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Campaign for an **E**nglish **P**arliament

Think of England Number 109: November 2020



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Number 109 November 2020

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Campaign for an English Parliament Aims, Principles and Policies.

We campaign for an English Parliament, meaning a parliament for the people of England, for whom England is their chosen or inherited home and who are legally entitled to vote.

We campaign for an English Parliament with powers at least as great as those of Scotland's, i.e. a Parliament and Executive (Government) that can make Acts (primary legislation) on the same domestic issues (e.g. health, welfare & education) that are devolved to the Scottish Parliament.

The CEP works with academics, business groups, trades unions, think tanks and the media to create the conditions whereby UK MPs see that there is no alternative to the re-establishment of the English Parliament.

The CEP is a pressure group. It is not a political party. It does not contest elections.

The CEP is not and will not be affiliated to or formally linked with any political party

Editorial: The Public Administration and Constitutional Affairs Committee (PACAC) has launched an inquiry into English devolution. We urge all readers to respond to this enquiry with their own views. **The inquiry closes on 12th November.**



The scale of the response will inform the Committee as to whether there is appreciable support for an English Parliament. The links are in our first article. All the articles about the state of the union and in particular what to do about England, including an English Parliament are too numerous to include here but why does John Kampfner need to begin his article by exposing his unsupported prejudices? In the current health crisis and in relation to Brexit two things have become apparent, firstly the UK government has no idea of how devolution to the rUK has affected the constitution and that the time given to English affairs is minimal. Additionally, the Constitution Unit has reported that English Votes for English Laws has not worked well, with all the drawbacks we anticipated in our publications. Particularly overriding of English votes for extended Sunday trading aided by the SNP, although already passed by the Scottish parliament. The UK government has twice ignored the convention (Sewel motions) by which laws affecting the devolved administrations are agreed in Brexit legislation and that bodes ill for the EVEL convention, which has anyway been suspended. The Times view on devolution refers to *fragmented English polity* how true but how unnoticed until now. Fragmented by successive UK governments that care nothing for the ancient unity of England. England is one country not a collection of regions. Moreover some of the mayors in that fragmented polity were imposed by the UK government not sought by the population and it seems more are to be imposed.

Scotland's outrage at Rishi Sunak's England-only jobs funding claims they have no borrowing powers. What about the extra 3% taxing power they have?

The new Planning rules extend to England only but you would not know it from the Mainstream Media (MSM).

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Campaigning for England:

The Public Administration and Constitutional Affairs Committee (PACAC) has launched an inquiry into English devolution: 24 September 2020:

While legislative and executive devolution has been established and evolved in Scotland, Wales and Northern Ireland, there has been no equivalent devolution in England. This has created asymmetry in governance arrangements in the UK.

Since 2014, there have been several initiatives to 'devolve' power within England. Ten Combined Authorities (which include the areas controlled by 'Metro Mayors' such as Manchester) have now negotiated bespoke 'devolution' deals. This has added to the complexity of English local government.

The PACAC inquiry will consider what aims and principles should underpin devolution in England and the extent to which any such devolution should be in line with the rest of the UK. The Committee will also inquire into the purpose of the current 'devolution' deals in the Combined Authorities and whether those purposes are being achieved. This will provide a basis on which to scrutinise the Government's forthcoming English devolution White Paper.

Chair's comments: The PACAC Chair, William Wragg MP, said: My Committee will consider the constitutional and political issues surrounding devolution in England in order to scrutinise the Government's proposals carefully. We want to make sure they don't further complicate governance in England and provide people with a meaningful influence over the governance of their communities and regions."

Ahead of the White Paper, PACAC invites evidence in response to the following questions:

Should devolution in England use the reserved powers to bring it in line with devolution in the rest of the UK?

What aims and principles should underpin devolution in England?

Should devolution in England use the reserved powers to bring it in line with devolution in the rest of the UK?

To what extent should there be consistency in devolved and local governance within England, and to what extent is asymmetry necessary?

What is the purpose of the current 'devolution' deals and mechanisms? Are these purposes being achieved?

How should decisions on English devolution be agreed?

How should the interests of different parts or regions of England be better represented to central government as well as in intergovernmental arrangements and in Parliament?

Is there public demand for such structures/measures?

On what basis should the form, geography and extent of devolved regions or area be determined, and what role should culture and identity play?

PACAC wants to hear from you. We welcome submissions from anyone with views on the questions above. Information about how to submit evidence is available here.

select committee. <https://committees.parliament.uk/committee/327/public-administration-and-constitutional-affairs-committee/news/119467/the-evolution-of-devolution-committee-launches-inquiry-into-english-devolution/>

We had two letters printed in the Times on October 19th.

Sir, The Campaign for an English Parliament is not dogmatic about the location. Centres of government throughout the world are often a good deal more distant from those they govern than in a small country such as England. The British federal government could sit at Westminster as a second chamber, in a similar fashion to democracies throughout the world. A UK senate would have equal representation from all UK nations. Despite what Vernon Bogdanor suggests, other democracies, such as Australia and the US, have unbalanced representation in their legislature. A separate English parliament, dealing only with matters internal to England, would prevent the Westminster dominance over the UK. England is being under-sold in the devolution stakes and will continue to suffer until an English parliament is created.

Stephen Vivian-Davis (*Chairman*)

Chairman, Campaign for an English Parliament

Sir, An English parliament would fill the UK's democratic deficit. Rather than being remote, as Vernon Bogdanor suggests, it would provide a voice for England missing in the British state. The fear of England dominating is unfounded if each parliament in the UK has the same powers and responsibilities. The British centre, far from being reduced to a talking shop, could be reconstituted as a single chamber UK-wide senate with balancing representation from each UK nation. There is no democratic nation that denies 80



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per cent of its population its own parliament.

Colin Copus (*Member of the National Council*)

Emeritus professor of local politics, De Montfort University, Leicester

Current English Affairs: Roads and Transport, Housing

Breakdown drivers paying a high price for rise of smart motorways

Graeme Paton, Transport Correspondent October 07 2020, 12.01am, The Times

Drivers have been hit by a £25 million breakdown “tax” as the introduction of smart motorways has coincided with a rise in motorists having to pay to be rescued.

Research published today showed that drivers of almost 69,000 vehicles have been told to pay recovery charges by Highways England, after stopping in “live” motorway lanes where the hard shoulder is converted into an extra vehicle lane to cut congestion. Lay-bys are positioned up to 1.5 miles apart for vehicles to pull off the road in an emergency.

Figures released under freedom of information show that the number of people charged by the government-owned company to be rescued has jumped by a third in five years from 12,045 to 16,026 last year. Traffic officers have the power to order the recovery of a vehicle, rather than wait for the driver to organise it, if it is judged to be causing an obstruction or danger to road users. The driver is then charged for the recovery, to store the vehicle in a compound and potentially for it to be scrapped. The rise in recovery charges, disclosed in figures obtained by *Auto Express*, was four times the increase in motorway traffic levels over the same period.

Jack Cousens, head of roads policy for the AA, said that the rise in recoveries “could be down to more live-lane stoppages on smart motorways, which highlights the need for more emergency refuge areas.” Many stranded drivers “will only discover the charge when the traffic officer tells them what will happen”, he said.

More than 400 miles of the motorway network are covered by the scheme including parts of the M1, M6, M4, and M25. However, there have been concerns that vehicles can be stranded in live lanes when a fault happens between lay-bys, putting drivers and passengers at risk.

Drivers of broken-down vehicles are typically required to organise their own breakdown recovery. However, the 2008 Removal and Disposal of Vehicles Regulations grant traffic officers in **England** the power to order the recovery of a vehicle. These rules can be used when recovery firms take too long to attend the scene, drivers have no breakdown cover and when vehicles break down in “live lanes”.

Drivers pay between £150 and £300 for recovery, with higher charges for vehicles that are upside down or have crashed off the road. HGVs can be charged up to £6,000. There is an extra charge to store vehicles in compounds or dispose of them, ranging from £20 a day for cars to £35 for trucks. Over the five-year period, Highways England collected almost £25.3 million through the scheme. A further £5.5 million in fees was not collected, potentially leaving taxpayers with the bill.

Stuart Milne, of *Auto Express*, said that Highways England had not “done a good enough job of publicising these bills”. “While most drivers would agree that getting a stricken vehicle off a busy motorway or A-road is a priority, Highways England’s charges feel like another tax on the motorist,” he said.

Concrete desert warning from National Trust over new planning rules

George Grylls, Melissa York Thursday October 29 2020, 9.00am, The Times

Hilary McGrady, who represents 5.6 million National Trust members, said that reforms would not work without “genuine public scrutiny”. Boris Johnson’s planning reforms risk creating “concrete deserts” that are “devoid of green space”, the director of the National Trust has warned.

She said that she had “significant concerns” about the plans, calling them “too dismissive of what currently works”. “What should we make of the proposed growth, recovery and protected areas? Certainly they must not lead to concrete deserts devoid of green space, lacking corridors for nature and sustainable travel.” She said: “More tree-lined streets and a ‘fast track for beauty’ sound good, but how will this happen? We must not take a skin-deep approach when nature is in meltdown and we are in the teeth of the climate crisis.”

The basis for the present system is the Town and Country Planning Act of 1947. In August, No 10 announced the biggest shake-up in planning laws in 70 years with Mr Johnson determined to construct 300,000 homes a year as part of his “Build, Build, Build” agenda. A zoning system will designate areas for “protection”, “renewal” or “growth”.

Rural land in the green belt and in Areas of Outstanding National Beauty will fall into protected zones —



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where applications will probably face rejection. In areas marked for renewal, most proposals will be approved. Permission will automatically be granted for development in growth areas.

A spokesman for the Ministry of Housing, Communities and Local Government said: “These claims are entirely wrong, and ignore the fact that our reforms to the outdated planning system protect green spaces and will create beautiful and well-designed communities, with green spaces and tree-lined streets as the norm. Local communities will be able to choose land for ‘protection’, helping them pass on valued green spaces for future generations.”

Under existing rules, the public can object to developments at two points in the planning process: when the council draws up a local plan and when a specific building applies for permission. The government argues that the second part of the process is too often dominated by “a small minority of voices” and wants to minimise consultation at this phase.

In the Commons this month, Theresa May said the algorithmic approach was “mechanistic and ill-conceived”. Ministers would not reform the system by removing local democracy and cutting the number of affordable homes that are built, she said.

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### **Deal or no deal, Andy Burnham has set a precedent for the regions**

Chris Smyth: Wednesday October 21 2020, 12.01am, The Times

Last week Boris Johnson said Andy Burnham was putting the lives of Greater Manchester’s residents at risk; last night government sources were blaming the mayor’s “pride” for wrecking a deal. If the government now refuses to hand over the money they were offering, Mr Burnham can accuse them of punishing the region out of spite; if they do, he can claim victory. In England’s half-way house system of local devolution, giving mayors a high profile but few financial powers, it is easier to blame the Treasury.

### **English politics:**

John Kampfnr: Friday October 16 2020, 12.01am, The Times

#### **It’s time to think seriously about an English Parliament**

Support for an English Parliament has traditionally been the preserve of little Englanders, opponents of devolution for Scotland and all, hostile to Europe, in other words everything I abhor in Brexit Britain. Yet the in-fighting over Covid has persuaded me that maybe they have a point. About the parliament idea, if not the rest of it.

Yesterday’s developments reinforced me in that view. When the mayor of Manchester describes the northwest as being “canaries in the coal mine for an experimental regional lockdown strategy” that even the government’s own medical advisers don’t think will work one can only conclude that the UK is in a constitutional mess.

Yes, Andy Burnham is a Labour mayor. But he has been very pragmatic in his approach to this government. He works well with mayors of other cities and city-regions, such as the Conservative Andy Street in the West Midlands. Street too has complained about being ignored. Civic leaders in the North East say the same.

A government that has failed the Coronavirus competence test at every turn – from PPE to track and trace to testing to quarantine – refuses to listen to those who understand local conditions. Part of this is Johnsonian hubris; but the cause of the malaise goes far deeper. Many of the structures of British politics are moribund. They have been for decades. Tony Blair tinkered with reform, but the measures he introduced continued the tradition of piecemeal change. In 2018, the Constitution Unit research group produced a detailed report on the challenges facing an English parliament. Part of the case for change lies in politics – the advent of devolution for Scotland, Wales and Northern Ireland.

Perhaps the more convincing the argument is based in pragmatism. Are results best produced from Whitehall? If they are, why are ministers so perpetually frustrated by the civil service? Why have they spent billions of taxpayers’ money on creating quangos or employing private-sector consultants to carry out basic tasks? One of the reasons they fear leaving it to the localities is a human urge to control. The other is more mundane. There are no consistent structures to hand power on to. Britain’s regions, counties, cities and towns are a patchwork, under-resourced and unclear about what they can do and what they cannot.

What is needed is a once-and-for all codification of the relationship between national and regional government alongside an assembly granting greater representation to the constituent parts of England. Westminster, the parliament as we know it now, could meet once in a while to discuss those areas that are not devolved, such as defence and national security.



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Whenever constitutional reform is mentioned, it tends to meet a response ranging from boredom to derision. A pandemic and an economic downturn unrivalled since the 1930s hardly provided the perfect backdrop for unpicking of the rules of politics, detractors will say. I'm sure the sceptics will prevail, and nothing will happen. Assuming they are right, I'm even more sure that the UK will flounder even more tragically during the next emergency, be it health, climate or something unforeseen.



### ~~~~~ **Should England be devolved from the United Kingdom?**

James Simpson: Wednesday September 30 2020, 12.01am, The Times

An unexpected consequence of the Covid-19 pandemic has been repeated reference to the “four countries” of the United Kingdom, England, Scotland, Wales and Northern Ireland, each country having managed matters in different ways. This has highlighted the fact that the three smaller countries have their own devolved governments, while England is managed by the UK government, which, with no first minister and a much wider remit, has failed to coordinate.

The UK has always prided itself on its “unwritten constitution”, but the separate devolution of the three smaller countries in different ways has begun to create problems, which could eventually result in Irish unification, Scottish independence and the end of the UK as it exists.

The creation of a federal union between the four countries has frequently been suggested but never developed, because 85 per cent of the UK population is in England, 8.5 per cent in Scotland, 4.5 per cent in Wales and 2 per cent in Northern Ireland. Such imbalance is not unique, however: the population of the Province of Ontario is 37 per cent of the Canadian Confederation, while Nova Scotia has 2.6 per cent and Prince Edward Island less than 0.5 per cent. A division of England into “subnational” regions has been considered but discounted.

In any federal structure, a devolved English parliament and government would be essential, perhaps in York. The compromise could then be further devolution of England into “mayoral authorities”, equivalent to those of Greater London (16 per cent) and the West Midlands (10 per cent), with fewer powers than the smaller countries. It has also been suggested that Orkney and Shetland, both unsupportive of Scottish independence, could be granted crown dependency status, similar to that of the Isle of Man and to the relationship of the Faroe Islands with Denmark. A scholar has pointed out that the Hebrides, once controlled by the Lords of the Isles, were hardly governed by Scotland before the 17th century.

Perhaps the time is right for addressing the arguments about the Union by taking a look at the non-existent UK constitution, exploring federal or confederal structures, crown dependency status, and more logical and workable arrangements for the 21st century

### ~~~~~ **The Times view on coronavirus and devolution: Mayor Culpa**

Wednesday October 14 2020, 12.01am, The Times

The emergence of England's regional mayors as a political force is a welcome development. Boris Johnson should embrace further devolution. England's young constitutional settlement is coming of age. When the histories of this period are written, they are likely to record that it was the mayors of the great cities and regions, rather than Sir Keir Starmer, the Labour leader, who emerged as the primary tribunes of popular opposition to Boris Johnson's handling of the pandemic as the second wave gathered pace. When the prime minister announced that the most draconian of the three new tiers of coronavirus restrictions would be imposed upon Merseyside, it was Steve Rotheram, mayor of the Liverpool city region, whom he sought to cast as responsible. Likewise residents of those regions that have for now escaped the harshest measures, such as Greater Manchester, have their mayors to thank.

While far from perfect, the crisis has demonstrated that the mayoral model of regional devolution pioneered by New Labour and extended by the Cameron government is here to stay. Some 17 million of England's residents, or 37 per cent, live under the jurisdiction of nine metro mayors, most notably in London, Greater Manchester and Merseyside. Directly elected mayors such as Bristol's Marvin Rees, a model of responsible civic leadership at the height of the Black Lives Matter protests, also lead 15 local councils. The idea that the United Kingdom is one nation and not four has always been a cultural fiction rather than a political reality. The same is even truer of the fragmented English polity in 2020.

Yet devolution remains a work in progress. While the crisis has affirmed the authority of mayors to the public, Mr Johnson has at times seemed primarily interested in devolving blame. Likewise metro mayors lack powers to match their newfound profile and are heavily dependent on financial grants from central government. Both are a consequence of the ad hoc deals struck since 2015, which established mayoralities

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of varying powers. It is no wonder some spend most of their time in the bully pulpit rather than the corridors of power. Mr Johnson was no stranger to similar tactics in his eight years at City Hall in London. But the answer to criticism from regional leaders is not to resist it but empower them. In last year's Queen's Speech, the government promised to reorganise local government and devolve more power to mayors. It should press ahead and allow England's regions to level up themselves.

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Devolution is a mess that fails the public and endangers the Union: Covid has exposed the weakness of centralised government and the SNP's lack of accountability

Daily Telegraph: NICK TIMOTHY 18 October 2020 • 9:30pm

When it comes to the Union, the Government has only two modes: complacency and panic. We will soon see ministers switch from the former to the latter. Devolution has allowed the nationalists to use the Scottish state to campaign relentlessly for separation. But it has also hoarded enough power in Westminster to allow Scottish ministers to claim credit for any good that happens while denouncing London for anything bad. It has granted the nationalists power without full responsibility or real accountability. And it has left our constitution in a dangerous mess. Scotland's Parliament has fewer powers than its people expect. Yet it has powers the Welsh Assembly lacks, and England has no parliament at all. In fact, England is governed from the UK Parliament in Westminster, with its laws passed by MPs from Scotland, Wales and Northern Ireland. Imagine the Tories had only a small majority and MPs from Scotland participated in close votes on England's lockdown laws. It would be a democratic outrage, but one permitted by our constitutional settlement.



Within England, devolution to the cities and regions is also proving flawed. Despite the complaints of ministers, there is nothing wrong with the Mayor of Greater Manchester, Andy Burnham, rejecting the Government's proposed restrictions in his city and region. A polity with different layers of governance, as the UK now has, will inevitably produce clashes between one power base and another. Burnham is within his rights to argue that the Greater Manchester economy cannot shut down without further financial assistance. On this point, Conservatives from across the North have made common cause with Labour. But the problems with metro mayor devolution are visible in other ways. In Manchester, the mayoralty has been granted control of health and social care spending. But no other city or region in England has the same power, and as Covid has shown us, ultimate responsibility remains with the Government. In the West Midlands, where the powers of the mayoralty are extremely limited, and a Conservative is mayor, the imposition of new restrictions felt random and drew criticism from the normally loyal Andy Street. In London, Sadiq Khan has repeatedly demanded tougher lockdown measures, only to complain about them as soon as the Government "imposed" them. Just as with his core responsibilities – on crime and policing, housing and the capital's transport system – Khan has learned from the SNP playbook. He jumps on any passing bandwagon to win publicity, but with his formal tasks he evades responsibility, always blaming the Government for not spending enough or granting him the right powers. Thanks to the lack of accountability in the London mayoral model, he gets away with it time and again.

The Covid crisis has exposed the absurdities of centralising and controlling government. The failure of the centralised test-and-trace system contrasted with effective locally run schemes in Ceredigion and Cumbria. So the question is not whether we need to decentralise but how we do so in a smarter and more coherent fashion. Powers need to be passed down in a consistent and structured way, and the responsibility and accountability of mayors must be better aligned.

More urgent and important is what to do about devolution to the nations of the UK. We need a bold new constitutional settlement for the UK: a fully federal system with maximum decentralisation, satisfying Scotland's desire for more control of its own affairs, granting fair representation to England, and bringing democratic accountability to political power.

Critics will dismiss constitutional change as an unnecessary distraction. But our tumultuous times prove the power of issues of identity and the vital importance of deciding where power should legitimately reside. Westminster needs to overcome its complacency, resist its tendency to panic, and show decisive leadership. This is about not only the quality of our government, but the very existence of our country. And we have not a moment to lose.

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### **Scotland and Wales should pay for their own lockdowns**

Daily Telegraph: MATTHEW LYNN 19 October 2020 • 5:59pm

The devolved administrations must raise local taxes if they plan to use the bluntest tool in the box

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The shops will be closed in Cardiff and Swansea from Friday evening. The pubs have already shut down in Belfast and Londonderry, at least to indoor customers. The bars are closed across central Scotland and the schools may not be far behind. As the number of Covid-19 infections has started to surge again, the devolved nations of the UK have been a lot quicker than England to reach for the sledgehammer of total lockdown. True, that is up to them.

Powers have been handed down to Belfast, Cardiff and Edinburgh and they are entitled to use them as they see fit. But there should surely be one condition: they should pay for the consequences. Lockdown might or might not be an effective way of fighting Covid-19, we can argue about that. However, one point is surely clear: it is shockingly expensive. The UK suffered a 20pc hit to the economy in the second quarter, the toughest period of lockdown. Wales, Scotland and Northern Ireland are already subsidised by England. How much is fiercely debated, but a few extreme nationalists aside most people accept there are significant fiscal transfers from the richer parts of the UK to the poorer.

If they lock down earlier, and for longer, than England does, then those subsidies will surely rise. (Wales is already promising £5,000 for every hospitality business.) That is hardly fair. England will end up having to pay the bill for policies over which it has no control, and that it is not following itself. If Wales and Scotland want a more draconian lockdown that is up to them. But they should also be willing to shoulder the higher taxes and debts that will come with it.

We already have devolved tax powers for the regional assemblies, and in the wake of Covid-19 the time has surely come to increase those. Wales can shut down its economy if it wants to. So can Scotland and Northern Ireland. Those countries should also be willing to raise local taxes to pay for all the economic damage such decisions will create – because anything else is simply irresponsible.



### Coronavirus in Scotland: Outrage at Rishi Sunak's England-only jobs funding

Greig Cameron Friday October 23 2020, 9.00am, The Times

Rishi Sunak, the chancellor, announced billions of pounds of extra help for companies and workers affected by Covid-19 restrictions in England but Nicola Sturgeon has insisted it is “intolerable and unacceptable” that such funding in England will not lead to extra cash being given to the Scottish government. Scottish Tories hailed the “blockbuster support” from the UK government, but Ms Sturgeon said the chancellor had told the Scottish ministers that the new measures “won’t deliver any upfront extra cash for Scotland” beyond £700 million of funding that has already been pledged.

The first minister hit out on Twitter, saying: “Businesses in England have been given, rightly, an open-ended commitment to support for as long as needed.” But she added that the Scottish government “will be expected to match that for Scottish businesses — with no confirmation that the money will be there to pay for it, and no borrowing powers to raise it”.

### Five years of ‘EVEL’

October 23, 2020 : The Constitution Unit <https://constitution-unit.com/2020/10/23/five-years-of-evel/>  
*In the wake of the devolution settlements of the Blair years, political pressure to answer the ‘West Lothian Question’ persisted. In 2015, the proposed answer was ‘English Votes for English Laws (or EVEL). Today, on its fifth anniversary, **Daniel Gover** Lecturer in British Politics at Queen Mary University of London and **Michael Kenny** Director of the Bennett Institute for Public Policy at the University of Cambridge.*

*assess how EVEL has worked, during one of the most volatile political periods in living memory.*

On 23rd October 2015, the ‘English Votes for English Laws’ (or EVEL) procedures came into force in the House of Commons. Introduced by David Cameron in the aftermath of the Scottish independence referendum, these new rules were designed as an answer to the notorious ‘West Lothian Question’ – the late Tam Dalyell’s resonant enquiry about why Scottish, Welsh and Northern Irish MPs should continue to be able to vote on matters that only affected England after devolution, while MPs in England were not able to reciprocate in devolved areas.

When EVEL was introduced, the procedures were sharply criticised by opponents. For some, the reform would not only be logistically difficult to implement – likely to be ‘incomprehensible’ to MPs and the public alike – but would also threaten the UK’s constitutional makeup. In particular, it was argued that EVEL would establish ‘two classes of MP’ at Westminster, undermining the ability of non-English MPs to represent their constituents’ interests. Others, meanwhile, criticised the procedures as too tame, and falling short of providing adequate representation to England.

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The five-year anniversary provides an opportune moment to review how this contentious reform has fared in practice. Yet the wider territorial politics of the UK have also undergone significant changes in the intervening period. The questions to which these complicated rules were a response have become ever more pressing, but whether EVEL can provide a sustainable response to the increasingly fraught question of English devolution is increasingly doubtful.

**Veto but little voice:** The EVEL procedures give English MPs (and English and Welsh MPs) the right to 'veto' legislation certified by the Commons Speaker as applying only in England (or England and Wales). This veto right comes as a supplement to the enduring ability of the whole House to reject a bill at other stages. As such EVEL has been referred to as a 'double veto' system, meaning that both English (or English and Welsh) and UK-wide MPs must support legislation for it to pass.

The experience of the last five years indicates that EVEL has largely succeeded in instituting a veto right for English MPs. It has also done so in a way that has avoided the main objections levelled against it. While it is true that EVEL has added to the complexity of parliamentary processes, the system has generally operated relatively smoothly. Since 2015, provisions of 51 bills, and almost 250 statutory instruments, have been certified by the Speaker. This veto right has never actually been applied, meaning that EVEL has not so far altered the outcome of any Commons vote – which is unsurprising, given that the Conservative governments since 2015 have always been better represented in England than across the House. Even if the veto had been applied, however, the 'double veto' design means that MPs from the whole House are in no weaker position than before to block legislation – thus lessening arguments that it has created 'two classes of MP'.

But some proponents of this reform hoped for more than this. One dynamic that fed into the introduction of EVEL was a contention that England's interests needed to be more clearly recognised and protected within Westminster – as the Conservative Party put it, enabling 'English MPs to express their voice'. In theory, the EVEL 'legislative grand committee' stages – which meet at the end of a bill's Commons passage to 'consent' to certified provisions – achieve this goal. But they have not facilitated any meaningful 'voice' in practice. Since 2015 there have been 42 such consent stages, on 35 separate bills. Yet these have been almost entirely a formality: only on four bills did the stages last longer than 10 minutes. Convening these committees has thus added considerable additional bureaucracy and disruption to Commons proceedings, but with little tangible benefit for English representation.

**Brexit and COVID-19:** In the five years since EVEL was introduced, the Westminster parliament has been engulfed by two major crises: the implementation of Brexit, and more recently responding to COVID-19. Both of these, in different ways, have shed light on EVEL's vulnerabilities.

The system of 'consent' motions within these rules deliberately mimics the 'legislative consent motions' operating in the three devolved legislatures, which signal their agreement for Westminster to pass legislation that intrudes upon their areas of competence. Under the Sewel convention, Westminster will not usually proceed on devolved matters if this approval is not forthcoming.

However, recent events have cast significant doubt on whether this convention is as meaningful as was previously assumed, with the UK parliament twice overriding the devolved legislative bodies in order to pass legislation required for Brexit. The UK Internal Market Bill – currently before parliament, and which is likely to be opposed by the Scottish and Welsh parliaments – may well encounter the same fate. The breakdown of the legislative consent process raises important questions about EVEL. While the latter provides a similar mechanism for English MPs, the processes it involves are – in contrast to those elsewhere – opaque, poorly understood and unloved. At the same time, however, these recent episodes around Brexit have highlighted that Westminster does retain the constitutional authority to override the withholding of consent in any part of the UK – and this too may in the future become relevant on EVEL.

Meanwhile, Westminster's response to COVID-19 may make such a scenario more politically feasible. Many of the public health measures passed by Westminster have applied only in England. Yet, since late April, the EVEL procedures have effectively been suspended due to the pandemic. As a consequence, when MPs voted on secondary legislation such as that implementing the 'rule of six' in England, English MPs were not given a veto opportunity – despite the fact that the Speaker confirmed that it met the certification criteria. The reason for the suspension was that it would be difficult for the votes of English MPs to be quickly counted separately within the Commons' temporary new voting arrangements. While this may be understandable in practical terms, it raises a profound and difficult question about EVEL's durability. If this government finds these rules impractical in current circumstances, what is now to prevent a future government finding its own reasons to set aside the rules?

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**EVEL and the future of UK territorial politics:** Most people still express a preference for the maintenance of the UK in its current form, when asked directly, but over the last decade there is a growing belief that the largest part of the UK may have been disadvantaged by devolution elsewhere.

EVEL was intended, in part, to assuage such feelings within England. Yet whether it can provide a sustainable answer in the long term is an increasingly open question. While EVEL may have introduced an English veto right, this remains a long way short of the forms of devolved representation enjoyed by other parts of the UK. It is unclear for how long such a limited set of reforms will be able to satisfy those with concerns about England's governance within the UK.

Most notably, were a UK government to be elected in the near future that did not carry the support of a majority of England's MPs, and which is also reliant upon the support of the SNP – a situation which is entirely conceivable in 2024 – the question of EVEL, and the wider problem of English consent to which it was supposed to be an answer, could well become incendiary.

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**England's hero: Edward III** (13 November 1312 – 21 June 1377), also known as **Edward of Windsor** before his accession, was King of England and Lord of Ireland from January 1327 until his death. He is noted for his military success and for restoring royal authority after the disastrous and unorthodox reign of his father, Edward II. Edward III transformed the Kingdom of England into one of the most formidable military powers in Europe. His fifty-year reign was the second-longest in medieval English history, and saw vital developments in legislation and government, in particular the evolution of the English Parliament.

Edward was crowned at age fourteen after his father was deposed by his mother, Isabella of France, and her lover Roger Mortimer. At age seventeen he led a successful coup d'état against Mortimer, the de facto ruler of the country, and began his personal reign.

Since the time of Edward I, popular myth suggested that the French planned to extinguish the English language, and as his grandfather had done, Edward III made the most of this scare. As a result, the English language experienced a strong revival; in 1362, a Statute of Pleading ordered English to be used in law courts, and the year after, Parliament was for the first time opened in English. At the same time, the vernacular saw a revival as a literary language, through the works of William Langland, John Gower and especially *The Canterbury Tales* by Geoffrey Chaucer. Yet the extent of this Anglicisation must not be exaggerated. The statute of 1362 was in fact written in the French language and had little immediate effect, and parliament was opened in that language as late as 1377. The Order of the Garter, though a distinctly English institution, included also foreign members such as John IV, Duke of Brittany, and Sir Robert of Namur.



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**England's history: Guilds:** A **guild** is an association of artisans and merchants who oversee the practice of their craft/trade in a particular area.

A type of guild was known in Roman times. Known as *collegium*, *collegia* or *corpus*, these were organised groups of merchants who specialised in a particular craft and whose membership of the group was voluntary. One such example is the *corpus naviculariorum*, the college of long-distance shippers based at Rome's La Ostia port.

The Roman guilds failed to survive the collapse of the Roman Empire.

The earliest types of guild formed as confraternities of tradesmen, normally operating in a single city and covering a single trade. They were organized in a manner something between a professional association, a trade union, a cartel, and a secret society. They sometimes depended on grants of letters patent from a monarch or other ruler to enforce the flow of trade to their self-employed members, and to retain ownership of tools and the supply of materials, but were generally regulated by the city government. A lasting legacy of traditional guilds is the guildhalls constructed and used as guild meeting-places. Guild members found guilty of cheating on the public would be fined or banned from the guild. In medieval cities, craftsmen tended to form associations based on their trades, confraternities of textile workers, masons, carpenters, carvers and glass workers, each of whom controlled secrets of traditionally imparted technology, the "arts" or "mysteries" of their crafts. Usually the founders were free master craftsmen who hired apprentices. Typically the key "privilege" was that only guild members were allowed to sell their goods or practice their skill within the city. There might be controls on minimum or maximum prices, hours of trading, numbers of apprentices, and many other things. As well as reducing free competition, but sometimes



One of the legacies of the guilds: the elevated Windsor Guildhall originated as a meeting place for guilds, as well as a magistrates' seat and town hall.

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maintaining a good quality of work, often these rules made it difficult or impossible for women, immigrants to the city, and non-Christians to run businesses working in the trade.

An important result of the guild framework was the emergence of universities at Bologna (established in 1088), Oxford (at least since 1096) and Paris (c. 1150); they originated as guilds of students (as at Bologna) or of masters (as at Paris).

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### **English culture:** London to Brighton Veteran Car Run

The **London to Brighton Veteran Car Run** is the longest-running motoring event in the world. The first run took place on 14 November 1896, a wet Saturday, Organised by Harry J. Lawson, it was named "The Emancipation Run" as a celebration of the recently passed Locomotives on Highways Act 1896, which had replaced the restrictive Locomotive Acts of 1861, 1865 and 1878 and increased the speed limit to 14 mph. Since 1878 the speed limit had been 4 mph in the country and 2 mph in the town and an escort had been required to walk 20 yards ahead of the vehicle. The run was also the first meet of the Motor Car Club, of which Lawson was President.

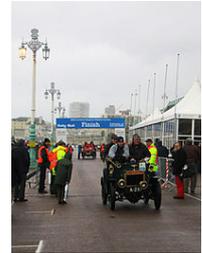
The event started with a breakfast at the Charing Cross Hotel, which included the symbolic tearing in two by Lord Winchelsea of a red flag. It is sometimes claimed that the Emancipation Run celebrated the abandoning of the requirement for the escort to carry such a flag. However, the red flag requirement (from the 1865 act) had long since been removed by the 1878 act.

The competitors gathered outside the Metropole Hotel. A total of 33 motorists set off from London for the coast and 17 arrived in Brighton. The first of the cars set off from London at 10:30 am and the first arrival in Brighton, by a Duryea Motor Wagon, beating the next closest Brighton arrivals by more than an hour. Two Duryea cars participated in the run, marking the first appearance of American motor vehicles in Europe.

The run has taken place most years since its initial revival in 1927. To qualify, the cars must have been built before 1905. It is also the world's largest gathering of veteran cars – 484 started in 2009, compared with 37 starters in 1927.

It takes place, currently, on the first Sunday in November and starts at sunrise from Hyde Park, London and mostly follows the old A23 road to finish at Brighton – a distance of 54 miles. There are two official stops along the way: Crawley (for coffee) and Preston Park (in a suburb of Brighton). Preston Park is the official finishing point; the cars then proceed to Madeira Drive on the seafront.

The event is organised on behalf of the Royal Automobile Club, which emphasises that the event is not a race – they do not even publish the order in which cars finish, and participants are not permitted to exceed an average speed of 20 mph. Any that finish (many do not) before 4:30 pm are awarded a medal.



Finish line of the London to Brighton Veteran Car Run, 2005

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### **Promotion:** English produce: Partridge:

According to Greek legend, the first partridge appeared when Daedalus threw his nephew, Perdix, off the sacred hill of Athena in a fit of jealous rage. Supposedly mindful of his fall, the bird does not build its nest in the trees, nor take lofty flights and avoids high places.

Probably the most famous reference to the partridge is in the Christmas carol, "The Twelve Days of Christmas". The first gift listed is "a partridge in a pear tree", and these words end each verse. Since partridges are unlikely to be seen in pear-trees (they are ground-nesting birds) it has been suggested that the text "a pear tree" is a corruption of the French "une perdrix". There are two kinds of partridges. The Red Legged or French Partridge, *Alectoris rufa*, is the most commonly found bird in the UK. The English or grey partridge, *Perdix perdix*, is less common and is only occasionally available. Most people rate the native English partridge higher for texture.

Whilst this iconic farmland bird was once common in our countryside, reduced habitat availability and quality has dramatically reduced their numbers over the last half century. However, on shooting estates and farms where appropriate habitat management and predator control practices are implemented, populations of grey partridges can still be very high and even provide a harvestable surplus in some years. In many parts of the UK, however, they have now unfortunately become locally extinct. For this reason, many landowners and farmers are now trying reintroduce grey partridges after improving habitats on their land through government environmental schemes.

A farmland bird, it feeds on seeds, leaves and small invertebrates. When disturbed, it prefers to run in-



Grey (English) partridge.

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stead of fly, but will fly low to the ground if necessary. It breeds in open scrub and farmland, close to hedges or other vegetation, laying its eggs on the ground in a grass-lined scrape.

These birds are usually reared on the shooting estate where they are to be released or by a commercial game farm. At approximately 10-12 weeks old the partridge poults are then released into pens located in suitable habitats on the shooting estate. From here, the birds are slowly released over a few weeks until all birds are free-living. The birds are continually provided supplemental food and protected from predation by reducing numbers of foxes and other predators through snaring and trapping. In Suffolk there is an abundance of wild game and game farms and hatcheries are situated throughout England.

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### Recipe: Partridge with Ampleforth Abbey cider and cabbage

<http://www.deliciousmagazine.co.uk/collections/November-seasonal-food/>

SERVES 2: HANDS-ON TIME 30 MIN, OVEN TIME 15-20 MIN

Creamy cider sauce is a delight and works very well with the partridge. Wonderfully easy, this recipe from Gilly Robinson, of Malton Cookery School, is perfect for anyone interested in learning how to cook game.

#### Ingredients

|                                          |                                          |
|------------------------------------------|------------------------------------------|
| 1 tbsp rapeseed oil                      | 4 streaky bacon rashers, roughly chopped |
| 2 oven-ready partridges                  | 1 onion, finely chopped                  |
| 1 leek, thinly sliced                    | 2 garlic cloves, crushed                 |
| 2 tbsp finely chopped fresh thyme leaves | 300ml medium-dry cider                   |
| 2 tbsp double cream                      | ¼ savoy cabbage, finely shredded         |



#### You'll also need...

Large heavy-based frying pan or sauté pan suitable for oven cooking  
Digital probe thermometer

#### Method

Heat the oven to 180°C/160°C fan/gas 4. Heat the rapeseed oil in an ovenproof sauté pan or shallow casserole over a medium heat and fry the bacon and partridges for 4-5 minutes, turning the birds occasionally, until brown on all sides.

Transfer the bacon and partridges to a plate. Add the onion, leek and garlic to the pan and cook, stirring, over a medium heat for 3-4 minutes until starting to soften.

Return the partridges and bacon to the pan with the onion mixture. Add the thyme and cider, then transfer the pan to the oven and cook, uncovered, for 15 minutes for rare and 20 minutes for medium-well (a digital probe thermometer will read 52°C for rare, 56°C for medium).

Take out of the oven and transfer the partridges to warmed plates. Stir the cream and shredded cabbage into the mixture in the pan, then put over a medium heat to warm through – don't let it boil. Season to taste, then serve with the partridges.

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