186 CLG Committee, Sixth Report of Session 2014–15, [Community Rights](#), HC 262

187 CLG Committee, Seventh Report of Session 2014–15, [Litter and fly-tipping in England](#), HC 607

188 CLG Committee, Eighth Report of Session 2014–15, [Private Rented Sector: the evidence from banning letting agents' fees in Scotland](#), HC 964

189 CLG Committee, Ninth Report of Session 2014–15, [Child sexual exploitation in Rotherham: Ofsted and further government issues](#), HC 1144

## 6 Major developments that the new committee may wish to consider

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113. In the previous chapter we considered ‘unfinished business’, matters we have looked at over the Parliament and to which our successor committee may wish to return. In this chapter, although there is inevitably some overlap with the previous chapter, we turn to major issues and emerging developments, which our successor committee may wish to pursue either through inquiries or the commissioning of research. Some of these topics have been suggested in evidence to this inquiry, others have been raised with us over the course of the Parliament, and others are matters we ourselves consider will emerge (or continue) as significant issues over the next five years. We emphasise that these are our reflections. It will be for our successors to decide which matters they wish to pursue.

### Local government

#### *Scrutiny and accountability*

114. Recent events, such as the Government’s intervention in the London Borough of Tower Hamlets and the Jay Report into child sexual exploitation in Rotherham followed by the inspection of Rotherham led by Louise Casey, have raised for us disturbing questions about the effectiveness, capacity and function of local government scrutiny.<sup>190</sup> A number of the submissions we received have also made reference to how local government scrutiny could be strengthened.<sup>191</sup> The current scrutiny system was established by the Local Government Act 2000. It might therefore be timely to examine the operation and effectiveness of local government scrutiny.<sup>192</sup> Such an examination could address how the provisions of the 2000 Act have operated in practice and more specifically:

- the independence of scrutiny from the executive;
- how scrutiny is resourced;
- what training and support is available to scrutiny councillors;
- how scrutiny operates where combined authorities have been established;
- the role of scrutiny in local authorities that have returned to the committee system;<sup>193</sup> and

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<sup>190</sup> See, for example, CLG Committee, Third Report of Session 2014–15, [Child sexual exploitation in Rotherham: some issues for local government](#), HC 648, paras 19–21; HC Deb, 4 November 2014, [col 663](#); see also CLG Committee, Ninth Report of Session 2014–15, [Child sexual exploitation in Rotherham: Ofsted and further government issues](#), HC 1144.

<sup>191</sup> Dr Tim Brown ([WSC 011](#)) section 4; Centre for Public Scrutiny ([WSC 015](#))

<sup>192</sup> Centre for Public Scrutiny ([WSC 015](#)) suggests such an inquiry at para 2.3

<sup>193</sup> The Local Government Act 2000 brought about the end of the traditional “committee system” and required councils to choose one of four options for a new political structure: two involved directly elected mayors; one a ‘leader and cabinet’ model; and the fourth option, available only to smaller councils, a streamlined committee structure. The Localism Act 2011 enabled councils to reintroduce a committee system if they wished. Under the committee system, councils make most decisions in committees. A number of councils have opted to return to the committee system.

- how the changing nature of service provision will affect the future operation of scrutiny—including how services provided by private contractors can be effectively scrutinised, and whether there is merit in proposals for the establishment of ‘local public accounts committees’.<sup>194</sup>

### **Reflection: Chris Williamson MP**

*My year spent on the CLG Select Committee 2014–15 was hugely enjoyable, as I gained an in-depth insight into the many inquiries we were involved in. Having joined from the CLG frontbench, it was also fascinating to see first-hand the comparison between the two roles.*

*Holding the ministerial team to account is certainly an important part of the Committee’s work—we had the Secretary of State and his team before us on a number of occasions in relation to a variety of matters.*

*But equally important are the broader investigations the Committee undertakes.*

*Fiscal devolution was an area that had intrigued me long before I joined the Committee, and I was pleased to be able to use and increase my own knowledge through our inquiry.*

*We also looked closely at the National Planning Policy Framework, something which will impact on communities up and down the nation for many years to come.*

*A personal highlight for me was the work we undertook on tackling litter and, in particular, fly-tipping. This coincided with a local campaign I was heavily involved in within my own city, Derby, working closely with the Labour-led council to address issues within one particular community.*

*And, of course, there was the work in relation to the hugely significant child sex exploitation case in Rotherham. The repercussions of that will continue for some time as responsible authorities learn from the failings of others, and I have no doubt that the Committee’s work on this area was of huge importance.*

*Crucially, Committee inquiries make a vital and valuable contribution to evidence-based policy recommendations. The importance of this role cannot be overstated.*

*Interestingly, the Committee’s work programme has enabled me to explore a much broader range of policy areas than I was able to do when I was on the frontbench.*

115. The Centre for Public Scrutiny has also called for “detailed national research to establish the true extent of the weaknesses in local scrutiny that were exposed in the Rotherham, Mid-Staffs and other cases”.<sup>195</sup> If our successors were minded to carry out an inquiry they may wish to consider whether to commission research in preparation for any

<sup>194</sup> See, for example, Dr Tim Brown ([WSC 011](#)) para 4.4; Centre for Public Scrutiny ([WSC 015](#)) section 2.1.

<sup>195</sup> Centre for Public Scrutiny ([WSC 015](#)) para 2.2

inquiry, looking at why in a number of high profile cases the scrutiny function failed to identify and expose serious problems.

### **Financial sustainability of local authorities**

116. Under the Local Audit and Accountability Act 2014, the National Audit Office, through the Comptroller and Auditor General, has powers to carry out thematic examinations relating to groups of authorities but these powers do not extend to examinations of individual authorities.<sup>196</sup> As a consequence, the Committee of Public Accounts is limited in its ability to hold individual local authorities to account for their financial performance. We consider that in these circumstances the accountability to Parliament for the financial sustainability of local authorities comes through us.

117. In November 2014, the National Audit Office produced a report, *Financial sustainability of local authorities 2014*, which raised a number of concerns both about the financial sustainability of local authorities and the Department for Communities and Local Government's (DCLG) understanding of these challenges.<sup>197</sup> During our annual session on the performance of DCLG in February 2015, we questioned the then Permanent Secretary and his deputy about the findings.<sup>198</sup> In its evidence, the Core Cities Group called for an examination of "the sustainability of local government services in light of the current level of finance [...] and the likelihood of further financial restraint".<sup>199</sup> In our view, financial sustainability is likely to be one of the most important issues facing local government over the next five years. We would encourage our successor committee to keep a close watch on this issue and DCLG's handling of it.

118. It seems inevitable that in response to financial pressures, there will be significant changes and we received submissions suggesting that approaches to service delivery would change in coming years.<sup>200</sup> This might include an increased role for private and third sector providers, more 'place-based' approaches to the pooling of budgets, or local authorities grouping together to achieve efficiencies of scale across various functions. One further consequence may well be a focus of local government resources on statutory provision, with funding for discretionary services such as parks being disproportionately squeezed.

### **Devolution**

119. The issue of devolution within England is not going to go away. As we point out in our report, *Devolution in England: the Case for Local Government*, the disparity between, on the one hand, Scotland, Wales, Northern Ireland and London, and, on the other hand, the rest of the England is such that there is a self-evident case for change.<sup>201</sup> The momentum for change can be seen, for example, as think-tanks are now working through

196 Local Audit and Accountability Act 2014, [section 35](#) and [Explanatory Notes](#)

197 National Audit Office, [Financial sustainability of local authorities 2014](#), HC 783

198 Oral evidence taken on [3 February 2015](#), HC 878, Qq61–82

199 Core Cities UK ([WSC 008](#))

200 See, for example, Association of Chartered Certified Accountants ([WSC 014](#)); Centre for Public Scrutiny ([WSC 015](#)); Richard Bate ([WSC 012](#)).

201 CLG Committee, First Report of Session 2014–15, [Devolution in England: the case for local government](#), HC 503



possible details.<sup>202</sup> The Government has taken steps to devolve spending powers to some areas (see below), but has thus far resisted calls, from us and others, to devolve tax raising powers, including in its response to our report.<sup>203</sup> Nevertheless, the pressure for further devolution, including fiscal devolution, is almost certain to continue into the next Parliament. Our successors may wish to make the options for and merits of further devolution one of their areas of focus.

### **City Deals**

120. A key vehicle for devolution has been the City Deals, which were first launched in December 2011, and, in the Government's words, give cities "new powers in exchange for greater responsibility to stimulate and support economic growth in their area". The first wave saw eight cities sign deals with the Government, and the programme was extended to a second wave of 20 cities in January 2013.<sup>204</sup> The Core Cities Group suggests that our successor committee focus "on delivery of these deals, helping to ensure timely delivery of any existing deals but also examining how the benefits of such packages can be extended".<sup>205</sup> If our successors were minded to pursue an inquiry, it could, in our view, consider any lessons learned from the first two waves of City Deals, and how they can be applied to future deals. Should they wish to conduct a wider inquiry, our successors might also look at emerging lessons from the Local Growth Deals agreed with Local Enterprise Partnerships, and the more recent "devolution deals". They could also examine how effectively City Deal-type arrangements can be applied to non-metropolitan areas, where we have detected an appetite for these arrangements.

### **Greater Manchester health devolution**

121. In February 2015, a Memorandum of Understanding was published, creating "a framework for achieving the delegation and ultimate devolution of health and social care responsibilities to accountable, statutory organisations in Greater Manchester".<sup>206</sup> The Chancellor of the Exchequer, Rt Hon George Osborne MP, said of the agreement that "not only does it mean the people of Greater Manchester having more control over the decisions that affect their lives; I believe it will also lead to better, much more joined up health care".<sup>207</sup> In our view, this move represents a significant milestone down the road to devolution and merits further scrutiny. Our successors may wish to look more closely at these proposals early in the new Parliament.

202 See for example Institute for Public Policy Research North, [Decentralisation Decade: A plan for economic prosperity, public service transformation and democratic renewal in England](#), September 2014; City Growth Commission, [Powers to Grow: City Finance and Governance](#), September 2014; ResPublica, [Devo Max-Devo Manc](#), September 2014.

203 DCLG, *Government Response to the Communities and Local Government Select Committee Report: Devolution in England: the case for local government*, February 2015, [Cm 8998](#); see also, for example, Liaison Committee, Oral Evidence, [20 November 2014](#), HC 683, Qq 29–35.

204 HM Government, '[Giving more power back to cities through City Deals](#)', accessed 5 March 2015. 18 City Deals have been agreed to date.

205 Core Cities UK ([W5C 008](#))

206 Association of Greater Manchester Authorities/NHS England/NHS Greater Manchester Association of Clinical Commissioning Groups, [Greater Manchester Health and Social Care Devolution: Memorandum of Understanding](#), February 2015

207 '[Caring for Greater Manchester Together](#)', Greater Manchester Combined Authority Press Release, 27 February 2015

## Business rates

122. In the 2014 Autumn Statement, Mr Osborne announced that the Government would conduct a full structural review of the business rates system.<sup>208</sup> This review will be additional to the current Government review into the administration of business rates, which published its interim report in December 2014.<sup>209</sup> Our successors may wish to monitor the progress of both reviews, and to contribute to the development of any final proposals.

## Parks

123. As financial pressures on local authorities increase, they are likely to place their focus on statutory services, with discretionary services, such as parks, being increasingly squeezed. We received written evidence from the Parks Alliance suggesting that there was:

now a case for scrutinising the value of Parks, and their role in an increasingly urban nation, alongside the challenges they face, and the role of Government.<sup>210</sup>

It referred to the findings of a recent report into parks by the Heritage Lottery Fund, which warned that the recent renaissance in parks was under threat.<sup>211</sup> This view was echoed in correspondence we received from the National Trust.<sup>212</sup> We agree that there might be merit in our successors conducting an inquiry into parks. Amongst other matters, such an inquiry could consider how to secure future funding for parks at a time when local authorities find themselves under increasing financial pressure.

## Town centres

124. We have taken a keen interest in town centres throughout this Parliament. In 2013, we took oral evidence from the retail expert, Mary Portas, who had led a Government-commissioned review into the future of the high street.<sup>213</sup> More recently, in 2014, town centre planning policy formed a central part of our inquiry into the *Operation of the*

208 HC Deb, 4 December 2014, [col 312](#)

209 HM Treasury/DCLG, [Administration of business rates in England: interim findings](#), December 2014

210 [WSC 24](#)

211 Heritage Lottery Fund, [State of the UK Public Parks 2014 – Renaissance to risk?](#), June 2014

212 The National Trust emailed the Committee on 3 March 2015 as follows:

Whilst we in the National Trust will continue to explore all that we can do to help local authorities face into the very great challenge they have, I believe only a Parliamentary Select Committee has the authority and power to draw proper attention to this issue and to compile a thorough assessment of both the issues and the potential solutions. I am conscious of the short time remaining in the current Parliament, but hope you would consider including the idea of a review of public parks in your legacy report.

There is something of a 'silent crisis' unfolding at the moment and without concerted action, there is a very real danger that many of our nations' public parks will cease providing the significant and varied public benefits that they have provided for so long. This would be a very sad loss indeed and its impacts would be felt for many decades to come.

213 CLG Committee, Oral and Written Evidence, [High Streets and Town Centres](#), HC (2012–13) 612-i

*National Planning Policy Framework* (NPPF).<sup>214</sup> Evidence to that inquiry suggested that the nature and uses of town centres are continuing to evolve: increasingly, as a result of trends such as the growth of online shopping, town centres are looking to adapt to other uses besides retail. We recommended that the Government commissioned research into changing retail dynamics as they related to town centre planning policy and, following publication of this research, that it consult on amending the NPPF to bring it up-to-date with current retail planning policy. Regrettably, the Government rejected this recommendation.<sup>215</sup> Our successors might wish to examine how town centres are changing, and the steps that can be taken by local and central government to help them adapt. In doing so, they may wish to consider the adequacy of current research on this topic.

## Housing and planning

### *Housing guarantees*

125. On a number of occasions, the National Audit Office (NAO) has observed, as we have already noted, that DCLG is moving away from its traditional grant giving role, and finding more innovative ways to fund its programmes, notably through a range of financial instruments and guarantees. The use of such mechanisms has been particularly prominent in relation to funding for housing: the NAO has drawn attention to the £1.4 billion DCLG has invested in individual homes, largely through affordable home ownership schemes such as the Help to Buy Equity Loans scheme introduced in 2013.<sup>216</sup> It gives rise to three particular questions:

- i) whether DCLG has the skills and resources it needs to manage these instruments effectively;
- ii) whether there are sufficient safeguards in place—for instance to deal with the consequences of any downturn in the housing market; and
- iii) the effectiveness of these instruments in delivering DCLG’s housing objectives.

We suggest that our successors may wish to keep a close eye on how these matters are being addressed and develop.

### *The house building industry*

126. During our inquiry into the operation of the NPPF, we received conflicting evidence about practices within the house building industry, and how effectively the industry’s business model is contributing to the delivery of the new homes the country needs.<sup>217</sup> We heard concerns about the time taken to build houses on sites, approaches taken to the

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214 CLG Committee, Fourth Report of Session 2014–15, [Operation of the National Planning Policy Framework](#), HC 190, Chapter 5

215 DCLG, *Government Response to the CLG Select Committee Inquiry into the Operation of the National Planning Policy Framework*, February 2015, [Cm 9016](#)

216 National Audit Office, [DCLG Departmental Overview 2014 Infographic](#); for more information on the Help to Buy Equity Loans scheme, see DCLG, [‘Affordable Home Ownership Schemes’](#), accessed 5 March 2015.

217 CLG Committee, Fourth Report of Session 2014–15, [Operation of the National Planning Policy Framework](#), HC 190

assessment of viability, and a small number of developers who were tarnishing the reputation of the sector by undermining local plans through speculative planning applications. We examined these issues in so far as they affected planning policy, but in our view they may well merit further and more specific consideration. Our successor committee may wish to examine how the industry operates, its business model and its interaction with the planning system.

### ***Community Infrastructure Levy***

127. Our inquiry into the operation of the NPPF also heard concerns about the operation of the Community Infrastructure Levy (CIL). CIL was brought into force in 2010 and was intended to replace the system whereby councils used planning obligations (section 106 agreements) to secure a contribution for infrastructure from developers. Evidence to us suggested that councils had been slow to adopt CIL, with many preferring to continue funding infrastructure through section 106 agreements. The Government has committed to reviewing CIL in 2015.<sup>218</sup> Our successor Committee may wish to keep a ‘watching brief’ on this issue, and consider whether, following the review, there is merit in further examination of how best to secure a contribution to infrastructure from developers. The Committee may also wish to examine the wider issue of how to capture for the public purse a part of the benefits from increases in land value resulting from an act of public policy.

### ***Holiday homes***

128. Following our 2012 inquiry into park homes,<sup>219</sup> we received correspondence suggesting that we carry out a similar inquiry into holiday homes, that is park homes that have to be vacated for a short period each year. We have not had time to pursue this suggestion, but our successor committee may wish to consider the need for an examination of the adequacy of regulation, legal protection for holiday home residents against unscrupulous site owners, and the fees charged to residents.

**129. In this chapter, the final chapter of our report, we have set out major issues along with emerging developments which our successor committee may wish to pursue.**

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218 CLG Committee, Oral Evidence, [15 October 2014](#), HC 190, Q816 [Brandon Lewis]

219 CLG Committee, First Report of Session 2012–13, [Park Homes](#), HC 177-I; see also para 95.

## Conclusions and recommendations

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### Written contributions

1. We have drawn on the written submissions we received at several points in this report but we have not set out to summarise them and we suggest that our successor committee may wish to read them. (Paragraph 2)

### Advice on questioning techniques

2. We found support on questioning techniques to be beneficial and would commend it to our successor committee, perhaps at an earlier stage in the next Parliament than we took it. (Paragraph 11)

### Techniques for evidence gathering

3. For some of our inquiries we therefore concluded it was necessary to go beyond the traditional approach of the witness-at-the-horseshoe. We supplemented that method with seminars, discussion forums, social media and visits. (Paragraph 13)
4. We found the use of discussion forums useful and beneficial when we came to deliberation on our report. Not only would we commend their use and that of informal approaches but we hope our successors in the next Parliament will develop the format. (Paragraph 15)
5. We have used Twitter to source questions as a complement to some of our regular inquiries. (Paragraph 17)
6. London Councils in its submission on our work suggested we build on our use of Twitter with more detailed tweets, a live Twitter feed running during sessions and a Storify account of them afterwards. We leave that for our successor committee to consider. (Paragraph 18)

### Joint working and cooperation

7. We would encourage our successors to explore opportunities for joint working and collaboration with other select committees. In our view, there would be particular merit in close co-operation with the Committee of Public Accounts. (Paragraph 23)
8. We suggest that the Liaison Committee in the new Parliament consider revising the guidance on core tasks to encourage greater formal and informal contact between select committees at Westminster and their counterparts in the parliaments and assemblies in the UK, and, if appropriate, in the Isle of Man and the Channel Islands. (Paragraph 26)

### Testing evidence and research

9. Although we have not used organisations such as the What Works Centres or the Alliance for Useful Evidence and cannot comment on their value, the committee in the new Parliament may wish to explore how such organisations might usefully feed into the committee's future work. The committee could, for example, as a pilot ask one of these organisations to review rapidly the available evidence. The potential

benefit would be the ability to draw upon information from a range of sources in addition to the submissions received, and the skills and expertise of such organisations in terms of assessing the quality and reliability of this information through methods such as systematic reviews. (Paragraph 30)

10. We have examined the Education Committee's evidence web forum. The committee in the new Parliament may wish to explore its use with the Department for Communities and Local Government. During this Parliament we have pressed DCLG to explain the evidence base underpinning some of its policies with limited success and an arrangement to elicit better evidence would have been of assistance. It would also be helpful if DCLG was more transparent in sharing the business cases used to inform ministers' policy decisions. (Paragraph 32)
11. We consider that select committees will be assisted in their work if they commission more research and they should build time to commission, carry out and review such research into the timetables for their work. (Paragraph 36)
12. The committee in the new Parliament may wish to review how it handles research evidence—or, as we sometimes found, material that purports to be such evidence. We see scope to improve the process, for example by asking respondents in the call for written submissions if they cite research to explain the methodology and what degree of review the research has been subject to. (Paragraph 40)
13. The committee may wish to pilot an evidence checklist, for example, based on the Bond Evidence Principles. This would give a clear indication to both committee staff and members of the overall quality of the evidence submitted, based on the score and colour it receives. (Paragraph 41)

#### Role of specialist advisers

14. The committee in the next Parliament may wish to appoint a panel of advisers in 2015 to cover the key areas it is scrutinising. (Paragraph 44)

#### Devolution and accountability

15. If fiscal devolution happens in England, then our role in scrutinising local government would change. We would expect to see a shift in accountability from the national to the local level, and a strengthened approach to local scrutiny. In the meantime, it is right and proper that we hold local government to account for the money Parliament allocates to it. (Paragraph 51)

#### NAO and Scrutiny Unit of the House of Commons

16. We must put on record our thanks to both the National Audit Office (NAO) and the House of Commons Scrutiny Unit. We would urge our successor committee in the new Parliament to make contact with the NAO at an early stage and to build on what we consider has been a good working relationship. Both the NAO and Scrutiny Unit provide invaluable assistance in understanding policies, testing evidence and the impact of policies and in sharpening scrutiny of government. (Paragraph 55)

### Government responses to committee reports

17. We alert our successor committee to keep an eye on the quality and punctuality of Government responses to their reports. (Paragraph 57)

### Post-legislative scrutiny and evaluation of the impact of policies

18. In our view post-legislative scrutiny is a good idea but too often stifled by an overly bureaucratic process and is frequently an ineffective use of resources. We ask the Liaison Committee to consider whether a lighter touch review could be put in place under which, for example, select committees could drop the requirement for a review by the parent department which serves no purpose or, if they consider it necessary, ask the department to review legislation sooner than three years after it has been enacted. (Paragraph 62)
19. As was highlighted during the roundtable discussion it appears that Government is carrying out less evaluation of the impact of its policies. The committee in the new Parliament may wish to consider how to fill this gap. Some of the methods we outline in the previous chapter on research may be of use. (Paragraph 63)

### Public engagement

20. The Liaison Committee may wish to consider whether committee core tasks need to include responding to serious public concern about systemic failure of government falling within the area of responsibility of the department it scrutinises. (Paragraph 73)

### Unfinished business

21. We list issues that to us constitute unfinished business and which our successor committee may wish to pursue. (Paragraph 75)

### European Regional Development Fund

22. While not doubting the assurances given that the resources in the 2007–13 round of the European Regional Development Fund (ERDF) will be fully drawn down, our successor committee may wish to check that the actuality matches the intention. (Paragraph 78)
23. We suggest our successor committee may wish to monitor the operation of the 2014–20 ERDF programme, and the division of responsibilities between DCLG and Local Enterprise Partnerships. In particular, it may wish to press the Government on progress in rolling out intermediate status within the UK. (Paragraph 80)

### Localisation issues in welfare reform

24. Our successor committee may wish to look out for the independent review in April 2016 of the localisation of council tax support. (Paragraph 82)

### Community Budgets

25. We suggest our successor committee might ask the next Government for an update on the current status of, and future plans for, the Community Budgets programme. (Paragraph 84)

### London government

26. In the event of further powers being devolved to the Mayor of London, our successor committee may wish to consider pressing the Government to review the powers of the London Assembly. (Paragraph 86)

### The Local Government Ombudsman

27. Our successor committee may wish to continue the arrangement by which the Local Government Ombudsman provides regular written submissions to the committee on its work, performance and responses to our recommendations. (Paragraph 88)
28. Our successor committee may wish to establish the outcome of the Government's review of the admissions appeals system for academies and free schools, and whether the Government intends to make any changes in respect of complaints about admissions to academies and free schools. (Paragraph 90)

### Regulation Committee of the Homes and Communities Agency

29. Our successor committee may wish to continue the arrangement by which the Chair of the Regulation Committee of the Homes and Communities Agency provides regular written submissions to it on the committee's work, performance and responses to our recommendations. (Paragraph 92)
30. We have some unease at the increasing extent of housing associations' exposure on the derivatives market. Were any housing association to find itself in financial difficulties as a result of its use of derivatives, it would be a matter of serious public concern. When revisiting social housing regulation, our successors may wish to consider the Regulation Committee's attitude to housing associations' use of derivatives and the extent to which sufficient safeguards have been put in place. (Paragraph 94)

### Park Homes

31. We wish to make our successor committee aware of the Government's undertaking to review in April 2017 the need for a fit and proper person scheme applying to owners of park home sites. (Paragraph 97)

### Knight review of fire and rescue authorities

32. Our successor committee may wish to review the conclusions of the Thomas review of the fire and rescue services and the Government's response to them. (Paragraph 99)

### The Private Rented Sector

33. Our successor committee may wish to follow up a number of issues outstanding from our report into Private Rented Sector. (Paragraph 101)



34. We recommended that the Government undertake research on the likely impact of a ban on letting agents' fees and charges to tenants in England, similar to the one applying in Scotland. We await the Government's response. (Paragraph 103)

### Building Regulations

35. We suggest that our successors consider the Government's conclusions on the review of the operation of Part P of the Building Regulations and, if necessary, call for evidence. (Paragraph 106)
36. We consider that further consideration needs to be given to the merits of a regulatory approach to the inclusion of safety warnings on electrical equipment sold to the public. We have not had time to consider these matters in full, but suggest that our successors may wish to examine them early in the next Parliament. (Paragraph 110)

### Litter

37. Our successors may wish to revisit the issue of chewing gum litter in 2016 to consider progress made by the industry. (Paragraph 111)

### Major developments that the new committee may wish to consider

38. In this chapter, the final chapter of our report, we have set out major issues along with emerging developments which our successor committee may wish to pursue. (Paragraph 129)

## Appendix: note of roundtable meeting

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### Attendees:

#### *Members*

Mr Clive Betts MP  
Bob Blackman MP  
Mrs Mary Glendon MP  
John Pugh MP  
John Stevenson MP  
Alec Shelbrooke MP  
Chris Williamson MP

#### *Guests*

Dr Tim Brown  
Robert Neill MP  
Liz Peace  
Mayor Jules Pipe  
Professor Tony Travers  
Professor Christine Whitehead

*The following points were made during the meeting.*

### Methods of working and effectiveness

The Chair welcomed participants to the session, which began with a discussion of the Committee's methods of working and an examination of its effectiveness since 2010. It was suggested that this Select Committee, compared with others, had rightly focused on the implementation of specific Government policies. It had included important issues that did not always get coverage more widely, so councillors, officers and people working in the fields of housing and infrastructure, for example, could give their views and inform the Committee's programme and deliberations. The Committee had rightly stuck to its terms of reference during inquiries.

One contributor had been impressed by the way select committees carried out their work. But they noted that, while considerable effort was put in to producing reports, less happened as a result of committee reports. It was suggested that this came back to the committee's relationship with the department it shadowed and the department's understanding of what the committee was trying to achieve. There might be scope for some closer working with a department to identify emerging issues and more effective recommendations. Participants said that select committees should explore how they could do more to follow-up their recommendations with departments. But there had to be a balance as the primary job of the select committee was to scrutinise and challenge government.

There was a discussion about how the Committee could measure its success. If the Committee's effectiveness was determined in terms of achieving change, it had a mixed record, but the Committee was also an educated and informed commentator and it would be unrealistic to expect a majority Government to change its policy most of the time.

It was suggested that success should not be measured by the number of recommendations that had been implemented, but its wider impact—for example, by the extent to which a report generated a debate and the amount of press coverage it received. It was also suggested that a committee report might not immediately influence the Government, but that it could help alter the climate to change the government policy, especially if others

cited the recommendations in their representations to the Government. When formulating its recommendations, the Committee should consider whether it wished to make recommendations that were easy to implement, and therefore were more likely to be accepted, or ones that were more controversial and might thus be more effective in generating a wider debate. It was noted that over the current Parliament the Committee had produced both types of recommendation.

## Inquiries

Participants discussed the type of inquiries the Committee should conduct. It was suggested a mixture of inquiries was effective, including some which examined emerging policies, others which looked back at the implementation and impact of changes, and others which shone a light on areas the Government had not addressed. In addition, over the current Parliament, select committees had taken on a much more prominent role in holding individuals to account. It was for a committee to decide how to strike a balance between these different approaches. It might also be beneficial for a committee to conduct inquiries that thought “outside of the box”.

Contributors noted there was inevitably some overlap with the work of other committees, particularly the Public Accounts Committee (PAC), which with the increase in the NAO’s responsibilities for local government had looked at the funding of, and reduction in funding to, local authorities. There was a need to ensure liaison with the PAC over topics. There was clear benefit in exchanges and co-ordination between select committees. It was noted that PAC had recommended that the Committee examine housing benefit element of universal credit and the impact on rents.

One contributor said they saw the role of select committees as acting to challenge party lines. It was noted there had been broad consensus among the Committee which had assisted both its effective operation and the impact of its recommendations.

A mixture of report types was considered best: short, sharp reports could have an immediate impact, but there was a need to mix these with longer, more reflective, detailed work.

It was suggested the Committee might wish to do more roundtable discussions and engagement with the public both to inform its programme of work and during inquiries. It was explained that the Committee did receive many more suggestions of topics for inquiries than it could accommodate. Often these were from special interest or campaigns and all were circulated to the Committee and considered carefully. It was noted that in the next Parliament there would be a new Petitions Committee, but there might be scope for select committees to examine petitions which had acquired significant support.

It was considered important to have several inquiries in play at the same time. The point was made to the Committee that this helped generate publicity and secure public attention. This was increasingly important for the reputation of select committees—they needed to have the high visibility inquiries.

## Evidence and research

Participants turned their attention to the use of evidence and research. There was some debate amongst participants about the efficacy and potential role of What Works Centres.

On research more generally, it was stated that the individual pieces of research commissioned were of a high quality and had the potential to add objectivity that was not always forthcoming from witnesses. Participants pointed out that many people wanted to contribute to select committee inquiries. They might not be prepared to fund bespoke research but would certainly give their time and views to committees. On occasion, there might be a need to supplement this with additional research, for which there would be a budget in the next Parliament. The Committee, however, should not lose sight of the fact that academics were heavily incentivised to do such public policy work and would often provide it for free.

It was suggested that there was much less policy evaluation by government than previously. But, it was important to wait a few years allow the full impact of a policy to become clear. Committees should commission this type of research if no one else was doing it.

## Local government scrutiny

All agreed that the Committee could and should examine how scrutiny as a system operated across local government in England. It was entirely within the Committee's remit to question the operation of the system itself and to examine individual authorities to illustrate how the system operated.

There was a discussion about local government scrutiny and whether it was appropriate for the Committee to investigate the specific activities and failures of local authorities. One participant considered that there was a role for the Committee because of the large amount of policy originating in central Government that was delivered through local government. Council leaders were, however, ultimately accountable locally for local failures. It was observed that Government ministers always seem to become involved when a failure was sufficiently high profile.

Another participant noted a growing consensus that there should be a greater level of scrutiny of local government executives, but it was also noted that the nature of scrutiny was dependent on the culture within an organisation and that any proposed mechanism of scrutiny could be made ineffective if the culture within an organisation was defensive and hostile.

A third participant noted that there were so many potential ways in which the Committee could find itself scrutinising specific decision making in local government, particularly where scrutiny of spending was involved. It was suggested that there was a fine line to be drawn between what the Committee should scrutinise and what should be left to local scrutiny and that it could be argued that the line might have been crossed with the Committee's inquiries into Rotherham and chief officers' remuneration. On the one hand therefore it was not clear that it was the responsibility of the Committee to ask individuals to justify specific decisions they had made at a local level. On the other, given the broad remit of the DCLG it could be said that the Committee was justified in examining where

there were potential systemic weaknesses across local government and within sectors of local government.

There was regret at the passing of the Audit Commission. Inspection regimes such as comprehensive performance assessment were very useful in their early days but later became all-consuming and included a number of perverse measures. It was noted that the abolition of the Audit Commission meant the National Audit Office looked into value for money issues, and in turn the PAC looked into issues and questioned individual councillors. But it was noted that the PAC could not investigate individual authorities. It was also pointed out that some regulators, such as the Care Quality Commission, were residual scrutinisers of local authorities and they were adapting their work due following the abolition of the Audit Commission. On balance it was considered better for the CLG Committee to avoid inquiries into individual authorities.

It was considered that sector-led improvement and peer review led by the Local Government Association should be part of any future scrutiny mechanism. Participants were less convinced by sector-owned judgments, which could lack vigour and challenging questions.

The discussion then turned to the potential role that the Committee might have in scrutiny of some of the new local government structures that were emerging with devolution, such as those taking place in Manchester. The prospect of ‘Local Public Accounts Committees’ being set up to scrutinise expenditure had been aired. It was suggested that there may be some way for the new committee to link up with these or other new sub-regional bodies to allow a degree of parliamentary liaison and scrutiny.

## Major developments post-May 2015

Finally, contributors looked at what major developments the committee in the next Parliament might consider. One participant suggested that a major area of concern would be the impact of increased funding pressures on local government. It was suggested that attempts to run existing and new programmes in the current ‘siloed’ fashion would be unsustainable. The result would be more use of place based or community budgets and this might result in the committee moving into areas which would traditionally have been the concern of the Treasury and other departments. It was noted that, for example, the employability of those furthest from labour market touched on drugs, alcohol, mental health, housing and child care issues. Having all those strands in same place rather than in Government silos would make more sense. The result might be the need for more joint inquiries and it was noted that the Committee had carried out only one formal joint inquiry in this Parliament, although there had been more informal working with other Committees—Political and Constitutional Reform, for example.

Participants considered that the true measure of the next Government’s commitment to greater devolution of powers would be revealed in the next Parliament. It was felt that, if the momentum behind initiatives like ‘Devo Manc’ continued, then there was a prospect of greater and more far reaching devolution being taken forward (i.e. beyond elected mayors).

One participant noted that if the ‘English Votes for English Laws’ debate continued—and it was likely to—then there were a number of ways in which the committee could look into

the future governance of England. How, for example, would the emerging structures of local government fit into a new settlement. On a local level, there was the potential of services such as the police being drawn into local combined services structures for the first time. The committee, alongside others, would undoubtedly have a legitimate interest in such matters.

The usefulness of the Committee's report on fiscal devolution was commented on. It was considered by one participant to be a useful part of a slow-moving narrative that was needed for such a change to gain momentum. It fed into the work of other bodies looking at the issue and gave the Committee a good 'locus' to return to the issue in the next Parliament. Another participant noted that, even though it was the fiscal recommendations that gained the most attention, the recommendations on structures and service delivery should not be lost sight of. Groups such as the Core Cities saw value in the proposals, as they took the debate beyond the terms of London and its governance.

It was suggested the successor committee should look at whether an authority or groups of authorities had the capacity to take on more responsibilities such as health and social care. It was thought the joining of health and social care might require joint inquiries, as there was a risk that separate inquiries might lead to diverging conclusions that different interest groups could pick up on. Housing an ageing society, for example, touched on issues covered by several committees. The absence of joined up thinking between departments would be replicated if individual committees looked only at their own departments on a particular policy. The logistics of joint inquiries would need to be addressed as it was impractical to have dozens of Members sitting round a table to discuss these issues.

# Formal Minutes

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**Tuesday 10 March 2015**

Members present:

Mr Clive Betts, in the Chair

Bob Blackman  
Simon Danczuk

Mark Pawsey  
Chris Williamson

Draft Report (*The work of the Communities and Local Government Committee since 2010*) proposed by the Chair, brought up and read.

*Ordered*, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 129 read and agreed to.

Annex and summary agreed to.

*Resolved*, That the Report be the Tenth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

The following written evidence was ordered to be reported to the House for publication on the internet

WSC 024 Parks Alliance.

[The Committee adjourned.]

## Published written evidence

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The following written evidence was received and can be viewed on the Committee's [inquiry web page](#). WSC numbers are generated by the evidence processing system and so may not be complete.

- 1 ACCA ([WSC0014](#))
- 2 Association of Independent LSCB Chairs ([WSC0016](#))
- 3 Brethren's Gospel Trusts Planning Group ([WSC0009](#))
- 4 British Property Federation ([WSC0004](#))
- 5 Centre for Public Scrutiny ([WSC0015](#))
- 6 Christine Whitehead ([WSC0023](#))
- 7 Core Cities UK ([WSC0008](#))
- 8 Dr Tim Brown ([WSC0011](#))
- 9 Educe Ltd & the Alliance for Useful Evidence ([WSC0018](#))
- 10 John Thornton ([WSC0005](#))
- 11 Local Government Knowledge Navigator ([WSC0022](#))
- 12 Local Government Ombudsman and Parliamentary and Health Service Ombudsman ([WSC0019](#))
- 13 Local Government Ombudsman ([WSC0020](#))
- 14 London Councils ([WSC0010](#))
- 15 Parks Alliance ([WSC0024](#))
- 16 Professor George Jones & Professor John Stewart ([WSC0007](#))
- 17 Professor Jane South ([WSC0021](#))
- 18 Richard Bate ([WSC0012](#))
- 19 Richard Styles ([WSC0001](#))
- 20 Richard Tracey ([WSC0002](#))
- 21 Westminster City Council ([WSC0006](#))
- 22 What Works Centre for Local Economic Growth ([WSC0013](#))



# List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the Committee's website at [www.parliament.uk/clg](http://www.parliament.uk/clg).

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

## Session 2014–15

First Report	Devolution in England: the case for local government	HC 503 (CM 8998)
Second Report	Local government Chief Officers' remuneration	HC 191 (CM 8960)
Third Report	Child sexual exploitation in Rotherham: some issues for local government	HC 648
Fourth Report	Operation of the National Planning Policy Framework	HC 190 (CM 9016)
Fifth Report	Pre-appointment hearing with the Government's preferred candidate for the post of Housing Ombudsman	HC 877
Sixth Report	Community Rights	HC 262
Seventh Report	Litter and fly-tipping in England	HC 607
Eighth Report	Private Rented Sector: the evidence from banning letting agents' fees in Scotland	HC 964
Ninth Report	Child sexual exploitation in Rotherham: Ofsted and further government issues	HC 1114
First Special Report	Further review of the work of the Local Government Ombudsman: Responses to the Committee's Fifth Report of Session 2013–14	HC 192
Second Special Report	Local Government Procurement: Response of the Local Government Association to the Committee's Sixth Report of Session 2013–14	HC 193

## Session 2013–14

First Report	The Private Rented Sector	HC 50 (CM 8730)
Second Report	The work of the Regulation Committee of the Homes and Communities Agency	HC 310 (HC 863)
Third Report	Community Budgets	HC 163 (CM 8794)
Fourth Report	Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly	HC 213 (CM 8761)
Fifth Report	Further review of the work of the Local Government Ombudsman	HC 866
Sixth Report	Local Government Procurement	HC 712 (CM 8888)
Seventh Report	Building Regulations certification of domestic electrical work	HC 906 (CM 8853)
First Special Report	Committee's response to the Government's consultation on permitted development rights for homeowners: Government response to the Committee's Seventh Report of Session 2012–13	HC 173
Second Special Report	The work of the Regulation Committee of the Homes and Communities Agency: the Regulation Committee's Response to the Committee's Second Report of Session	HC 836

	2013–14	
Third Special Report	The work of the Regulation Committee of the Homes and Communities Agency: the Government's Response to the Committee's Second Report of Session 2013–14	HC 973

**Session 2012–13**

First Report	Park Homes	HC 177-I (CM 8424)
Second Report	European Regional Development Fund	HC 81 (CM 8389)
Third Report	The work of the Local Government Ombudsman	HC 431 (HC 615 & HC 650)
Fourth Report	Pre-appointment hearing for the Chair of the Audit Commission	HC 553
Fifth Report	Mutual and co-operative approaches to delivering local services	HC 112 (CM 8547 & HC 1091)
Sixth Report	Councillors on the frontline	HC 432 (CM 8582)
Seventh Report	The Committee's response to the Government's consultation on permitted development rights for homeowners	HC 830
Eighth Report	The role of local authorities in health issues	HC 694 (CM 8638)
Ninth Report	Implementation of welfare reform by local authorities	HC 833 (CM 8635)
First Special Report	The work of the Local Government Ombudsman: Local Government Ombudsman Response to the Committee's to the Committee's Third Report of Session 2012–13	HC 615
Second Special Report	The work of the Local Government Ombudsman: Government Response to the Committee's Third Report of Session 2012–13	HC 650
Third Special Report	Mutual and co-operative approaches to delivering local services: Further Government Response to the Committee's Fifth Report of Session 2012–13	HC 1091

**Session 2010–12**

First Report	Proposed Code of recommended Practice on Local Authority Publicity	HC 666 (HC 834)
Second Report	Abolition of Regional Spatial Strategies: a planning vacuum?	HC 517 (CM 8103)
Third Report	Localism	HC 547 (CM 8183)
Fourth Report	Audit and inspection of local authorities	HC 763 (CM 8209)
Fifth Report	Localisation issues in welfare reform	HC 1406 (CM 8272)
Sixth Report	Regeneration	HC 1014 (CM 8264)
Seventh Report	Pre-appointment hearing for the Government's preferred nominee for Chair of the Homes and Communities Agency Regulation Committee	HC 1612
Eighth Report	The National Planning Policy Framework	HC 1526 (CM 8322)
Ninth Report	Taking forward Community Budgets	HC 1750
Tenth Report	Building regulations applying to electrical and gas	HC 1851 (CM 8369)

	installation and repairs in dwellings	
Eleventh Report	Financing of new housing supply	HC 1652 (CM 8401)
First Special Report	Beyond Decent Homes: Government response to the Committee's Fourth Report of Session 2009–10	HC 746
Second Special Report	Proposed Code of Recommended Practice on Local Authority Publicity: Government Response to the Committee's First Report of Session 2009–10	HC 834
Third Special Report	FiReControl: Government response to the Committee's Fifth Report of Session 2009–10	HC 835
Fourth Special Report	Preventing violent extremism: Government response to the Committee's Sixth Report of Session 2009–10	HC 1951