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SELECT COMMITTEES

An examination of factors determining their
influence on the policy process

VOL.ONE: THESIS

DEREK JAMES HAWES M.SC. FRSH.

A thesis submitted to the University of Bristol
in accordance with the requirements for the
degree of Doctor of Philosophy in the Faculty of
Social Sciences at the School for Advanced Urban
Studies.

March 1991

In accordance with the Regulations for the degree of Doctor of Philosophy at the University of Bristol I declare that this thesis is the original work of the author and that full reference has been made throughout to all published and unpublished sources used. All advice received has been acknowledged.



Derek J. Hawes M.Sc FRSH.

March 1991

Abstract

The House of Commons departmental select committees introduced in 1979 were potentially a significant constitutional advance in the ability of the legislature to scrutinise and to influence the Executive.

The purpose of this thesis is to explore a theoretical method of measuring 'success' in the work of select committees and to identify the elements which would lead to the maximisation of influence; to identify what constitutes success in the parliamentary political environment of the 1980s. The thesis commences with a review of the recent history and origins of the select committee system and traces the development of the 1979 reforms through a review of the literature of the period, and the early assessments of progress. It attempts to place the select committee system within theoretical concepts of the State.

The work establishes criteria on which the measurement of success can be based adapting existing theoretical models of the policy process and of the political system in order to explore the creation of a matrix in which issue type, committee mode and policy process intervention are identified as the significant factors in the degree of influence on policy which is achieved.

Using committee investigations in the policy arena of the 'environment'; a detailed analysis is undertaken of ten major committee reports produced during the parliament of 1983/7, by the Welsh, the Trade and Industry and the Environment select committees.

A careful analysis of inputs to the investigative processes is added to the matrix and enables some assessment to be made of the relationship between sources of evidence and eventual committee recommendations.

The construction of such a matrix enables the hypothesis to be tested and an argument is developed which also relies upon original research and interviews with key actors in the select committee field. Discussion leads to compilation of a multiple taxonomy of committee influence and an exploration of associated issues, including proposals for further development of the departmental committee system and complementary new proposals for the scrutiny of parliamentary policy making.

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M E T H O D O L O G Y

INTRODUCTION

The historic struggle of the British Parliament to shake off the dominance of feudal barons, autocratic monarchs, and an all-powerful House of Lords is the long backdrop to this thesis. Since the time of Edward III Parliament has fought to maintain the principle that it would vote to approve the King's taxes only in return for the redress of grievances, an unremitting claim which needed re-inforcing with the Stuarts and Hanoverians, until the great 19th century Reform Bills displaced the hegemony of Crown patronage and successive Whig and Tory oligarchy.

In modern times the context for that struggle has been the House of Commons and in particular the attempts of backbench Members to influence and control the government of the day. Throughout the 20th Century the criticism has been that Parliament's role is diminished by the dominance of the Executive; that policy is made elsewhere and that the ability of backbench Members to scrutinise the actions of the Government is minimal. From time to time the focus changes; the power of Civil Servants, the corporatist collaboration between Ministers and powerful agencies outside Parliament; the power of Government patronage and the autocratic actions of Prime Ministers - all in one way or another contributing to the frustration of backbenchers in their attempts to influence what is summed up in Lord Hailsham's powerful aphorism as the tyranny of "an elective dictatorship". (Hailsham 1976)

The particular subject of this thesis is the new system of select committees introduced in 1979, foreshadowed in the 1978 Procedure Committee Report, which was Parliament's own way of addressing these questions of dominance, influence and power within the political system. (HC 558 1977/8).

The discussion links to a number of other current debates including the process of policy making in an increasingly technological age and the influence of pressure groups and their access to M.P.s. The growth in interest in the way in which policy is formed is relevant to the understanding of select committee activity and the intention is to glimpse inside the ubiquitous "black box" of policy making theory and to throw light on some of the mechanisms within. (Easton 1965)

The choice of environmental policy as the area upon which to validate the ideas developed, is made because it encompasses interests wider than one department of State, touches upon both commercial and industrial activity and produces interest group response at every level of British society; but primarily because it enables some insight to be gained into a particular set of policies which have grown within a decade from peripheral concern to an explosion of public debate at the top of the political agenda. The participation of select committees in that development is assessed. In seeking to establish a systematic method of

measuring the influence of Committees, the research utilises all of the Reports produced during the 1983/7 Parliament on environmental topics.

By highlighting three key variables in the Committee proceedings and undertaking a detailed analysis of the source of inputs to each enquiry the thesis establishes which combination of factors have led to the most favourable outcomes.

The mercurial nature of what constitutes "success", and for whom, in this context leads to an examination of the multiplicity of ways in which policy and policymakers can be influenced.

The discussion raises a number of issues concerning the future development of the system - the reluctance of back-benchers to engage with the monitoring of financial estimates; the limitations placed upon Committee powers to question Ministers, and the balance between the Committee corridor and the floor of the House in terms of the right theatre for challenging government.

All of these issues have been highlighted in the period covered by this thesis. The Westland Helicopter issue and the refusal of senior civil servants to answer Defence Committee questions have been examples of tensions which occur when select

committees touch the more sensitive nerves of Executive power. (Drewry 1987). (HC 62 1986/7; HC 100 1986/7; CM78)

Power and influence in this context then are essentially related to policy and how it is made. And if backbench parliamentarians are concerned to exert more power over policymaking they are equally concerned to scrutinise the exercise of policy and the power which is inherent in it.

It has therefore been pertinent to conduct much of the discussion in terms of theoretical models of the policy process; to find a conceptual model which enables select committee activity to be understood in terms of its impact on policy whether in its formation, its application, its evaluation or indeed in its termination and replacement.

A number of approaches to this problem are discussed. Some models have traditionally been used to describe what occurs, others to set normative ground-rules for what ought to occur. The contrasting approaches of Simon and Lindblom, the debate between rationality and incrementalism and the attempts of Etzioni and Dror to synthesise these approaches are all examined for their relevance to the subject under discussion. They are ultimately rejected as insufficiently helpful in understanding or explaining the role of the backbench committee in the complexity of public policymaking in the pluralist environment of Westminster and Whitehall.

They do not deal with the essentially serial nature of policymaking which comes back to problems, corrects mistakes, opens up new directions or adapts to new advances in technology.

They do not sufficiently explicate the psychological subtleties of political debate, bargaining for electoral advantage - or indeed the frequent need for consensus - out of which public policy emerges to be implemented through a constellation of agencies in both public and private contexts.

The need for theoretical validity within this part of the thesis therefore has led to the requirement for a model which can cope with the complexity of the Parliamentary process, which is capable of explaining both rational and incremental policy advance, and describes as well as offering a prescriptive approach to the select committee enthusiast; that is to say is concerned with the application of techniques and with the political process.

The theoretical underpinning of the central hypothesis therefore needs to emphasise the political nature of the policy process, the subjectivity of much analysis and the need in this thesis to be concerned with the consumption as well as the production of policy advice. It is provided by utilising the work of Hogwood and Gunn on policy analysis and Easton's theory of the political system. Both of these models are adapted to the examination of select committee activity in

order to provide a conceptual basis for establishing both the role they play within the political system and the function of "policy intervention" which they perform. (Easton 1965; Hogwood and Gunn 1984)

Out of the discussion arise a number of ideas which engage with the ongoing debate about the need for constitutional change in a world in which the speed of political and technological change has reached a state almost of permanent revolution and in which valued institutions must, it seems, change too or become redundant.

METHODOLOGY

The methodology for the development of the thesis has been firstly to provide a narrative account of the evolution of select committees particularly since the Crossman reforms of the 1960's, and to trace their development through subsequent decades up to the introduction of the present system. This account includes a review of the literature which takes in the early attempts at evaluation following the Parliament of 1979/83.

Care has been taken to contrast the assessment of parliamentarians active in the committee system, with academic and other outside observers as well as the forecasts of the minority of political activists who viewed the new system as a threat to parliamentary integrity. The committee system is discussed in relation to a number of main theories of the State.

In part 2 of the thesis we return to examine early attempts at evaluation of the system and to seek a more systematic and theoretically-based method. By adapting Easton's "black box" model of the political system, we demonstrate that if the committee system is conceptualised as a miniature version of Easton's model, the process of inputs, outputs and outcomes allows a new approach to be devised for the systematic measurement of effectiveness. (Easton 1965)

An approach to measurement of committee effectiveness is then devised which is two-fold. Firstly the research undertakes detailed assembly of both the inputs and the outputs of particular committee reports. (See below). All inputs of evidence are categorised by source and by type. Outputs are established as the formal recommendations of committees and these are juxtaposed, in a separate appendix, against outcomes - i.e.: the government response to each of the recommendations in each report.

Secondly a triangulation is attempted of the key factors in the investigative process. The variables are identified within the committee enquiry and equate to the subject matter of particular topics, the approach or mode of the committee in pursuing the investigation and, crucially, the point within the life cycle of a policy at which the committee seeks to intervene.

Intervention

In order to apply the concept of intervention in the policy life cycle it is necessary to elaborate on the nine stages of Hogwood and Gunn's policy process model and to adapt it to a cyclical format to allow for an evident feedback and renewal process observed, and which more nearly equates to the reality of policy in the parliamentary environment. This account contains exemplifications from the committee reports under review.

The underlying assumption in constructing this approach to committee impact on policy formulation or change has been that what committees do and how they set about doing it is closely allied to the activities of policy analysts and might best be understood if examined in those terms. At best, committees contribute in a secondary role to original analysis by government and its agencies. They expose analysis to critical appraisal in a way which can itself be of analytical value.

It is argued that even after a policy option has been chosen, the role of policy analysis is far from over. It is seen as supplementing the more overtly political aspects of the policy process rather than replacing them, and indeed in an ideal world as providing the synthesis between politics and analysis which theorists such as those whose work is utilised in this thesis, have long sought.

By reference to the nine stage model of policy emergence the thesis places importance on the point within the life cycle of a policy at which the committee intervention takes place.

Mode

The idea of committee mode for the approach adopted in particular investigations allows some differentiation to be made between the purposes of particular committees and

particular enquiries. It is established that the purposes of committee members may differ in that they may be wishing to influence a department, or another public sector agency, or indeed to inform Members of Parliament for a forthcoming debate. The research demonstrates that these variations in goals or purposes are an important ingredient in determining the mode of an enquiry.

Four distinctive modes are identified:

Advocacy and agenda setting

Analysis and review

Challenging and/or monitoring

Mediation and prioritising

These concepts are described and established by reference to the contents of evidence sessions, the style of investigation and the purposes or objectives of the committee in the framing of its recommendations.

Issue Type

The third key factor identified in committee enquiries is the nature of the topic which forms the subject of the investigation. In the committee reports under review three such issue types are identified:

Technical/scientific

Economic

Administrative

These three types are described and based upon the main characteristics of the subject matter of individual investigations. Account is taken of the main thrust of the arguments, the nature of the evidence presented and the policy context within which the committee is pursuing its purposes. Each of the types is defined and described at length within the thesis.

A Matrix

Having identified the three key factors in committee investigations, which, it is suggested, have a bearing on effectiveness, an attempt is made to determine which factors and which combination of the three factors will produce the best outcome. A form of triangulation is achieved by the establishment of a matrix which allows each of the three factors to be used as variables in the assessment of committee effectiveness. The strengths and weaknesses of this device are examined in later chapters. The 'best' result in terms of outputs and outcomes begs the question: 'Best for whom?' An issue pursued in chapters 20 and 21 of this thesis.

FIG 1

Committee:		Topic:			
Committee Mode:	Policy Process Intervention:			Issue Type:	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	

In order to test the matrix against actual events, a detailed account is provided of ten Committee Reports produced in the Parliament of 1983/7. The issue type, the mode and the point of intervention of each report are established and placed within the matrix exhibited at figure 1. In addition, a close analysis is undertaken of the sources of evidence and of the total "inputs" to the investigation. Thus not only can we determine which combination of factors produced most impact but it is also possible to relate sources of inputs to the uses made by the committee of such evidence in the framing of their recommendations. This is achieved in the following manner.

Inputs/Outputs, Citations and Sources of Evidence

Inputs consist of a count of all documents, witnesses, technical appendices, memoranda and unpublished evidence together with a count of the citations of such evidence and references made to it in the text of the committee's final report.

By counting evidence from each of six sources it is possible to establish a measure of the total material of each enquiry, its source and the extent to which it was subsequently utilised in the framing of the recommendations.

The six sources of evidence/witnesses are established thus:

Ministers/Departments of State, Quangos and Official Agencies,
Local Authorities, Self Interest Groups, Pressure Groups,
Independent Experts.

Each of these groups is defined and in this connection the concept of a "policy community" is utilised to encompass all those with a direct interest in particular policies, whether as administrators, campaigners, experts, or as self-interested participants and political stakeholders.

Environmental Policy

The hypothesis, the validity of the argument developed and the concepts within the thesis are tested against a series of ten select committee reports produced during the parliament of 1983/7. All of the reports relate to environmental issues and include the work of the Committee for Welsh Affairs, the Trade and Industry Committee as well as the Environment Committee. This area of policy was chosen to provide a limited and consistent body of policymaking and political debate within which to work through the ideas propounded. It has therefore been necessary to include a coherent account of the development of environment policy in the post war years, illustrating the growth of interest and debate and the way in which topics encompassed within this

broad policy area have emerged on to the political agenda and the activities of the pressure groups and other interested parties who have contributed to policymaking in this field. It is therefore possible to place the impact of select committee involvement in the growth of a coherent body of policy built up over more than two generations of policymakers and activists.

A summary of each of the ten reports considered is provided and each report is tested within the matrix, allowing the theoretical measurement technique to be applied and tested in practice.

The argument is informed throughout by structured interviews with key actors, including the Chairman of the Environment Committee, Committee Officers, and specialist advisors. Three of the most significant reports dealing with acid rain, planning enquiries and radio-active waste are examined in more detail and a survey is undertaken of Members of Parliament active in these particular enquiries. Multiple choice questionnaires were prepared for this latter exercise.

In an attempt to chart the wider impact of select committee activity, a contents analysis of newspaper coverage is undertaken.

However, the primary concern has been to consider how far the new select committee system is effective in giving voice to parliament and back bench parliamentarians in their struggle to influence, monitor and scrutinize the dominant Executive. By using the language and techniques of policy analysis a taxonomy of influence is evolved which emphasises the multiplicity of means of policy change and development.

The latter part of the thesis is concerned to analyse the results of the matrix test, and the other procedures described above, and to develop a discussion of the outcome and of alternative means of evaluating committee performance. The value of the matrix in this process, its validity and flaws as a research tool form part of this discussion.

It makes some recommendations and prescriptive suggestions for the greater effectiveness of select committees, their place both in theoretical terms and in practice within the British democratic state, and the possibilities for an expanded role for select committees within constitutional changes currently being debated.

PART ONE

The development of the modern committee system

CHAPTER ONE

SPECIALIST COMMITTEES - FROM CROSSMAN TO ST JOHN STEVAS

*

Introduction

The progress of the Departmental Select Committees which arose from the 1979 parliamentary reforms was watched critically throughout the first Thatcher administration of 1979/83. Both political actors and academic commentators sought to evaluate their success and effectiveness and to measure them against the claims which were made for them by the Procedure Committee which recommended the system and in the debate in the house which set them up.

The contrast between the two perspectives is stark. Even allowing for the perhaps more detached view of outside observers and a degree of cynicism from long time commentators on the Westminster scene, the assessment of the value of Select Committees in monitoring Departments of State ranges from the enthusiastic to the pessimistic.

The Background

However, in reviewing the literature on the most recent reforms it is necessary to put the matter into historical context and to demonstrate that criticism of the diminished role of parliament and of the dominance of the executive has been a recurring theme throughout the past 50 years. Distinguished commentators from a wide political spectrum have argued for reform since the publication of Harold Laski's "A Grammar of Politics" warned of the strength of the Civil Service and the Executive combined.

(Laski 1920) Sidney and Beatrice Webb produced "Constitution for the Socialist Commonwealth" arguing for a radical democratisation of parliament at the same time. (Webb 1920) Each from different perspectives argued for more power to the House of Commons at the expense of Government.

Later, Leo Amery in "Thoughts on the Constitution" and Winston Churchill's Romanes lectures examine the possibility of a society in which the major producing groups of unions and employers acquire a political role with important implications for our parliamentary system. (Churchill 1930) & (Amery 1951)

Against this long background of complaint of lack of a proper role for Parliament, the modern movement for reform was led throughout the 1960s by prominent parliamentarians supported outside Westminster by the formation of the Study of Parliament Group which has been an active catalyst for change. Two particularly influential studies appeared in 1964: Bernard Crick's "The Reform of Parliament" reflected the views of both academics such as Professors Hanson and Wiseman and MPs such as John Mackintosh and Richard Crossman; essentially a view from the left which envisaged Parliamentary Committees as the bridge between informed opinion in the country, interest groups and the executive, they propounded the idea of a system of pre-legislation committees which would examine Bills before they were presented to the House. (Crick 1965)

The quite different range of concerns from the right of the

political spectrum is expressed in a 1964 publication by Hill and Whichelow concerning itself particularly with Parliament's responsibility for controlling and checking public expenditure: "The historic roots of parliament lie very simply in money - the control of the nation's money is at the heart of our parliamentary system." (Hill & Whichelow 1964)

This volume traced the development of Parliament's powers to control supply through a series of struggles between the Commons and the King (and later with the Lords), in which the Commons emerged victorious in the control of expenditure.

Crick is less prescriptive:

"control means influence, not direct power; advice not command; criticism not obstruction; scrutiny not initiation;"

He argues that the only parliamentary controls worth considering are those which do not threaten the parliamentary defeat of a government but which help to keep it responsive to the underlying currents and the more important drift of public opinion.

Hill and Whichelow have to admit that having won the struggle to control supply, the Commons rapidly became an ineffectual mechanism in reality, having rejected Government estimates on only one or two occasions since the First World War.

Thus the twin thrusts of the parliamentary reform movement in the 1960s were the restoration of Parliament's historic role in the scrutiny of public expenditure and enhanced public involvement in policy making - but not in a context that would actually threaten government. The emphasis was upon an enlarged role for Parliament which could be reconciled with unchanged executive prerogatives. But nowhere is there an awareness of the difficulty of reconciling the contradictory aims of strong, single-party government with bi-partisan investigatory powers for the House.

The Crossman Era

In the event the real progenitor of the modern select committee reforms is Richard Crossman whose initiatives in 1966 as Lord President of the Council established the idea of permanent scrutiny of the deeds of the Government. Ironically it is during this very period that perhaps more extra-parliamentary policy mediation went on than at any other stage in post-war times. It is the period during which there had been a growth in status of corporate agencies particularly in the economic sphere, and a tendency for policy to emerge through a process of collaboration with producer groups and with Labour interests which did not only reduce the role of parliament, but subordinated the importance of primary legislation. The formation of NEDO in 1962 and the promotion of bodies such as the TUC and the CBI to the centre of the policy process in the technocratic state was supported by many parliamentarians themselves who urged a measure of

institutional reform so that collaboration between industry and parliament would forge new processes of economic planning. Middlemass characterised these interest groups as "governing institutions", existing thereafter as estates of the realm committed to co-operation with the State, whilst retaining their customary independence. (Middlemass 1965) This "corporate bias" in the policy making process accentuated the decline of party and parliamentary politics - and specifically the role of M.P.s and the Commons. In Winkler's terms the process evolved as a full scale corporatist structure of government with a more directive role for the state in the national politico/economic organisation, a distinct and firmly articulated form of corporatism under which the State intensively channelled private business towards the four goals of order, unity, nationalism and success. (Winkler 1974)

He saw the process as a reaction to the economic crisis of the early 1970s and a revulsion against the market processes with the substitution of co-operation for competition and the elevation of the general welfare over self-interest and profit. Thus we have the paradox that the birth of the committee scrutiny system in 1966 came at a moment when the policy process was moving away from Westminster to Downing Street and Whitehall to an unprecedented extent.

It is this contradictory picture which leads Professor Stuart Walkland to a pessimistic appraisal of the developing scene written in 1976 when he concluded that enhanced scrutiny and

unchanged executive prerogatives were incompatible. He judged that effective committee work would be thwarted without the power to challenge the Executive and pointed out that a really successful all party scrutiny committee would

"entail a distancing of the House of Commons from The Executive and a diminution in the powers of ministers and party leaders which could only ensue from important alterations in the political structure of parliament and consequent changes in the conventions which govern its relations with The Executive." (Walkland) 1976

In evidence to a Procedure Committee enquiry in 1977 the Study of Parliament Group reflects the lack of unanimity of the time:

"There are now two main schools of thought. The one that has been dominant this century, perhaps even since 1868 accepts that the power of the Government, derived from the authority it gains from the sanction of a popular franchise and exercised through the party majority in the House, has effectively deprived the House of any direct power of decision making it may ever had had. The Government (Ministers plus Civil Service) governs, and the Government controls The House not vice-versa in any meaningful sense.

"There is now emerging a second school of thought which argues that without some measure of power the House of Commons can have no authority; but any power the House has possessed has

been so sapped and eroded by Government that it is now meaningless to talk of parliamentary government in Britain. There are still doubts among some members of the Study of Parliament Group as to whether the largely adversary party situation in the present House of Commons is not basically hostile to an expansion of select committee work and whether a different political structure is not needed to allow select committees to realise the potential they undoubtedly have." (HC 588 Session 1977/8)

If these concerns had been caused by the increasing tendency of Labour governments of the period to mediate policy with extra parliamentary forces, over beer and sandwiches at No. 10, they led other, less polite commentators to describe the tendency in starker terms. An editorial in the "Economist" describes what it sees as the tyranny of

"an unparliamentary government that is Britain's lot today..... As Britain's executive has done more, as its involvement in economic life has grown and its impact on citizens' powers and freedoms has widened, the capacity of the House of Commons to investigate its activities has diminished. Students of parliamentary institutions all over the world accept that this kind of scrutiny for keeping officials alert and accountable is as effective as its system of regular committees." (Economist 1977)

The Economist's blueprint for a different political democracy

envisages a central parliament which would distance itself from Ministers and would have a legislative role, taking on much of the power over the executive enjoyed by America's congress:

"Such a parliament's deliberation would be respected, its speakers admired, its investigative committees heard and its powers ensured by the ancient weapon of the control of the purse and the modern one of televising, in full or edited versions, its sessions both on the floor and in committee".

A Review of Performance

In a detailed examination of the reports produced by select committees between 1966 and 1969 Shell traces the development of their investigative activities and their impact on ministers and policies. He concludes that they achieved only the most minor influence on policy making and administration and suggests their chief role was to provoke discussion and provide information. (Shell 1970)

The picture painted is one of a struggle for survival against a government which seemed to see select committees primarily as a useful means of occupying the energies of some of its backbenchers. The first of the Crossman Committees were established mainly because of the willingness of the appropriate minister to tolerate their presence. Not that this deterred Mr. Crossman: according to one colleague:

"in discussion with Labour MPs interested in parliamentary reform he explained that he hoped to set up two more of these departmental committees each year until all domestic policy was subject to scrutiny and the last and most difficult hurdle was reached, the creation of foreign affairs and defence committees." (Mackintosh 1969)

Shell demonstrates that despite powers to examine papers and persons these early forerunners of the present committees could do little to respond if faced with a refusal to bow to their requests by government departments or ministers. Despite the proclamation by one committee chairman that:

"It is definitely our business to attempt to help in the formulation of public policy." (Palmer 1968)

a consideration of the fate of recommendations made by the Committee would suggest that little has been achieved in that direction. The same Chairman was later to agree that the Minister had "largely ignored" his recommendations (Ibid).

By the end of the 1969/70 session the select committees were still being referred to as experimental. One can't help feeling there was an implied threat in the use of that word; if any committee became obstinate or awkward (or, as Shell suggests, simply effective), it was liable not to get reappointed. In this sense the system was unsatisfactory. Shell sums up, rather pessimistically at this stage in the reform process that although

the House could be said to be "slightly better informed" the Committees had not been notably successful at digging out facts that the Government had not wished to reveal; the Agriculture Committee which had set out to do this did not succeed and its enthusiasm was rewarded by its disbandment. Nor is there any evidence that the possession of information was equated with the ability to influence policy.

Walkland's view, reviewing the scene a decade after the introduction of the Crossman reforms, is that later Leaders of the House were more concerned with efficiency of legislation than added scrutiny, and that select committees were more to do with compensations for back benchers than with a genuine enthusiasm for reform. (Walkland 1976) He opines that the centre of political gravity would shift further to Whitehall from Westminster than it already had in the mid 1970s and that public participation in parliamentary processes would be even more minimal than it already was.

He argued that the 1966 reforms had made little impact upon the main determinants of British parliamentary government and by any test could be said to have failed. Nevertheless there had been some specific gains: the quality of Committee work was higher and many MPs across all parties had been persuaded of the value of the scrutiny which committees undertook - "provided they didn't have to do it and it didn't detract from debates on the floor of the house!" From the Executive's perspective the assessment of the value of all party committees was based on how

far they assisted official objectives. Certainly committees dealing with race relations policy and with Scottish affairs had done much to bolster the government policy but most others had connected only peripherally, in Walkland's view, with main political processes.

And so, as the "coming corporatism" of Winkler's 1974 prediction seemed palpably to have arrived, and with the ignominious defeat of Mr. Heath at the hands of the miners, Professor Walkland was not alone in writing so crushingly of the inadequacy of parliamentary mechanisms for influencing, let alone controlling the government. It was, in this context not surprising that the conservative manifesto for the 1979 election should express concern for the erosion of the role of parliament.

"The traditional role of the legislature has suffered badly from the growth of government over the last quarter of a century.... We will see that parliament and no other body stands at the centre of the nation's life and decisions.... We will seek to make it effective in its job of controlling the executive."

The 'Sixties in Retrospect'

In attempting to sum up this period in the history of parliamentary reform, the following considerations are relevant. Firstly many of the advocates of specialist committees have presented their case by linking it to extreme assertions of

parliamentary decline with the inference that this was the main solution to the problem of restoring House of Commons influence over the Executive. This case depends to some extent on whether or not the House of Commons has declined in terms of its essential function; and more importantly, on the assertion that the most important acts of the Executive, whether they are acts of policy or not, were escaping wholly from effective parliamentary control, reducing the Commons to the role of rubber stamp.

Yet the commentators who have made such a strong case for scrutiny committees on grounds of this kind have frequently watered down their proposals with reservations that would deny such committees powers to interest themselves in purely policy matters. Prior to the 1966 initiatives many advocates took care to emphasise that these committees should confine themselves to administration; see for instance the evidence of Professors Crick, Hanson and Wiseman to the Procedure Committee.

The modesty of their proposals only serves to demonstrate that, at this stage in the process, to give specialist committees scope for intervening effectively in major policy decisions and to call the Government to account irrespective of party allegiance, would require changing the existing system of parliamentary responsibility exercised through majority parties. In fact it would require a change in the constitution which is what Professor Walkland in reviewing progress at that time, in what he termed "a liberal phase of my development", seemed to be

advocating. (Walkland 1976)

In the event the very modesty of the terms of reference and activities of these committees left ministerial authority virtually impregnable to criticism. Some writers sought to preserve the distinction between policy and the administration of policy along the lines of the then Nationalised Industries Committee. Coombes for example would have been content to see only civil servants called before members, leaving ministers answerable solely to the House. (Coombes 1966)

In practice it is not so easy to distinguish between policy and administration and there is to some extent political policy involved in all acts of government departments quite unlike the work of nationalised industries. Moreover, if policy could be excluded from the work of select committees it is not easy to see what they could do that was different from the work of the Estimates Committee.

Both Robinson and Johnson in important studies, emphasise the centrality of public expenditure to any system of scrutiny. They single out the House of Commons Estimates Committee and its successor, The Expenditure Committee, as being illustrative of the character of parliamentary scrutiny of the administration in this period, and expose both the strengths and weaknesses of the

ability of MPs to come to grips with the issues. (Robinson 1978; Johnson 1966)

Johnson describes the Estimates Committee as one of the most successful means of allowing members effective scrutiny measured simply by the sheer volume of information in its reports or by its intermittent ability to ensure that the government was made to explain itself from time to time. (Johnson *ibid*, p12/13)

Robinson on the other hand, analysing the work of the post-1970 Expenditure Committee concludes that it had not fulfilled many of the expectations held out for it. (Robinson *op.cit*; p154)

These authors illustrate the divergence of view, at this stage of the debate, between those who argued for a complete new system of select committees to scrutinise and control government departments, taxation, policy and action - and those who demanded more power for the Commons in deciding the 'Who gets what', of public spending in Britain. (*ibid*) Both stress the need for any new development of the committee system to have Estimates as its focus.

The fact that these committees were not so effective, even in the limited fields to which they were assigned is one reason why they cannot be regarded as the most important cure for contemporary parliamentary and political shortcomings.

The point is illustrated by Butt whose analysis of the acrimonious life and death of the Agriculture Committee and its inability to secure the information it required, demonstrates the fragile relationships which the committees of that time enjoyed with the Executive. In his view the committee chose to examine topics of too highly a political nature and failed to maintain the support of the majority Labour Party in the House. Yet if it had voluntarily limited its activities to secondary matters it would have renounced from the start any chance of establishing a function of scrutiny or act as a corrective to failures of policy and administration. (Butt 1969) Nor did they ever gain much attention outside Westminster. The introduction, towards the end of the 1970s of a committee for Scottish affairs led Butt to suggest that this might be a more fruitful area for committee activity. Members of different parties but representing the same area and with long experience of working together on local problems with local politicians and interest groups on the one hand, and Whitehall administrators on the other could be a useful outlet for regional discontent against the dominance of Whitehall. It was with this possibility that the debate moved forward into a wider concern for procedural reform.

The Origins of Reform: 1976-1979

The strands of the debate on the role of select committees and their piece-meal development since Crossman's 1964 innovations had, by 1976 merged into a larger argument for the greater efficiency of the conduct of parliamentary business and were subsumed into a formal enquiry which was to provide the origins of the 1979 select committee system.

On the 2nd February 1976 (Hansard 1976) the House of Commons held a whole day debate on procedure, on a motion for the adjournment of the House, following the announcement in the Queens speech of that session (Hansard 1975) that proposals would be put forward "for a major review of the practice and procedure of parliament". A select committee on procedure was set up on the 9th June 1976 for the duration of that parliament to "consider the practice and procedure of the House in relation to public business and to make recommendations for the more effective performance of its functions". (HC588 1977/8)

In the February 1976 debate the then Lord President of the Council, the Right Honorable Edward Short (Lord Glenamara) suggested that at the centre of the current wave of criticism of parliament lay the relationship between the Executive and the legislature, "between the Government and Parliament". In his view, the Government must govern, but be able to "secure from parliament any necessary extension of their Executive powers and

to implement their election pledges, by legislation or otherwise. Whatever changes we introduce should re-inforce and not undermine effective Government".

The tasks of Parliament, on the other hand were to "set the limits of Executive power and to scrutinise the exercise of executive power, to monitor our activities as a nation and to debate great issues of the day." (Hansard 1976 Col. 965)

In its subsequent report which was published in July 1978 the Select Committee on Procedure took issue with that proposition:

"We agree that the relationship between Executive and Legislature is the crucial feature of the functioning of our institutions of government, and we are conscious of the widespread concern in the country about the present nature of that relationship. But we do not believe that the criticism will be answered as Lord Glenamara's evidence suggested, merely by getting through the work demanded of the House by the Government more expeditiously and then by finding a "worthwhile role" for the Backbencher. The essence of the problem is that the balance of advantage between Parliament and Government in the day-to-day working of the Constitution is now weighted in favour of the Government to a degree which arouses widespread anxiety and is inimical to the proper working of our Parliamentary democracy. (HC 588 Page viii)

The Committee argued that a new balance must be struck, not by changes of a fundamental revolutionary character but by an evolutionary process with the prime aim of enabling the House as a whole to exercise effective control and stewardship over Ministers and the expanding bureaucracy of the modern state.

In addition to a wide ranging set of proposals dealing with delegated legislation, EEC legislation and Public Bill procedure the Committee set out a detailed proposal for a new approach to Select Committees.

Of the then system the report comments that it had developed for the most part in response to the need to relieve the pressure of business on the floor of the House or in response to new obligations or new demands for the House to perform new functions, many of which required detailed investigation unsuited to a large assembly. The system, said the report, is unplanned and unstructured.

"Surveillance of the Executive will not be substantially improved unless other reforms also take place such as the provision of more supporting staff, better financial and statistical information and more access to the floor of the House of Commons." (HC 588 page x.)

Coming less than a year before the next general election it was inevitable firstly that no action would immediately result from the procedure committee recommendations, but

also that the debate would move from parliament to the country - and eventually to the hustings.

Its deliberations had also coincided with the most intense domestic debate of the decade concerning devolution and the creation of separate assemblies for Scotland and Wales. The common theme running through all these debates was the remorseless extension of Governmental activity to the extent that:

"There was now a governmental involvement in almost every aspect of an individual's life. But the existing parliamentary mechanisms were simply not enough to monitor all these multifarious activities". (Pym 1987)

If the failure of the devolution debate prompted more attention to the possibility of special select committees for Scotland and Wales, the need for parliament to take more control of the Executive was a prime topic, especially for opposition parties in the lead-up to the 1979 General Election.

In a speech to the Cambridge University Conservative Association a senior Conservative politician, referring to the Procedure Committee's report said: "I can give a clear pledge that in the first session after a General Election the next Conservative Government will present to Parliament positive proposals based on this report....." (Pym 1978)

At the Conservative Party Conference in that year a motion on constitutional reform, which included a reference to Select Committees was given a warm reception and a decision was taken by the Tory Shadow Cabinet to include a pledge in the 1979 election manifesto.

The First Thatcher Government

Thus the rhetoric of the new government, led by Margaret Thatcher expressed a concern for the primacy of Parliament and seemed determined to revamp and give teeth to another reconstruction of select committee mechanisms, this time mirroring departments rather than topics, along the lines of the Procedure Committee proposals. There was a new concern for the control of public expenditure and Norman St. John Stevas, the new Leader of the House, in introducing the debate on the new proposals referred to revolutionary changes:

"Today is a crucial day in the life of the House of Commons... We are embarking upon a series of changes that could constitute the most important parliamentary reform of the century.... intended to redress the balance of power between parliament and the executive, to enable the House of Commons to do more effectively the job it has been elected to do".
(St. John Stevas 1979(a))

After a full day's debate the House approved a package of reforms amounting to the establishment of a system of new "departmental" committees. The reform left untouched many of the existing committees which dealt with the domestic running of the House and Members' activities, those devoted to scrutiny of secondary and EEC legislation and consolidation measures, and the important public accounts committee.

The new structure is comprised of 14 committees to join the existing committees mentioned above, each shadowing a Department of State. (See Appendix 2)

The numbers and responsibilities of these bodies varied somewhat from the proposals of the Procedure Committee. The main variations were as follows:

1. Scottish and Welsh Offices now each have their own committee.
2. Industry is grouped with Trade and not with Employment, foreshadowing the later setting up of a new Trade and Industry Department.
3. The Lord Chancellor's Department and the Law Officers' Department are now excluded from the scope of the Home Affairs Committee.

4. The ability to set up sub-committees is considerably less wide than the Procedure Committee had proposed.
5. The newly introduced system thus meant the end of the following existing committees:-

The Expenditure Committee

Nationalised Industries Committee

Overseas Development Committee

Race Relations and Immigration Committee

Science and Technology Committee

Many political actors were articulate in their advocacy of the scheme and have been, on the whole, consistent in their support since.

Edward du Cann (Tory) and Christopher Price (Labour) both prominent back bench committee chairmen in the 1979/83 parliament spoke enthusiastically in terms of revolutionary changes brought about by the introduction of the select committees shadowing Departments of State.

Du Cann predicted far reaching effects and sees committees undertaking a "more comprehensive and effective question time".

He cites the volume and quality of reports produced, and the press coverage they receive and the success they have had in changing policy, to argue for adequate technically qualified staff and greater resources to back their activities. (Du Cann 1981)

But it is in the detailed examination of estimates and supplementary votes that Du Cann sees the potential power of select committees:-

"The opportunities for the redress of small or large grievances before supply is granted will be a development the Government will be unable to resist as committees grow in stature."

(Ibid)

In a longer and more considered essay in 1984 in his role as Chairman of the Liaison Committee he discounts the suggestion that the success of committees can be measured by a kind of score card of Acts which they have achieved or amended - or to look for sensational changes which they have wrung from the Government's programme. (Du Cann 1984) Change is much more subtle - a matter of influence, of promoting change in the thinking of senior civil servants, of "unhurried-pace-setting" and of the dissemination of information to interest groups and business organisations which

form the policy community around the departments concerned, to encourage the discussion of alternatives.

Price relies more upon the process and good committee management for his faith in their future. Good chairmanship, bi-partisan relationships, committed staff and advisors are the best way to create genuine consensus across party lines. As the minority party chairman of the Education Science and Arts Committee (1979/83), he cites improvements in the quality of government decision making and the injection of "an extra dimension to meetings of civil servants and ministers preparing for the announcement of new policy". (Price 1984)

Another Labour Chairman John Golding experienced the process as essentially theatre, in which ministers are only too willing to appear and perform, but which has so far been avoided by the Chairmen of Quangos and nationalised industries, a tendency which he feels must be redressed (Golding 1984) "Identifying the issues" was his formula for back bench committees which, so long as every move was negotiated with his majority party vice chairman, enabled him to avoid the worst of the dissension of party lines.

These and similar views were broadly echoed by many parliamentarians by the end of the 1983 session, including Biffen (1984) "A permanent feature of parliament" and Weatherill (1984) "Part of our open government", Craigen (1984) "here to stay" and Morris (1984) "A useful supplement to the armoury".

Approbation however was not universal; both in evidence to the Procedure Committee and in the debates in the House in February and June 1979 on the proposals for the new system, there was trenchant opposition to the very concept of select committees as an antidote to the power of governments. (HC588 1977/8); (Hansard 1979(a)); (Hansard 1979(b)).

In evidence to the Procedure Committee itself, Michael Foot then Lord President of the Council argued that the new Committees would have the effect of transferring more and more important business away from the House of Commons chamber itself to the committee floor. There was no substitute in his view for the open cut and thrust of party debate and the vigorous use of questions to Ministers. (Foot 1976 P63). In the subsequent debate he spoke of the need to protect 'at all costs', the position of the Chamber and the rights of access of individual members - the extreme attribute of the Commons (Foot 1979).

He was echoed by Enoch Powell who argued that 'everything which diminishes true debate on the floor of the House strengthens

the Executive and weakens Parliament'. (Powell 1979).

Willie Hamilton M.P., in the debate on the substantive motion for setting up the Committees contended that the whole process was "the status quo in a different wrapping. The Government are making these proposals precisely because they know they are cosmetic and will not change anything much". (Hamilton 1979 Col. 99). Another Member Mr Ian Lloyd argued that the new system would involve abolishing the tried although imperfect Committee system already in being, and had nothing to offer for the 1980's. It would have little relevance to the technological age and would not be capable of eliciting information on computers and in other electronic storage facilities.

However Gerald Kaufman opposed the introduction of Committees on the basis that they would "seriously damage" the party system of government, would result in too much specialisation by individual members and lead to a compartmentalisation of Parliament in which; "Members will operate on the basis of whichever departmental committee they belong to". He believed the House needed to scrutinise the actions of the executive far more penetratingly and that the way to do this would be to give all backbenchers proper accommodation and research facilities together with the staff they needed to do the job..... "rather than by enthroning 120 backbenchers on a series of select committees". (Kaufman 1979 Col. 178). The same threat was foreseen by other Members who viewed bi-partisan consensus as

inimical to the party struggle.

Dennis Skinner referred later to the system as a cosy parliamentary club providing "sloppy consensus reports which are not taken seriously". (Skinner 1988). Other Members suggested that the way in which the committee seats would be allocated would provide no serious role for minority parties and echoed Skinner's case that if there were to be Committees they should be politically based with partisan secretariats.

Despite these and similar arguments the House divided on the main question, giving approval to the proposals by 248 votes to 12.

We move now to an examination of the views of observers outside the House of Commons and of the attempts to audit the work of the infant new system. However it will be necessary to return, at the end of this work to these fears of parliamentarians and examine whether they have been justified, and whether the development of departmentally-linked scrutiny committees have indeed threatened the established practice of "true debate" on the floor of the Commons.

CHAPTER TWO
THE VIEW FROM OUTSIDE

*

An Academic Assessment

If the political actors who participated in the new select committees over the first two parliaments of Mrs. Thatcher were generally in support of the procedure and its potency for change, most of the academic observers point to the procedural conservatism in which the processes have been introduced and the remarkable ability of the House of Commons to maintain its institutional continuity even when, ostensibly, it is encouraging innovation. Thus Neville Johnson:

"I have never shared the optimism of the parliamentary reformers who have seen select committees as the key to changing the balance of power..... to put the matter like this is indeed to misunderstand the problem and the prospects for the select committees". (Johnson 1984)

If select committees have achieved a much closer relationship with government departments, Johnson believes that closer does not necessarily mean more friendly - still less collusive. He believes that the growth of specialisation amongst members of parliament which remain the preserve of back bench and newer members, may lead in due course to changes in both the type of politician who emerges and the attitudes in the House of Commons towards its own habits and priorities. Philip Norton believes that the experience of the select committees only serves to underline the need for a far more radical reform of parliament.

His approach would seek a shift in the relationship between the House of Commons and that part of it which forms the government through an attitudinal change on the part of members of parliament. He does not reject structural changes and argues rather that an attitudinal change is a prerequisite to effective procedural change. It is an approach which exists independently of the Westminster model of government and does not do violence to the existing political fabric. The Norton view posits no new powers for the House of Commons and argues that the power necessary to ensure a shift in the relationships exists already: the power to defeat the government in the division lobbies, in effect to deny legitimisation to the government and to its measures:

"A House of Commons which exerts effective scrutiny of and influence over government, and is seen to be performing that function, can both serve to limit the power of non-elected groups in British society and concomitantly enhance consent for the political system." (Norton 1983)

Professor Walkland in a rather more optimistic vein than his earlier writings points out that MPs are really trying the impossible: to reform a system and a culture whilst at the same time remaining part of the former and being powerfully affected by the latter. "History suggests that this type of system can only be reformed through pressures external to it." But he feels the committees are serving to soften up the system from the inside even if, as Judge (1983) suggests the participants seem so

engrossed in the practice of parliamentary committee politics that they do not take time to contemplate exactly what it is that they are doing: "Activity becomes a substitute for analysis" (Walkland 1985)

W. J. Reiners, in an examination of the work of the Environment Committee, suggests that given the existing disposition of powers, committees are unlikely to pose any serious threat to the government's "elective dictatorship" and any such threat would probably ensure their demise. Their performance offers little support to the view of the Speaker, commenting on the introduction of select committees that they would give members more power than at any time since the 17th century! (Reiners 1985)

What all these contributions suggest is that the debate is constructed in terms of power and control without any attempt to define more closely the limits of those concepts - or even to ask whether it is a good thing that the legislative assembly should hold power over an elected government.

Discussing the question of whether the 1979 reforms have turned out to be a constitutional non-event, Gavin Drewry makes the point that a constitution is partly a matter of more or less formal rules and conventions and partly a matter of attitudes and mutual understandings about "the rules of the game". It is, he concludes, a matter of what people with political influence accept as a proper way of reaching political decisions:

"Each successive stage in the development of select committees has pushed forward the base line of MPs expectations and generated an audible click in the one way ratchet of change. Members may not as yet be clamouring for much more than they have now but would surely be unhappy to settle for less. Rising expectations may be the precondition for radical demands." (Drewry 1985(b))

If indeed the process that has given rise to committee reform may be just one aspect of a pattern of growing assertiveness on the part of back bench members, accompanied by greater willingness to break free of the rigid embrace of two party adversary politics, then the hope expressed by Philip Norton that an attitudinal change effectively expressed by members can exercise the political will necessary to change the parameters within which government can govern, may be realised.

The Pressure Group Dimension

Richardson and Jordan have undertaken an examination of the way in which the select committee system has been used by external pressure groups. They conclude that whilst committees have been convinced by group evidence, there is doubt about the value, in policy terms of winning over a select committee. Moreover they show that the kind of groups selected to give evidence seem with rare exceptions to be precisely the groups who already had contacts with departments and members. They might well have been

as influential in other ways. For these external organisations select committees are just one more in a range of existing means of access to the policy makers. Many retain close relations with departmental contacts, they liaise with party committees in the house and they help to develop all party groups of MPs tending towards the formation of "iron triangles" in the UK where groups, departments and members of parliament enter alliances to promote shared interests. But what about the less accepted, less "establishment" groups with a non specialist or an ideological point to make - or even an unpopular view to push? Is there perhaps evidence that new alliances are being formed, not with an emphasis on challenging departments or ministers but on positively promoting new policy ideas. There is not at this stage any suggestion that those on the outer reaches of pressure group activity have been brought in from the cold. (Richardson and Jordan 1984)

One example of a more tangible impact on the detail of government policy is provided in an examination by Nixon and Nixon of the work of the select committee on the social services. The committee's report on perinatal and neonatal mortality, which had been prepared in the closest co-operation with specialist and health pressure groups, found a direct response from the DHSS which accepted a number of the committee's specific recommendations on midwifery training and has set up, under a lay chairman, a Maternity Services Committee within the Department. The report has helped to alert the medical and health communities generally to the problem, thus contributing to the gradual

process of improving maternity and other relevant services across the country. (Nixon and Nixon 1983)

A similar positive response to the Social Services Committee (SSC) is to be found in the Department's response to a report on medical education. The main recommendation made by the Committee was the need to redress the balance between consultant posts and training grade posts in the hospital service. In the Commons debate on the report, the Minister of Health gave a commitment to achieve the target recommended by the Committee by 1988.

This example seems to underline an observation by an anonymous specialist adviser to the SSC quoted by Nixon, who commented:

"The purpose of the select committee is to change the climate in which policy is made and to monitor it. This is not to assume rationality but to take rationality on board in a process which is essentially political". (Ibid p.353)

Party, Democracy and the Committee System

G. W. Jones seeks to maintain the distinction between administration and policy and finds the most satisfactory role for select committees is in concentrating on the scrutiny of the administration of the law by civil servants. He implicitly rejects the idea that back bench MPs should have influence on policy:

"If MPs wish to engage in policy making and they are not in government, they should operate through their party organisations". (Jones 1984)

The response to this most basic opposition prompted Paul Griffith to return to this apparent contradiction between party government and select committee activity suggesting that it could be resolved by select committees choosing to become complementary to party government. Far from trying to seek consensus committee members should embrace political conflict and should seek to represent conflicting perceptions within the evidence they examined. They should establish close relationships with party committees, seeking to invigorate them through the provision of relevant information. (Griffith 1985)

This is a model of party government based not on oligarchic leadership and passive interparty support. It is a model of parties in which initiative is dispersed to a range of forums including the parliamentary parties.

Whilst it is true that traditionally, only ministers have had access to the resources of state administration, Griffiths argues that select committees could become the means to create a deconcentration of initiative within the political parties. If used for this purpose they could provide the information necessary to bridge the gap between political values and administrative experience, resource availability and opportunity cost. Brian Sedgemore recognised such a possibility too:

"The establishment of such committees would effectively disperse power in parliament and out of it into the political parties and to those groups and individuals who support political parties." (Sedgemore 1980)

To fulfill such a role the aims and procedures of the select committees would have to change significantly. Instead of seeking an agenda that appeared to be separate from party debate and conflict, they would create an agenda based on issues actually or potentially interesting to the parties forming the House of Commons. Instead of seeking consensus they would seek information capable of contrasting interpretation and the promulgation of alternatives. Instead of seeking one agreed report they would have to produce diverse and contrasting reports; instead of seeking to impact on bureaucratic politics they would aim to make their impact within their own parties.

We may think that a considerable leap of the imagination is necessary to envisage this scenario, but Griffiths believes the result would be that parliamentary parties would come to recognise their members on select committees as indispensable assistants and researchers for party policy debate. In this way he believes the apparent contradiction between select committees and party government could be resolved. He bases his argument on an examination of one of the first reports of the newly reformed committees - Education, Science and the Arts, concerning the funding of higher education, in which the committee did

indeed produce two reports originating on party lines and produced a policy outcome which Griffiths concludes allowed the Minister to choose the best of both sets of arguments and justified the select committee splitting on ideological lines.

Select Committees and a Minority Government

A new avenue of discussion is opened up with the prospect in recent times of a multi-party parliament or even a hung parliament in which no party has a majority. What then could be the mediating role of the select committees and could it produce a radical reconstruction of the policy making system?

If the current select committee activity is embedded firmly in the two party system of government, would a parliament of no overall majority allow select committees to carve out an entirely new role in which they were able to harness the potential power of interest groups converting it into actual power through organisation and political action?

Such a proposition is rehearsed by Marsh. He considers in some detail the possibility, hitherto largely ignored, involving the restoration of a deliberative role to the House of Commons in a hung parliament. The select committees would enjoy new powers of scrutiny and review. They would gain a place in policy making second only to that of ministers. If no party had a working majority, committees would play a vital part in building the necessary parliamentary support for government proposals. (Marsh

1986).

Marsh assesses evidence for the style and potential effectiveness of such a structure based upon research into the select committee activity during 1979/83.

He also reviews a second role for committees, by examining their potential contribution to the integration of interest groups. He suggests there is abundant evidence of the link between interest group power and policy failure. He explores the potential to change interest group behaviour through the open and public forum provided by committees and their wider role in policy making.

In what appears to be an interesting dimension to the corporatist debate, Marsh proposes the addition of an independent structure to deal with interest groups in a political context which would strengthen the mobilisation of consent in three potentially overlapping ways:

"First, policy makers could learn about interest groups views before they became publicly committed to a course of action. Second interest groups could be presented with a variety of grounds apart from agreement for accepting proposed policies. Third, Ministers would be encouraged to mobilise coalitions of interest groups to defend the course of action they proposed." (Ibid)

To accompany this process Marsh proposes that select committees

should take part in a two stage budget process. The Treasury would issue a green paper or "green budget" with preliminary departmental expenditure proposals and over a three month period leading up to the new financial year, departmental select committees would review the proposals, discuss them with affected interests and pressure groups and come forward with final proposals for departmental expenditure for agreement by the cabinet. Committees would review the Chancellor's proposals in the light of their own findings and would decide whether to recommend alternatives to the House.

The difficulty with Marsh's concept is that it would require politically committed and party activist MPs, who had fought an entirely partisan election and who would have been scrutinised by intensely political local parties, to somehow change their perspective over- night and become independent, bi-partisan animals operating largely outside a party context and without reference to party whips. This is not a scenario grounded in any sense of the reality in which political actors operate. Indeed, in a situation where a minority held the balance, party loyalty would be even more strictly enforced than where a Government held a large majority.

An Administrative Perspective

Very few active civil servants have commented publicly upon the impact of the new select committee system but there is a

remarkable concord between those who have, summed up perhaps in the Reith lectures given by Sir Douglas Wass in 1983 in which he confirmed that the civil service was apprehensive about the new system but in the event concluded that most fears were not realised (Wass 1983).

A number of beneficial effects have devolved to the departmental administrators he suggests: the impact on the thinking of ministers, a more rigorous approach to formulating proposals and an examination of the counter-arguments which will emerge. Wass believes that the select committees have encouraged departments to publish more information about policy and expectations and the judgements upon which they have worked and they are more likely to expose a weak ministerial case than is debate on the floor of the House. The sharpened public debate engendered by select committee reports has brought forward a wider range of interested points of view.

However, Wass's critical eye is not impressed with the actual performance of committees and their members. He feels that witnesses on the whole, are examined superficially; committee members are easily sidetracked by irrelevant evidence and comment and officials are allowed to get away with "stone walling". He finds a failure among committee members to prepare properly and they display poor forensic skills. The role given to specialist advisers is too dominant and they frequently end up establishing a personal point of benefit to them rather than to the committee. But the most devastating criticism he produces and one which

perhaps only a civil servant would discern is that committees have not shown any interest in the long term policy issues or matters which are of long term importance. He advocates more informal and private discussion among committees and witnesses which would generate a less cautious and guarded outcome.

A Summary

We look finally at the most comprehensive review of the select committees progress undertaken by Drewry et. al. for the Study of Parliament Group which examined the subject from a wide range of perspectives and concluded:

"The effect of these committees on ministerial policy making has been indirect and marginal, contextual rather than substantive." (Giddings 1985)

As to the House itself the study finds that although party loyalty is still dominant and party solidarity the dominant mode of MPs behaviour, there is evidence that some are more willing to dissent from the front bench line. The impact outside Westminster, says Drewry's team, has not spread much beyond established interest groups and there has been no significant widening of the policy community as a result.

This thorough and comprehensive review of progress does give a sense of the imperceptible and incremental rate of progress which the new committees have made but contributors do not suggest

clearly how the system could work more effectively. Such criticisms as they make are coded and inhibited by what Price suggests is an:

"Undue respect for second rate parliamentarians...

select committees and politics academics stand in a symbiotic relationship. The committees disgorge the pabulum which the academics need for sustenance...." (Price 1986)

However since this review was undertaken a number of incidents have occurred which have heightened the tension between the government and committees and led some commentators to suggest that there are signs that their powers are being resisted. The resignation of Michael Heseltine as Secretary of State for Defence following the Cabinet argument over the future of Westland Helicopters subsequently surfaced in examinations of the Government's conduct by three separate select committees - trade and industry, treasury and civil service, and defence. It is clear that Heseltine had utilised the Defence Select Committee in support of his ongoing strategy for the Westland company and had orchestrated back bench and press support in a series of contacts with committee members both by himself and his departmental officials. The constitutional argument which followed resulted in a crucial House of Commons debate on the 15th January 1985 on the opposition's motion calling upon the Government to "make arrangements to set up a committee of The House" to consider the Westland affair. In the event this was rejected in favour of a government amendment recognising the competence of departmental

select committees to consider issues raised by these developments. There is then, an element of paradox in a situation where a beleaguered government actually welcomes the critical scrutiny of select committees and which leads Drewry to detect both a hint of contempt for the perceived marginality of the departmental committees and a whiff of fear at the likely outcome of the alternative. (Drewry 1987) The Government was subsequently unwilling to give the committee all the co-operation that it requested.

Similarly the Bank of England refused to supply a list of documents relating to the Tin crisis of 1986 to the Trade and Industry Select Committee and the Prime Minister made clear her opposition to the degree to which civil servants were obliged to answer questions about their conduct in some circumstances. Thus Anthony Beaumont-Dark, a Conservative back bencher: "Governments want parliament to be a dog that wags its tail - they don't mind every now and then, parliament barking but they don't like it to bite."

CHAPTER THREE

COMMITTEES AS ORGANS OF STATE

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Theoretical Perspectives

One of the issues raised by a study of select committees is their role and influence as one of the state and societal factors which go to explain the formation of public policy. If state power is to be understood then it is important to place mechanisms like select committees in relation to the total centrality of organised political power in modern British society; to understand their significance in terms of Nordlinger's thesis that:

"the preferences of the state are at least as important as those of civil society in accounting for what the democratic state does and does not do; the democratic state is not only frequently autonomous insofar as it regularly acts upon its preferences, but also markedly autonomous in doing so even when its preferences diverge from the demands of the most powerful groups in civil society." (Nordlinger. 1981 p.1)

Wolfe also argues that there has been a neglect on the part of political scientists of the role of the state and its relationship to groups and individuals:

"If state power is to be understood, the term itself must be brought back into existence." (Wolfe 1977 p.xi)

If, as Ham and Hill suggest, these arguments mean it is necessary to give the state a central position in policy analysis, then it will be important to place select committees in context to the main theoretical notions which seek to explain that concept. Indeed, this chapter will seek later to base an argument for select committee effectiveness upon some middle-range theoretical models of policy analysis and it is appropriate therefore to examine them first, in terms of macro-level theory relating to the institutions and functions which go to make up the State itself. (Ham & Hill 1984)

Are they, for example, best understood within the concept of pluralism which emphasises the constraints placed upon the state machine by a wide range of groups, in which public policy is to a large extent the reflection of the preferences of these groups? Or are their activities part of the means by which, in neo-pluralism or elitism, power is exercised by a small number of well-organised societal interests? Would Marxists see them as part of the apparatus which ensures the economic dominance of particular social classes? Or are they better understood as a focus for the interaction of dominant groups, with government, as corporatist theory would suggest?

The answer to these questions must await discussion in the last part of this thesis. In the meantime we should turn then from the practical and procedural impact of the reformed select committees to examine their arrival in theoretical terms: to

seek to determine their relevance or lack of it in conceptual terms, to recent writing on State theory.

Democratic Pluralism

The essence of the democratic pluralist position stems from the view that there are many determinants of the distribution of power other than class and, therefore many power centres. In the pluralist account, power is competitively arranged in an inextricable and endless process of bargaining between numerous groups representing different interests. In a recent book Robert Dahl questions whether special interest groups are making democracy on a national level impossible. His question finds an echo in the numerous complaints of British Ministers of State who frequently complain that whenever an issue or policy is raised, the resulting cacophony of pressure group activity can be so great as to be counterproductive, in that decision makers then retreat to form policy somewhere in the remote fastnesses of the bureaucracy.

Dahl answers his question with a paradox: on the one hand organised interests are not only inevitable in a democratic country but desirable as well, for they help to minimise Government coercion and encourage political liberty and human well being. Yet their autonomy creates an opportunity to do harm as well as good. Dahl sees this paradox as a fundamental problem of modern democracy. (Dahl 1982)

After describing the benefits of autonomous organisations Dahl outlines four defects in democratic pluralism to which they may contribute: they may perpetuate unjust inequalities, promote the narrow interests of their members at the expense of the wider public good, distort public agenda and lead to private control of public affairs. This thesis has interesting parallels, in the British context to that of Beer (1965) who has noted the development of collectivist theory of representation legitimising a much greater role for groups than earlier conceptions of representative government. Beer argued that as Governments sought to manage the economy they were led to bargain with organised groups of producers. Governments of both political parties sought the consent and co-operation of these associations and needed their approval. This concept has been taken further by Richardson and Jordan (1979) who have argued that Britain is a "post-parliamentary democracy" in which policies are developed in negotiation between government agencies and pressure groups organised into policy communities. According to Richardson and Jordan, pressure groups influenced public policy from the point at which issues emerge on to the agenda to the point of implementation.

There is a real sense in which the actions of the Thatcher government have been a direct reaction to these conditions. On the one hand there was the enthusiasm, noted above, for a stronger role for parliament through select committee activity and on the other, a determination to stronger centralist direction which has manifested itself in the parliaments of 1979

and 1983. Since Richardson and Jordan wrote of a "post parliamentary democracy", parliament has in a sense fought back and is harnessing the strengths and ideas of pressure groups through essentially parliamentary processes, to influence departmental strategies and policies.

It was the pragmatic regularisation of long established relationships in the 1960s that prompted observers to view Britain as a corporatist rather than a pluralist system, with the state moving from a supportive to a directive role for industry. In these circumstances the granting of consultative status to a group often, in effect, meant concession of representational monopoly. But the growth of the new select committees and the possibility of their development in a multi-party parliament, suggests that they will be able to span the divide between the corporatist relationships of the '60s and '70s and the centralist tendencies of the Conservative governments of the 1980s. The policy community of external groups is thus linked to the policy process through select committees with a remit similar to that outlined by Marsh above.

Corporatism

If the determination expressed in the conservative manifesto of 1979 to give power back to parliament, was a reaction to the corporatist bias - or indeed the substantive arrival of corporatism described by Pahl and Winkler in 1974, then it must be said that their treatment of committee reports has

demonstrated rather less conviction over time. In all the myriad versions of corporatist theory which have been produced in recent years, it is difficult to fit the activities of parliamentary select committees neatly into any one of them. Most relevant perhaps is the work of Milward and Francisco, (1983) who argue that corporatist interest intermediation occurs around the policy sectors based on government programmes. In these sectors, state agencies support and rely upon pressure groups in the process of policy formation. The result is not a fully developed corporate state but rather: "corporatism in a disaggregated form". To argue in the manner of these writers it would be necessary to show that neither the radical centralism of Mrs. Thatcher nor the withdrawal from the tripartite relationships of the '60s and '70s has precluded the development of corporatist policies, because corporatism is based on policy sectors which cut across both territorial boundaries and different parts of government. Crouch (1983) has also argued that corporatism in a liberal society means coming to terms with autonomous organisations which will never be entirely successfully subjected to ideological hegemony and which must always do something to represent their members. Whilst in theory all party select committees might be instrumental in the formation of these relationships and governments might seek to use them for this purpose, it is difficult to envisage from the current state of development that they could fit into a theoretical pattern of the kind described. Nevertheless if the role assigned to them by Marsh quoted above in the integration of interest groups came to pass, that description seems to fall solidly into the corporatist mould.

The Neo-Marxist View

Whereas 'Liberal-democratic' analysis sees the state as having some existence independent of society and the economy, the premise of D. Judge's recent book is that the British state, and hence the role of Parliament can best be understood by reference to the nature of the economic process of production and the social relationships founded thereupon. (Judge 1983) In this way the reform of Parliament becomes inextricably linked to the development of the capitalist state and its attempts to regulate the heterogenous relationships of the market economy and society.

He attempts to clarify exactly how the form of the State and Parliament are structured by, and linked to, the nature of the economic mode of production and its attendant society. For this purpose he relies upon the work of John Urry (1981) which is grounded in the neo-marxist tradition. Its value for present purposes is that it provides a plausible explanation of the interconnections between the State's form (particularly the nature of parliamentarianism), capitalist relations of production and 'civil society'. Urry's analysis is also of importance because it does what so few British students of Parliament have been willing to do, it theorises the role of Parliament in the State system. Judge uses this analysis to provide a coherent framework within which to structure the historical development of parliamentary reform in Britain. Hence the key to understanding and theorising the capitalist state rests in the recognition that this state, in its attempt to guarantee profitable private

accumulation has to 'organise legislate and orchestrate the diverse relations of civil society'. Both capital and labour have an interest in the continuance of labour power. Workers obviously have an interest in maintaining their capacity to work and class struggle itself takes place within the organisation of the people in an already structured civil society. Civil society is thus the sphere of struggle not only of antagonistic social classes but also of other social groupings. Thus the concept of struggle is utilised to provide an answer to the paradox of why there is widespread working class commitment to representative democracy and social reformism in a state which exists to guarantee the exploitation of the labour power of the bulk of the population. In Britain this commitment stems from the fact that the present form of parliamentarianism is in a real sense the result of popular struggles to "enlarge strengthen and democratise the state against capital". In other words democracy is the best political shell for capitalism because parliamentary democracy actually allows the representative of labour and other popular social forces significant influence over the form and nature of the state and its policies.

Is this then, the theoretical role of select committees: that because in this analysis parliamentarianism is the result of popular struggle to enlarge strengthen and democratise the state against capital, select committees are a refinement of the idea that parliamentary democracy actually allows the representatives of labour and other popular social forces, significant influence over the form and nature of the state and its policies?

These ideas echo those of Poulantzas. Since institutions of direct democracy or self management cannot simply replace the state; for they leave a co-ordination vacuum readily filled by bureaucracy, Poulantzas (in Held 1983) emphasises two sets of changes which he believes are vital for the transformation of the state in West and East into forms of "socialist pluralism". The state must be democratised by making parliament, state bureaucracies and political parties more open and accountable, while new forms of struggle at the local level, through factory-based politics, womens movements, ecological groups must ensure that society as well as the state is democratised. (Held 1983) How these processes interrelate Poulantzas does not say, stressing instead that there are no easy recipes. Would he perhaps have envisaged the possibility that the new select committees could be the vehicle for this process?

The only certain fact is that if so, his starting point would have been a considerable distance from that of Norman St. John Stevas.

Conclusion

From a bewildering constellation of comment, analysis and descriptive writing on the select committee reforms, the enquirer gains the overwhelming impression of hesitant approbation.

Something is happening but what, how significantly and to what end, none seem able to agree.

Are select committees a fore-runner of a new kind of parliament - a move away from the adversarial debating style on the floor of the House to an investigative, deliberative, negotiating body led by a new breed of MP - a body of specialists? The answer must be that they are not.

Nor is it easy to place the phenomenon in a readily acceptable macro-theoretical context. As a device operating at the very heart of the parliamentary process, under standing orders of the House of Commons, committees are clearly part of the institutional structures of the state machine; at once a focus for a wide range of external groups, a bureaucratic cog in the 'black box' of policy-making activity and at times a sharply identified tool by which the legislature struggles to call to account a dominant and reforming executive. This is an issue to which we must return when we have explored more thoroughly the means by which the effectiveness of select committees can be measured.

Select committees then, have arrived. Ministers and public servants have added them to the complex array of demands and pressures to which they respond in the making of public policy.

We now need to focus more clearly on the process which operates in the committee rooms; to place that activity within the parliamentary political system and to define the key factors of

committee life which are brought to bear on the topics they examine.

How do committees tackle particular investigations; do they handle some issues more effectively than others; and does it matter at what stage in the life-cycle of a policy the committee decides to examine it? The next chapter attempts to establish the means of answering these questions and of placing the results into a theoretical framework, linking them to an examination of the sources of evidence and how committees utilize these in arriving at their recommendations.

PART TWO

Constructing a theoretical basis for measuring
the success of select committees

CHAPTER FOUR

EVALUATING PERFORMANCE

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The New Committees: Early Attempts At Assessment

The House of Commons formally approved the setting up of departmentally related select committees in June 1979 although it took a further six months of negotiation before the House approved membership of each, and none met for business until early in 1980 (Baines 1985).

The first major attempts at assessment of their performance therefore have been limited to less than four parliamentary sessions in the parliament of 1979 - 1983 and have been compiled on the basis of the output of committees, interviews with participants and commentaries by academic and political observers throughout the first Thatcher parliament.

There is a sense in which this is an inadequate basis for making judgements; most of the new committees took a long period to come to terms with their role, to reach unanimity about methodology and to get to grips with the duties placed upon them. They faced real limitations; the Government's acceptance of the Procedure Committee's general structure did not extend to some of the other recommendations, such as the provision of eight days per session for debates and more powers

to enforce the attendance of ministers as witnesses and the production of papers by government departments.

Although the Leader of the House had said that the Government would give "substantially increased priority" to debating select committee reports and pledged that all ministers would strive to co-operate with the new system of committees and make it a success, many advocates of the new system felt this a poor substitute for an enforceable body of procedural rules. As one close observer remarked, it is striking that "in this very serious attempt to make the investigatory committee system more effective, the new select committees were delegated no greater powers." (Lankester 1980)

It is also clear that the pledge of co-operation from Ministers did take some time to filter through to civil servants and the departmental machinery which began to feel the effect of committee enquiries (Wass 1984).

In examining the attempts at assessment therefore it is necessary to acknowledge both these limitations on committee activity in the first parliament of their existence and the paucity of material with which academic observers had to work. Acceptance on the part of government that the committees have a role is crucial to their operation. If they have no substantive powers they have at least to have the co-operation and good will of the Executive and its business managers. It is the embryonic development of that goodwill as much as the

immaturity of the committees' own procedures and culture which have made the first assessments of effectiveness a difficult and ultimately unsatisfactory task.

Nevertheless a team of senior academics assembled by the Study of Parliament Group monitored the committees in detail during the parliament of 1979/1983 (Drewry 1985). There was a wide variety of styles and tone exhibited by committees: the frequency of meetings, their summons' to ministers, their style of inquisition varied greatly. The visits they made, the divisions which occurred and the length and style of their reports exhibited no uniformity at all. (Lock 1985) Lock has examined the resources, activities, visits and constitution of the committees; the attendance record of members, staffing input and costs. He concludes that there is merit in diversity and that although the 200 separate reports during the first three and a half year period included over 230 appearances by ministers and 1800 by civil servants, - 100,000 questions and 5,000 memoranda, this resulted in only 19 reports being debated in the House. Nevertheless the select committees 'had arrived'. It is however possible to argue that the very diversity of approach diluted the overall impact and lessened the concept of 'system' - a point which other commentators take up.

Select committees are in a sense extensions of parliament itself, designed to improve the scrutiny of the Executive, but in Drewry's terms ultimately 'reflectors and reactors' -

striving to influence and expose but not to govern. (Drewry 1985) Whilst the inquisitorial and investigative style of committees' activities has advantages over the adversarial clashes on the floor of the House, it is itself subject to criticism, suggests Drewry; that the selection of topics is too much influenced by the need to avoid the party political issues; the lack of expert inquisitors prevents sharply focused interrogation. The debate as to how best to ensure that select committees specialise and whether it should be by department, by topic or subject area, has gone on for at least 70 years (Haldane 1918) and is now somewhat overtaken by the fact that the new committees can, in any case, select virtually any subject they like and have given themselves 'considerable latitude' in dealing with issues which may fall into more than one departmental remit. (HC 588 1977/8)

Indeed this thesis will demonstrate the point quite clearly: one benefit arising from the Trade and Industry Committee study of waste reclamation was to highlight the conflict of approach within different ministries, and to show that no ministry had a policy to deal with waste reclamation. Similarly, the Welsh Committee study of coastal pollution demonstrates the need for a corporate strategy by DoE, MAFF, Welsh Office and the public bodies which they sponsor (see Chapter 14).

Thus the flexibility which committees assume in choosing topics is not only a benefit, it has proved vitally important in exposing the lack of co-ordination or corporate approach in

Government.

A more substantive criticism of the new select committees is the lack of any systematic approach (Drewry op.cit). Whilst the establishment of a liaison committee of chairmen of select committees, and the informal network of clerks and officials may prevent overlapping, the very looseness of the Terms of Reference and the diverse approach of members themselves militate against a rigid systematic approach to departmental scrutiny. Is this a bad thing? An experienced Committee Chairman's view is that part of the skill in exerting maximum influence is to choose topics which either are or are about to surface as matters of public concern, and to 'get in early' with a searching factual review which can be respected, non partisan, well researched and constructive in its recommendations. (Rossi 1987) In this sense, ad hoc selection of topics is not just beneficial, but a positive skill.

Observers of committees during the first parliament noted a consistent reluctance to fulfill that part of the Terms of Reference dealing with departmental expenditure. Robinson (1985) took a special interest in this area, and concluded that members have collectively made clear that they are not prepared to undertake regular and thorough scrutiny of main estimates each year as a matter of routine - and indeed have not shown much enthusiasm for financial duties. Most financial recommendations arise as a result of, or a by product of, 'policy' enquiries. Indeed Robinson categorises

select committees as being either 'spending committees', processing demands for more public expenditure or 'balancing committees', which attempt to weigh the demands for extra spending against value for money orders and cost control. A third group make no clear judgements either way on the financial implications of their recommendations.

Drewry's analysis leads him to the conclusion that the best recipe for success is the coming together of a group of knowledgeable members with an informal interest in a subject, working constructively together; in these circumstances he suggests, it does not matter whether the topic is potentially politically explosive, or a relatively 'safe' one. However, he does not quite answer his own question: "what constitutes success?" (op.cit) Are the 1979 reforms simply 'new labels on old bottles'? Drewry's team come to the broad conclusion that they are not, but admit that to demonstrate the proposition is not easy.

Giddings takes the argument on, detecting the beginnings of a willingness of some members in the context of monolithic party domination, to unite across parties in a spirit of 'control of the Executive', with a growing number of MPs seeing their role as much in these terms as in supporting their own front benches (op.cit).

In terms of impact upon policy making, Giddings reads the input of select committees rather less positively; it is 'just one

more factor which whips, ministers and administrators have to take into account; just part of the input into the continuing process of government'.

Giddings concludes that committee reports can generate publicity, provide a platform for interest groups, gather information - but they cannot be measured simply in terms of recommendations which are accepted; rather by the long term effects of keeping decision makers on their toes and making them justify themselves.. (op.cit page 375). In this, their influence has been indirect, marginal, contextual rather than substantive.

The impact of committees in the wider public arena in their first parliament was, perhaps understandably, less than dramatic. Giddings' conclusion is that interest in their activities has not spread much beyond established communities of interest; he detects no significant widening of these policy communities, no basic change in the pattern of relationships in the British parliamentary system. (op.cit page 380)

Very much the same range of conclusions is arrived at in an important symposium and workshop organised in 1983 by the research subcommittee of the Public Administration Committee of the Joint University Council for Social and Public Administration, subsequently published by Strathclyde University. (Hill 1984). A mix of academic observers and key

political actors examine the first three and a half years of select committee performance.

Hill's team discern two major features of select committee activity in the early years. First, the committee's activities help to put topics on the political agenda and submit ministers to a level of questioning not available in the House; provide a threat of scrutiny to a wide range of a department's affairs.

Secondly and in contrast, the committees remain fourteen separate and different bodies which do not constitute a system. The activities of committees are not linked in any formal way to the work of the House but nevertheless do complement the House in a way which earlier committees had not done.

Hill describes committee members more as shrewd political laymen rather than experts who appear to welcome the opportunity which committee work provides, both for informing themselves and for criticising departments; this may also be an outlet for MPs frustration with the inadequacies of Commons procedures and - without proposing a conspiracy theory, she poses the question: are they just devices to keep members happy? Her conclusion was "no" - the House is an evolutionary chamber and committees are a successful development albeit unsystematic, small and with miniscule staff support by international standards. (Hill op.cit)

The symposium concludes that the success of the new committees is in informing and scrutinising activities which were always a part of parliament's functions. They have enhanced this role, not altered it dramatically (or constitutionally) and in so doing they have strengthened the dialogue among members of the policy community broadly conceived: members, ministers, civil servants, departments, interest groups, academics and the informed media. Again, committees can - though as yet they have not got the balance exactly right - develop current topics and longer term enquiries. Evaluating success in terms of recommendations accepted or policy altered, is marginal. Hill sums up this wide ranging examination with the comment:

"Committees have been a success in altering the perceptions and behaviour of Whitehall. Though they are by no means a fierce threat to departments, the evidence suggests that no big new policy will be made without Ministers and mandarins anticipating very carefully the information that committees will seek. People are more aware that their decisions may be questioned and while this may not mean that the decision is changed it ensures that the surroundings to that decision are fully explored. It is a desirable outcome that civil servants themselves have had to expound on policies to committee members and have had to be capable of explaining the reasons behind those policies. The principle remains intact that in so doing civil servants are accountable to ministers and not to the committees themselves. The conclusion must be that the policy process has changed; whether policy itself has changed will

have to await further study." (Hill op.cit)

The Need For Systematic Measurement

All of this closely observed analysis remains subjective, partial and lacking in any form of measurement or quantification; nor does it propose any theoretical basis relating the operational methods of committees to their ability to influence policy. The observers of select committees' first parliament broadly agree on the limited range of their influence but it remains insubstantial - slipping like jelly through the fingers before it can be evaluated. What influence, how much and in what conditions? If some are more influential than others why and in what circumstances?

On the basis of a second full parliament of committee functioning is it still the case, as Giddings suggests, that their impact on ministerial and departmental policy has been indirect, marginal - and contextual rather than substantive? Or that they are cosy , non partisan cliques remote from the real world of confrontational politics. (op.cit)

Such critics can only be refuted by the production of convincing evidence of the positive achievements of committees and by demonstrating their effectiveness in furthering the ends of the House of Commons.

This thesis proposes an analysis which utilises a systematic

evaluation of the 'inputs and outputs' of the select committee process and relates them to the type of issue being examined, and to the 'mode' or tone and approach of the committee in its conduct of the investigation and its examination of witnesses and evidence.

A matrix is proposed in which these elements of the process are related to one another and to the fate of the committees' formal recommendations. A further dimension of the evaluation is provided in the proposition that the degree of influence achieved may depend upon the point in the policy process at which a particular report attempts to intervene. This requires an examination of the range and nature of influences which select committees have at their command and will require a far wider concept than the one which suggests that 'influence' is limited to the degree to which the Executive is persuaded to modify policy or introduce new policy. The proposition will need to rely on a model of the policy process in a parliamentary democracy and to theorise select committee activity in terms of a modified miniature version of the larger political system.

The hypothesis proposed here is firstly that the establishment of a measurable formula of select committee activity will enable a more measured view to be taken of their influence and, by reference to reports published in the field of environmental policy during the parliament of 1983-1987, allows a post hoc testing of the methodology. Secondly that the degree of

influence thus achieved may also be dependent upon the point in the policy process at which 'intervention' is attempted. The closely observed academic and participative analysis of earlier accounts by key actors and political scientists referred to above may therefore be supplemented by a more systematic approach, relying somewhat on the factual analysis of inputs, outputs, outcomes and issue types.

It is argued here that what select committees have done is to create sub-systems, mirroring the political system; using the same policy communities; utilising the same kinds of input, stimuli and processes. But instead of 'policy' emerging as the output from the machine, we have, in effect, challenges to policy, intervention, scrutiny or questioning, all of which have the potential to become a modification of, or addition to, the very policy they have been examining.

In order to demonstrate this hypothesis we need first to establish, or adapt concepts of political activity as system and a sound notion of policy as process.

CHAPTER FIVE

THE CONCEPT OF SYSTEM

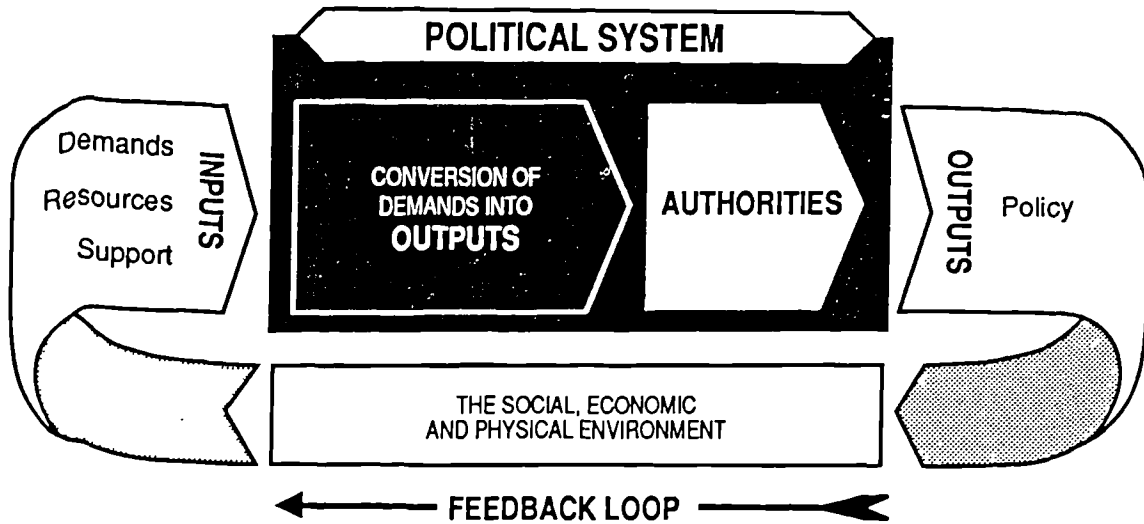
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Parliament As System

Giddings' reference above to the 'continuing process of government', suggests the need to establish the place of select committees in the political system, and the theorisation of select committee activity within that system. Even acknowledging Hill's reservation on this point, (see chapter four) the concept of politics as a system for the analysis of policy development has increasingly been established in academic writing since the 1960s; writers such as Easton (1965), Ham and Hill (1984), and Hogwood and Gunn (op. cit) all use the concept for analysing decision-making as a method of converting inputs into outputs in the form of policies, laws, procedures, goods or services.

In a generalised form this model points up the relationship between demands, the political system, the outputs of the system and the impact of these outputs in terms of stabilising the environment or setting off new demands via a feedback process. (See figure 2.)

FIGURE No.2



(Derived from Easton 1965)

This diagram also emphasises the cyclical nature of much policy activity.

However, as Hogwood has noted, as an aid to understanding the functions of the State and how policy gets made, it suffers from being very general and unspecific and as such contains serious defects. (Hogwood 1987) Firstly this framework says nothing about how inputs are transformed into outputs. it treats the decision making process as a 'black box'. It tells us nothing about the distribution of power or the substance of policies. Secondly, the model operates at too high a level of generality and could be likened to a sausage machine. Indeed,

Burch and Wood (1983) specifically make the analogy to a factory production process.

Nevertheless it does at least establish that the political system maintains its existence by responding to the changes in the environment although it has little to say about which changes matter politically and why particular policies are evolved in response to them. Thirdly, the simplified systems model might imply that decision making only occurs on and reflects demand articulation. In practice political demands may be shaped or even created by political leaders, as Ham and Hill (op. cit) have demonstrated.

Committee Activity As System

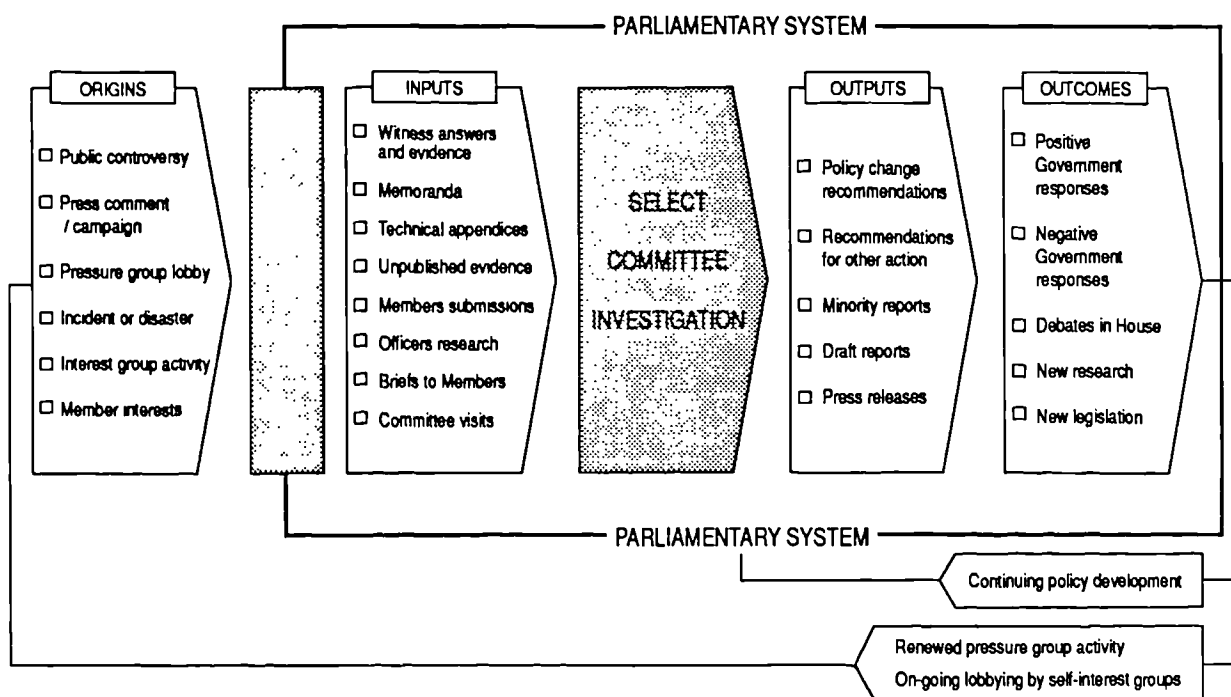
However, in this thesis the model is adapted to describe the processes at work in the activities of select committees which themselves can be described and explained in terms of the inputs they receive and the outputs they produce. In that context and in the singular conditions of a specific Committee enquiry, the activity does indeed operate as a systematic series of activities commencing as stimulation from the environment leading to inputs, negotiated or assessed outputs, possible outcomes which may in turn produce renewed or cyclical repercussions. One way of refining the concept and to meet the 'sausage machine' criticism is to develop it in more detail and adapt it in terms of the organisations involved in the process, to move away from generality and apply to the model the

numerous participants in the activities of input and output.

Whilst select committees are not primary policy makers, and have to operate at the boundaries between the Executive and the legislature, in balance between whips and back bench, between party faction, there is an inevitability of mutual adjustment, pluralism, consensus-seeking and incrementalism. Their activities are nevertheless grounded in the day to day minutiae of policy and decision making. The processes of policy monitoring and 'the examination of expenditure administration and policy', call for approaches which can equally be explained in terms of inputs and outputs.

Thus, by adapting the Easton model of the political system, the activities of select committees can be illustrated as in Fig.3.

FIGURE No.3 **PROGRESS OF ISSUES INSIDE AND OUTSIDE PARLIAMENT**



The model illustrated at Fig. 3 indicates the process of select committee investigations and their function of forming a bridge between parliamentary activity and the interests represented outside that system. The origins of topics which may eventually emerge as a subject for investigation can be various. Once the investigation is underway, inputs to the system range from memoranda and oral evidence to a wide range of witnesses and specialist advisors and experts, to the detailed briefings provided by committee officers and the visits of the committee members themselves.

The output of this system model might come in the form of recommendations, minority reports, press releases and the committees' substantive reports to parliament.

These may then lead to a range of outcomes which may be positive or negative. Responses by government to committee recommendations come initially in the form of further parliamentary activity, such as debates on the floor of the House, government or departmental action, further research of the issue or, in some cases, new legislation.

Further outcomes external to the parliamentary system may also follow in the form of renewed pressure group activity, lobbying and public debate. Or, more positively, there are examples of the continuing development of the policy under review with the department or policy community actively involved.

The 'Black Box' Phenomenon

The system model falls short of a comprehensive explanation of select committee activity in two important respects. The shaded areas of the diagram (fig.3) represent activities in which it is not clear what processes are at work. It may be likened to a mechanical device which contains at key points, sealed boxes with the legend: "Only to be opened by an officially approved mechanic".

The activity within remains a mystery and we need to understand the influences and functions at work in both locations of the mechanism.

The First Sealed Box

The first of these sealed boxes within the process is located at the point where a select committee, faced with a number of potential subjects for inquiry in the form of public controversy, pressure group activity or some stimulus external to the parliamentary system, have to make choices as to which topics they will consider. In the first of the 'sealed box' areas of the model at figure 3 a complex and delicate process is at work; a sifting and selection process which will determine which topics the select committee investigates. The box is 'sealed' in a very real sense in that the activity goes on either in private informal sessions of the committee or, more often in the domain of officers and advisors outside the meetings of members.

The activity is in the terms of Hogwood's analysis, one of issue search or agenda setting, followed by issue filtration; of deciding to decide and deciding how to decide. (op.cit)

This involves the identification of problems or of opportunities for committee enquiry, of sifting from possible topics those which, once chosen, form the agenda for the committee and the policy community which will be involved in the enquiry.

As described by key participants in the Environment Committee, a list of possible topics will be drawn up by the Clerk to the

Committee. He will have in mind the Chairman's own stated view of the kind of issues appropriate for select committee investigation (HC 363 1984/5) and will add to the list any items which the Chairman specifically proposes. (Gren 1987)

The list is submitted to an informal meeting of the committee when other possible topics may be raised by members. The discussion will include an assessment of how much impact could be achieved, how much press coverage and public interest would be generated and whether the subject was relevant in a policy context to current public policy issues.

It is clear from the evidence that the dominant input to the decision will be that of the Chairman and his or her committee officer, especially in circumstances where at the beginning of a new parliament they are the only two participants with a continuity from the previously constituted committee - most other MPs being newly appointed. This point is illustrated in the constitution of the Environment Committee at the beginning of the 1987 Parliament, compared with its changing membership between 1983 and 1987:

Table 1

Membership of Environment Committee 1983/7 and 1987/92

1983/7 Parliament (Appointed Dec. 1983)				1987 Parliament (Appointed Nov.1 1987)	
Name	Party	Appointed	Discharged		
Rossi Sir Hugh	C.	Dec. 1983	Dissolution	Reappointed	
Alexander R.	C.	Dec. 1983	Dissolution		
Alton D.	Lib.	Dec. 1983	April 1986		
Eyre Sir R.	C.	Dec. 1983	July 1984		
Chapman S.	C.	Dec. 1983	Dissolution		
Critchley J.	C.	July 1984	April 1985		
Freeson R.	L.	Dec. 1983	April 1985		
Jones R.B.J.	C.	Dec. 1983	Nov. 1986	Reappointed	
Miscampbell N.	C.	Dec. 1983	Dissolution		
Roberts A.	L.	Dec. 1983	Dissolution		
Smith C.	L.	Dec. 1983	Dissolution		
Taylor J.M.	C.	Dec. 1983	Dissolution		
McKay A.	C.	Apr. 1985	Feb. 1986		
Pike P.	L.	Apr. 1985	Dissolution	Reappointed	
Holt R.	C.	Feb. 1986	Dissolution	Reappointed	
Stern M.	C.	June 1986	June 1987		
Hunter A.	C.	Nov. 1986	Dissolution	Reappointed	
Sayed J.	C.	Jan. 1987	Dissolution		
Bellingham H.	C.			Nov. 1987	
Boateng P.	L.			Nov. 1987	
Cummings J.	L.			Nov. 1987	
Mans K.	C.			Nov. 1987	
Pendry T.	L.			Nov. 1987	
Squire R.	C.			Nov. 1987	

Seven out of the original eleven members served throughout the 1983/7 parliament. Of the remainder two served for more than two years and two for periods of from seven months to sixteen months. Of the replacement members only one stayed for two years, the remainder for a few months.

However, when the committee reformed after the election of 1987 only five of its members came from the previous parliament, one of whom was Sir Hugh Rossi - again appointed Chairman. Of the other six none had served the previous committee throughout its existence.

The activities of pressure groups and media coverage of topics such as green belt policy or acid rain pollution will have

influenced the collation of the original list of topics and it is likely that any topic with a currently high profile, 'but not in a party political context', will be considered. (Gren op.cit)

Once a topic or policy issue is identified there will be a further discussion among members about the possibility of witnesses and specialist advisors, visits to be made and a degree of conflicting interest group response which will be generated. The process of "deciding to decide" then, is likely to be led strongly by officer and chairman but, 'only so long as the members retain trust in them and after that trust has been earned.' (Gren op.cit)

The Second Sealed Box

The work of the committee in formal session or on visits is more complex than published proceedings would imply. It is in this activity of the actual select committee investigation and the way in which all the inputs suggested in figure 3 are digested and emerge as output, that the second 'sealed box' is sited and needs further clarification.

All potential witnesses are first asked to submit written memoranda (Gren op.cit). A selection of potential oral witnesses is then prepared by officers with assistance from specialist advisors and is submitted to the Chairman and then to the committee for approval. Officers also prepare synopses

of written evidence submitted, together with detailed briefings on the issue involved. An important role for the specialist advisor will be to prepare a list of suggested questions which members will ask witnesses, in order that key parts of their evidence are properly exposed. (Gren op.cit).

It would seem from this descriptive evidence by key actors in the Environment Committee that most members of the committee play a passive role in the proceedings. A strong chairman with a clearly articulated view of the committee's role, allied to an able committee clerk provide most of the impetus and direction; busy MPs are, it would appear, willing to submit to a somewhat directive process, provided that the officials have regard to the political sensitivities and are competent and thorough in their administration, and also that the Chairman's formula as exposed above, delivers positive responses, a favourable public and press reaction and a degree of respect from within the policy community related to the particular topic under investigation. The sifting of evidence and the drafting of the committee's report and recommendations follow a similarly collaborative procedure; the committee clerk providing initial drafts for the chairman and with his amendments, for subsequent private sessions of the committee. Members will, in informal session negotiate amendments and frame detailed recommendations; only in formal sessions of the committee are amendments officially tabled and voted upon - an unusual circumstance in the context of the Environment Committee.

But this descriptive account of the activities which take place is not, in itself, sufficient to understand what is going on.. For a deeper understanding of the way in which Committee outputs are produced it is necessary to look at theoretical concepts; to focus attention upon the nature of interactions in these 'sealed boxes', involving consideration of the power-interest structures and relationships between participating actors and agencies. This may lead to a clearer understanding of the way 'policy' - or in this case, committee recommendations - are mediated, negotiated and modified, and then brought to legitimation in the final report.

For Bacharach and Lawler, this emphasis on groups and interaction is central; organisations are viewed as aggregates of groups constituting bargaining systems. The main activity is in mobilising interests or forming coalitions aimed at influencing authoritative decisions/recommendations.

(Bacharach and Lawler 1980)

Alliances between agents within the system and those outside are a particularly interesting area of activity arising from the new select committee system. Those within the system seeking change or opposing vested interests reach for alliances which will assist their case or supply additional arguments or information. Those whom Deakin has termed 'policy entrepreneurs' will cultivate appropriate contacts in the wider policy community, just as outsiders seeking change cultivate parliamentary contacts; select committees represent a so far

under-developed resource in the complex undertaking of seeking change in a pluralist democracy.

In our context however, coalitions are not part of the formal structure but emergent products of the informal processes that are essential to organisational politics. In the committee process described above, the potential for coalitions is evident. We have seen the dominance of the collaboration between the Chairman and the Committee Clerk; in addition the party caucuses of members, relationships between individual members and pressure groups or external interests, are all potentially power alliances. There is evidence too, from the recorded proceedings and the comments of participants, of a kind of professional corporatism among the scientific and specialist advisors and witnesses acting for various groups. In complex topics expertise is itself a form of power.

For who has power in the process is another crucial element in the bargaining process. The formal power of the Chairman and the members with votes is mitigated by that of the officer corps who negotiate evidence, brief the witnesses and plan the proceedings; actually write draft reports and recommendations. There is power too in specialist knowledge particularly in highly scientific subjects and by the relationships forged within the policy community providing inputs to the committee investigation. For example, in the investigation of major planning enquiries, the Chairmen of the nationalised industries collectively made the case for less planning constraints on

their activities in a powerful joint paper. (HC 181 1985/6 Vol II p.63)

Pfeffer's concern with power relationships is relevant here. In his work on organisational politics he stresses that power is a function of both the actors' positions in the social structure and their 'net dependancy relationships'. (Pfeffer 1981) But the accounts of committee activity described above seem to demonstrate that power is not something formally distributed or embodied in the structure of the system but rather, characterises relationships between individuals and groups. In other words, it is characteristic of the pattern of interaction within the select committee and in the contacts it has with the witnesses, the experts and the civil servants and pressure groups who make supplication to it.

By focussing on bargaining among political actors we may neglect to theorise the administrative activity, the role of the Clerk and the machine which links him or her to departmental civil servants and Whitehall.

If earlier comments stress the theoretical tenets of organisational politics and decision making within select committees, we need too, to synthesise them with a theory more related to bureaucratic politics. It should be clear that select committee work is almost wholly conducted in a bureaucratic context and the evidence above suggests a significant role for key functionaries. It is administered

within the parliamentary administrative machine, its own bureaucracy interacting with that of Whitehall at all times.

Jenkins and Gray (1983) emphasise the need to study bureaucracies as political organisations, and here the literature on organisational power and politics is helpful for, as Pfeffer notes, the issue is less about free action versus structurally determined behaviour as about influencing choice under constraint: about factors such as task, resource control and structure. (Ibid)

What this adds up to is that to detect what goes on in the sealed boxes of the select committee system we should recognise that the power networks and coalitions described in theories of organisational politics are modified in this context by the bureaucratic political behaviour of the committee administrators. Specifically they appear to have direct influence at three levels of behaviour. First, they influence the way some issues get on the agenda and others do not; second, they constrain the perception and appreciation of issues and interests - that is they have important influence over witnesses, specialist advisors and the flow of information as well as the legal and regulatory procedures of the House of Commons. Third, they may shape the resulting actions, recommendations and responses. Whilst not wishing to offer this as a comprehensive explanation, it is suggested that it does explicitly recognise the dynamics of bureaucratic politics in public administration and that political conflict and

bargaining can be only a partial explanation of decision making.

If this is an accurate account of what happens in the sealed boxes of the 'mini-system' of the select committee, we need to turn now to the means open to committees to fulfill their ambition of influencing what happens in that larger and more significant 'black box' in the middle of the Parliamentary political system; (See fig. 2) to make sense of the multitude of ways that political activity emerges as 'policy'.

If the writers reviewed above are right that committee influence has been indirect, marginal and lacking in substance they have certainly not made much progress in opening up the black box or modifying its processes.

The next chapter seeks to understand these mechanisms in a way which would illustrate the most effective modes of committee intervention and to discover what Jenkins and Gray (1983) call the 'focal points of bargaining and conflict.'

CHAPTER SIX

INTERVENTION: THE CRITICAL ISSUE

*

The Point of Impact

It is the contention of this chapter that one of the factors governing the degree of success of select committees in influencing the policy and practice of governments, is the point at which their reports and recommendations impact upon the activities of government decision-making.

This notion is akin to the view of a leading committee chairman expressed above, that there is some skill involved in choosing for investigation topics which will loom large in the public interest and in the media, without necessarily being of acute party political controversy. (Rossi op.cit)

The point is given support by the suggestion in Jenkins and Gray (1983 p.181) that organisations can be viewed as aggregates of groups constituting bargaining systems: 'The making of decisions in the organisation is the focal point for bargaining and conflict.' They cite Bacharach and Lawler's claim that organisational politics involves the mobilizing of interest groups aimed at influencing authoritative decisions; a very apposite description of a select committee at work!

The examination of a series of reports on environmental topics (see ch.10 to 19) will analyse not only the kind of issue and mode of investigation which the committee adopted but will propose that, dependant upon the topic under review and the way in which the recommendations are framed, the committee report will have the effect of intervening at a particular point in the wider policy machinery of the parliamentary system. For example, the committee may propose entirely new policy and attempt to get a subject into the Government's legislative programme; it might stimulate a review or new evaluation of long-standing policy content, or, particularly in examining complex technical subjects, provide advice and information to a department in the work of forecasting; that is to say making and evaluating assumptions about the future context of contemporary decisions. Yet again, the way in which a committee deals with expert witnesses and sifts contrasting technical evidence may be an important contribution to the analysis of options which confront the primary policy-makers within the Executive machine.

Thus we must examine the possibility that Committees may be more successful in influencing policy if their reports attempt to intervene at some points in the policy process rather than at others.

Models of the Policy Process

A necessary prior step in pursuing this proposition is to seek

an appropriate model of policy making; to examine a variety of approaches to the theorisation of the way public policy gets made, and to select one which could support the testing of the hypothesis described above.

In the context of this paper it is helpful to relate the concept of political activity taking place within a system, to the description of policy-making as process, and to envisage both notions as taking place within a social and economic environment rather than simply as the detached activity of remote Executive decision-makers.

Academic interest in policy analysis in the last 40 years has been concerned with both prescriptive and descriptive propositions: how does it happen - and how should it happen? Writers in the tradition of Simon (1945 and 1958) have proposed ideal type models, relying upon rational means of isolating objectives and selecting the most appropriate means to secure ends. In later work, Simon and others have proposed to 'satisfice'; to accept that what is theoretically ideal may not be possible in practice for lack of information or resources, and therefore to accept that the central concern of administrative theory should be with the boundary between the rational and the non-rational or realistic aspects of human and social behaviour - with 'bounded rationality'.

Simon (1958 p 241) suggests that policy makers are limited too by the values, conceptions of purpose, habits and reflexes of the individual who can respond in rational terms to the organisation's goals only to the extent that he or she is able, informed and can comprehend. Only within the bounds laid down by these factors are his or her choices rational and goal-oriented.

In this sense, as Hogwood and Gunn suggest (op.cit p44) rationality models are posing the question: 'How would policies be made if we were all capable of perfect rationality?' Contrasting with these notions, adherents of other descriptive models apply what Allison (1971) has called 'a conceptual lens' through which we view our activity and try to make sense of it. Writers such as Lindblom (1959) dilute the importance of rationality in favour of the concept of 'successive limited comparisons'. Whilst the rational-comprehensive approach is the base or starting point, he suggests that real policy development starts from an existing situation and changes by small incremental steps. The test of success is not whether the policy maximises the values of the decision maker but whether it secures the agreement of the interests involved. He argues that incrementalism - or 'muddling through', is both a good description of how policy is actually made and a model for how it should be done. To muddle through more effectively is better than to aim for some super-human comprehensiveness. (op.cit. page 88)

The difficulty for the would-be analyst of the role of select committees in the policy arena is that by applying Allison's 'conceptual lens' to the day to day life of the members and officers of state and parliamentary institutions it is only too clear that in the vast array of institutions which make up the State, there are cross-cutting elements of each of these concepts bound up in their activities. Indeed, for those theorists who have looked to find concepts of power and decision-making in examining theories of the role of the State, there are strands in the political system which echo all major theoretical constructs in modern writing. Ideas of elite theory, of bureaucratic power, of corporatist relationships, or pluralistic policy-making can all be detected both in the mega-system and in Committee activity. Marxists too would find support for their theories in the links between some committees - notably the Trade and Industry Committee and the Energy Committee - and the economic interests of capitalist industries, and would point to these interests as a means of maintaining the dominance of particular social classes, just as much as in their concept of the state itself.

However, for the purposes of this thesis we are less concerned with grand theory than with finding a satisfactory way of describing the step by step progression of issue into proposal, into policy. With that tool to hand it will be possible to test the idea that the influence of select committees may vary dependant upon the point in that process at which they intervene.

What is of interest then is the emergence of policy and the concept of step by step process, with an understanding of the interactions among a widespread range of participants; self-interest groups, pressure groups, professionals and civil servants. The ideas of Hogwood and Gunn fulfill this need. They also have in common with many of the writers mentioned above, the concept of cycle, complementing the political system model. (Hogwood and Gunn op. cit)

Hogwood and Gunn propose a mixed framework for the analysis of policy which has as its defining characteristic, a prescriptive aspect, a bias towards the improvement of policy processes and which is "mixed" in a number of senses: it can be used for both prescription and description. Secondly it does not conform rigidly to either the rational or to the incremental notions discussed above. It provides, not so much a middle way as a recognition that the appropriate mode of analysis will depend upon the issue and the context. And finally it is mixed in that it is concerned both with the application of techniques for analysis and also political process.

The process is envisaged in nine stages thus:

1. Deciding to decide (Issue search or agenda-setting)
2. Deciding how to decide (or issue filtration)
3. Issue definition
4. Forecasting

5. Setting objectives or priorities
 6. Options analysis
 7. Policy implementation, monitoring and control
 8. Evaluation and review
 9. Policy maintenance, succession or termination
-

These are the stages through which an issue may pass although the authors stress that this will not happen in every case; rather it is a framework for organising an understanding of what may happen - or not happen. The process may be truncated, or in some cases be re-ordered and the dividing lines between one point and another may be blurred.

The difficulty for analysts is to bring some semblance of order to the disaggregated manner in which policy is initiated, processed and shaped in the complex environment of British government, and indeed to ask whether or not any idea of co-ordinated or rational policy making may be a myth.

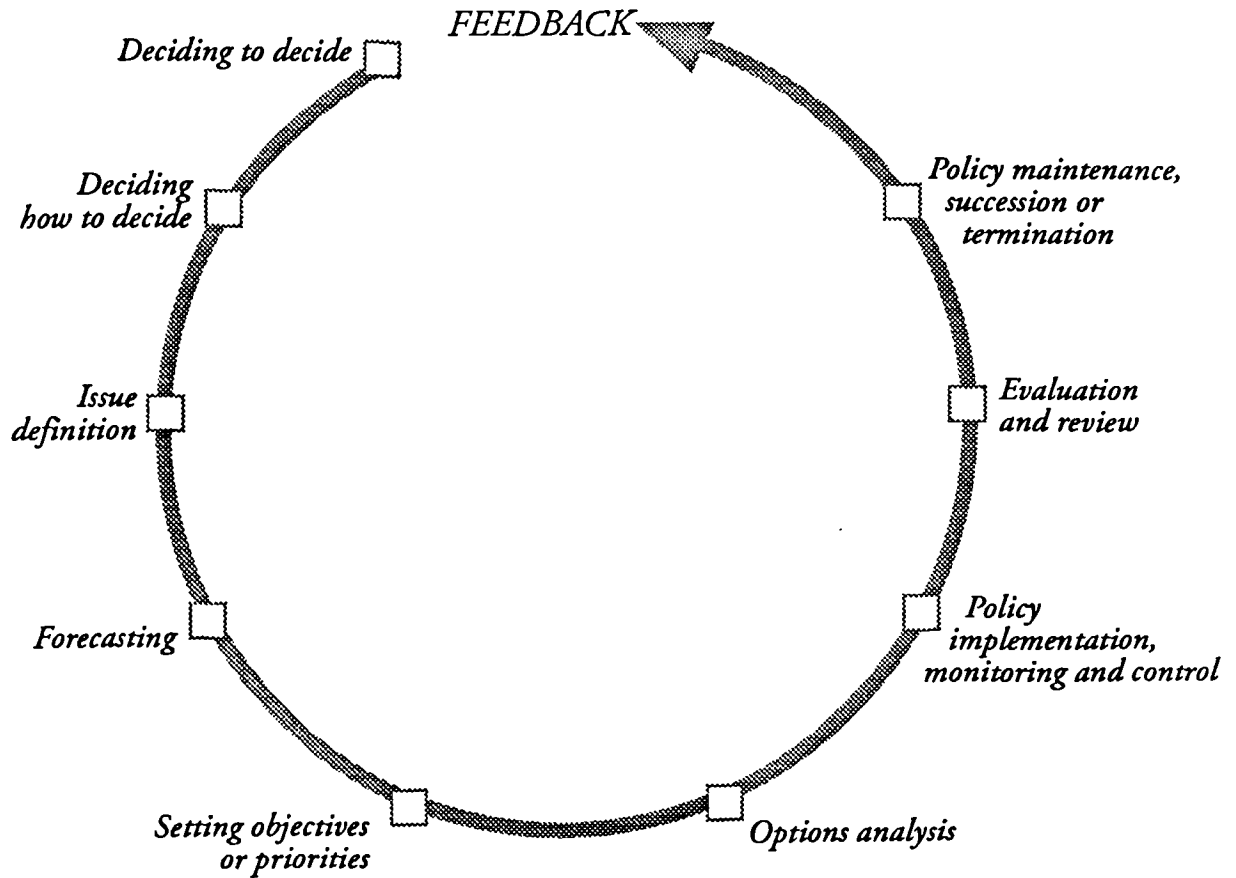
Hogwood, in a later work, builds on the theoretical framework discussed here and sets out to chart the emergence of policy in practice, allowing issues to surface and become shaped by institutions, groups and key actors (Hogwood 1987). He suggests there is no one way of characterising or defining public policy, but for the purposes of this paper, by utilizing his concept of cycle we may more readily understand the influences which are at work and see how the activities of select committees impinge upon them.

Particular attention is paid here to implementation and the difficulty of linking outputs to intentions; to the developing capacity of committees to undertake evaluation and to a discussion as to whether the select committee system may be moving British Government from what Jenkins has called "its usual state of complacency". (Jenkins 1988)

In attempting to utilise this approach in the context of a select committee intervention, it is necessary to avoid a too slavish devotion to the well-organised yet essentially idealistic and atheoretical model and to make two modifications to the Hogwood and Gunn concept. Firstly, we must add a tenth stage to the list: that of 'feedback' to recognise the fact that the outcome of policy often does cause repercussions or a renewal of the cycle of activity. Secondly, and in order to illustrate more readily the proposal that select committees may intervene at any point, to illustrate the concept in circular form. (See fig four)

This gives added point to the cyclical or continuing nature of the process and complements the models of both parliamentary and committee activity illustrated above.

FIGURE No.4



We need now to take this modified version of the Hogwood and Gunn policy process model and examine in more detail the stages through which policy proceeds to maturity and the conditions needed for select committees to effect an intervention.

THE NINE STEPS TO POLICY MAKING

In seeking to portray the British Parliamentary system and, in particular, the policy-making activities of Government in Hogwood & Gunn's process of apparently neat, step-by-step rationality, this thesis does not underplay the role of ideology, of political opportunism and chance, in bringing particular policies to fruition.

Even in his most prescriptive writings, Simon recognises the limitations to programmed and computer-based rationality in policy-making, and whilst he argues, in "The New Science of Management Decision" (1960) for a centralised, technocratic planned form of government, he understands that in certain areas of decision-making the administrator must at times fall back on 'whatever general capacity he has for intelligent, adaptive, problem-oriented action.' (Simon 1960)

And by 1983 in his "Reason in Human Affairs", although he still places stress on the place of computer-based techniques in policy formation, he also stresses that there are limits to expertise and the importance of an understanding of political institutions. We find him arguing for adversary proceedings in cases where there is a tendency for experts to close ranks and resist the case for impartial enquiry. He also urges more understanding of the role of politics and political processes:-

"We must recognise that certain kinds of political phenomena -

the attempt to influence legislation or the administration of laws, the advocacy of special interest - are essential to the operation of political institutions in a society where there is, in fact, great diversity." (Simon 1983)

It is in this context that the framework for analysis of Hogwood and Gunn should be understood. Reason, they might say, taken by itself, is instrumental. It does not select our final goals, nor can it mediate for us in conflicts over which of a number of goals to pursue. We have to settle these issues in some other way. All that rationality can contribute is assistance in meeting negotiated goals more effectively, and all that this model does is to help us organise our understanding. In the present context it helps to illuminate the suggestion that the select committee which would achieve the maximum influence on government policy should look to the most effective point to intervene. When is the policy maker most vulnerable to change; when is he or she weakest to resist well-argued modification?

What then are the processes going on at each of the nine points in the model; to what extent are some points more susceptible than others?

First we outline briefly below, the activity involved at each stage of the model:

Deciding to Decide

The politics of agenda-setting have been widely analysed and involve the anticipation or identification of opportunities which imply the need to consider action. (Anderson 1975) (Richardson and Jordan op. cit)

This, in Hogwood and Gunn's parlance is 'issue search' and can stem from a number of sources. A problem may have reached crisis proportion and force its way on to the legislative agenda; it may be through its emotive overtones or its particularity which does not allow it to be ignored; it may have to do with the relative power or influence of societal interests or simply achieve a fashionable status in public debate.

Thus the nature of the issue, combined with the activity of pressure groups, or protest movements, a powerful interest lobby or the attention of the media can - but do not always do - ensure the agenda is set.

These factors of course, come into play just as much in setting the agenda of the select committee itself as they do in setting the legislative programme. Writers such as Brookes et.al.(1976); Downs (1972) have pointed out how well the policy areas of ecology and environment have been served in this way, compared to the more esoteric arenas of defence and technology.

But if select committee investigative programmes are influenced by these factors so, in a symbiotic process, does the select committee itself in some modes, become just such an agency - an agenda setter - and it will be argued below that the point in the policy process when issue search is going on, is an important point at which the wise select committee will choose to probe and aim its report; thus the comment by a successful committee chairman, quoted earlier, about the skill in choosing topics which are "about to emerge onto the policy agenda".

Issue Filtration

Once it has been established that a problem requiring a response has been identified, there has to be an understanding of the method of decision making. Is it appropriate for comprehensive analytical research on options, consequences and definition of objectives, or can it be left to the usual "muddling through" of administrative and political activity? If there is pressure for 'a decision' then there will be little clamour for fullscale analysis. On the other hand, if the problem is complex, are there resources for long and detailed research; is there time to do it?

Deciding how to decide, or in Dror's terms "meta-policy making" (Dror 1968), is the activity of issue filtration, classifying issues and selecting the appropriate mode of analysis. It requires the posing of a number of questions about the context of the issue: is there sufficient time to carry out

full analysis; are there political overtones or sensitivities which make it less appropriate for purely rational evaluation; have rigid ideological stances already been taken up; how central is the issue to the key values and objectives of the organisation?

Other questions also arise: how complex, how wide the ramifications of change, how much uncertainty would analysis generate?

The potential for a select committee seeking to influence government departments can readily be seen to be optimised in situations where these questions are asked - and if, as is often the case in Westminster politics, the question is also asked: how large are the costs of acting on the issue - is it incrementally more or a quantum leap in expenditure?

Issue Definition

The policy-making cycle, in the 'real world' as Hogwood and Gunn argue, begins with awareness of a problem, especially one which existing policies are failing to meet even at a 'satisficing' level.

The stage in the process termed 'issue definition' describes the processes by which an issue, or problem or opportunity, having been recognised and placed on the agenda, is perceived by a wider range of participants; further explained,

articulated and perhaps quantified. It is the stage at which it becomes accepted and defined in terms of likely causes, components and consequences. In the context of select committees monitoring Departments of State, it is the point when the wider policy community contributes to the debate about the real nature of the problem and in which backbench members of parliament begin to form a view. In the examples discussed later it can be the select committee which, through the inquisitorial mode of its activities, defines the real issue most sharply.

As Wolman has argued in another context, policy agenda reflect the mobilisation of political demands rather than a rational process of evaluating needs, values and objectives. 'Thus, problems frequently appear on the policy-making agenda without having been adequately conceptualised or thought through.'

(Wolman 1981)

Wolman argues that inadequate problem - and hence programme - conceptualisation is particularly liable to occur with regard to issues which arise from crisis or from intense political pressures requiring an immediate response. This thesis will try to demonstrate that one measure of effectiveness in select committee work may be in mediating the Executive's desire for action and the latent pressure arising from the policy community to understand and examine all corners of the problems first. An example of this is discussed (ch.10) in the Environment Committee's review of policy circulars on Green

Belt and Land for Housing.

Another reason why this point in the policy process may be a profitable one for back-bench intervention is not only that it is a difficult and important part of the cycle, but that it is as much influenced by value-judgements as by the careful sifting of facts - yet another tension point for effective input by the select committee intent upon exerting influence.

Forecasting

Virtually all modern commentators and theories of the policy process build in a role for forecasting and a wide range of techniques are available for the practitioner. The distinction between predicting the future and forecasting outcomes of policy decision is a fine one and is stressed in the Hogwood and Gunn model.

But whether the methods used are of the brainstorming, delphic and intuitive kind, or rely upon extrapolation of known facts, or employ econometric and scientific method, the important point for this hypothesis is that when Government policy-makers are engaged in this process, they are likely to be careful to build in flexibility to cope with a probable range of outcomes. A role which select committee investigations have demonstrated they can perform with aplomb, especially in the area of scientific or highly technical topics, is the examination of expert opinion, brought to bear upon forecasting the outcome

of policy options, or predicting the outputs of the Executive's current policies. Examples discussed later in this thesis demonstrate the potential for winning change and influence by the quality of the argument and the cogency of expert evidence in those very areas of uncertainty which, by definition, the policy maker ventures into when forecasting futures. Some select committees are learning fast.

Setting Objectives and Priorities

Successive Governments both in Britain and the United States have placed emphasis on a commitment to specified goals, and various waves of reform have introduced new techniques of establishing, measuring and controlling policy and expenditure through 'management by objectives'. The Fulton Committee on the Civil Service (1968) established programmes of MbO, following the 1961 Plowden Committee recommendations for controlling public expenditure through PPBS (Planning, Programme Budgeting Systems) and PAR (Programme Analysis and Review). The 1970 White Paper 'Reorganisation of Central Government' sought to establish strategic objectives against which departmental programmes would be measured; a group of analysts inside the cabinet office, the Central Policy Review Staff (CPRS), was set up to help Ministers 'assess policies and projects in relation to strategic objectives'.

These and similar techniques for corporate management have been at the heart of policy making processes in local

government in industry and public agencies all, in one form or another, attempting to do what the Patterson report on the reform of Scottish local government defines as to: 'identify, measure and analyse existing needs and new or changing problems.... specify desired objectives and consider various means of meeting them'.

For the select committee intent on probing the Executive, this area of the policy process is rich in opportunity since policy at all levels can be judged readily by the adequacy of the objective, and by the success or failure in achieving it. In the environmental field of government policy numerous of the examples discussed in Chapters 10/19 find the argument centering on this factor. The Government's refusal to join the '30% club' of countries which had set the specific goal of reducing acid rain emissions by 30% by 1993, gave the backbench members a precise point of attack and ensured that the Executive's unwillingness to set that objective because it would cost too much, was subsumed into a debate about priorities. On the other hand, another committee enquiry on the recycling of waste materials elicited the fact that Government had not set any objectives at all. (Ch.12)

Re-cycling policy was seen by the Trade and Industry Department as a matter for industry and of commercial judgements, and the Department of Environment had seen no case for stating environmental goals as part of waste reclamation activity.

Options Analysis

For theorists and practitioners alike the concept of 'options' in the policy process is essentially about challenging incrementalism or inertia - about providing a range of choices for action to meet the identified problem (Hogwood & Gunn op.cit p.189).

Civil Service advisers would think it standard practice to present their minister with a range of choices but whether this involves the almost passive occupation of identifying obviously available options, or generating a wider and more radical set of alternatives by research and analysis, will vary with the topic and the Department, and by whether there are within the system 'backers' for the choices to hand.

Perhaps the best hope for select committees to exert influence at this point in the policy making cycle is to gain an understanding of the way options are presented to Ministers. In this connection Hogwood & Gunn quote a political adviser at the Treasury:

"There is, however, one serious shortcoming in the way the Treasury treats Ministers and advisers. It is reluctant to let them become involved in issues at an early stage. It likes to present Ministers with a fully worked out set of options that have been discussed exhaustively at official level. By the time this process is completed, there can be

too little time left for ministerial consideration of the options: Ministers have to take a decision and advisers have to advise, without having had the opportunity to watch the argument develop". (Cardona 1981)

The inference to be drawn is that politicians should seek to become involved not only at every substage of options identification and appraisal but also in earlier policy stages such as issue definition and objective-setting. It may also be the case that a select committee which has investigated a range of options may be presenting the Minister, in their report, with choices which he or she had not previously considered because they had been rejected by departmental advisers at an earlier stage and before his or her own involvement.

However, attempts by British Ministers to become involved at earlier stages, though they will not be met with outright rejection, do seem likely to encounter cultural resistance, as Cardona points out:

"On the few occasions when a Minister tried to intervene in policy formulation at an early stage, the official reaction was rather like what would happen if a diner at a smart restaurant were to get up and serve himself, no-one would actually stop him, but six waiters would rush forward to do it for him". (Cardona *ibid*)

This does suggest the size of the mountain that a select committee might have to scale, except that its challenge might be more profitably directed at the Minister than at the departmental advisers at this stage in the process.

Also, the practical problems in the real world when time and resources press upon the decision makers ensure that frequently only a limited range of options will be produced. The more leisurely and thorough select committee examination of experts and of researched predictions, can produce arguments not previously presented. An example discussed in chapter 10 in connection with green belt policy was the committee proposal that "Groundwork" Trusts might have a role in land conservation - an apparently minor suggestion which the DoE was pleased to develop and fund.

But most options analysis is, at heart, about budgeting strategy and cost benefit analysis; managerial techniques such as PPB and ZBB etc. discussed above, for example, and until the backbench parliamentarians who staff the select committees see the monitoring of departmental budgets as a prime task, they are unlikely to influence initial choosing of options to any large extent. (Robinson op.cit p.317/8)

In the context of the British political system it is not sufficient to rely on an entirely 'rational' approach to the presentation of options. If costs and benefits do not also take into account the political consequences, they are likely

to be less than adequate. Writers such as Meltzner (1976) have emphasised this point and place stress on the political skill as well as the technical competence of the successful options analyst; an area in which the select committee at least, might expect to develop some expertise during the long term shadowing of a Department of State.

Implementation

Only in recent years have social scientists paid attention to what occurs after a decision on policy has been made, and brought critical light to bear on what happens afterwards, as a vital part of policy analysis. Since the publication of Pressman and Wildavsky's 'Implementation' in 1973 it has become recognised as a key element in the whole policy process.

Wildavsky's reason for a refocussing of interest was the realisation that many of the measures introduced by US Governments at this time had, in fact, brought very little change or fundamental reform; many of the same criticisms were levelled at reforming British legislators during the 1960s and 70s. It seemed increasingly clear that Governments were better at legislating than at delivering change; what Dunsire (1978) called the 'implementation gap'.

Whilst it is standard practice now in Whitehall that once a policy is underway some attempt will be made to monitor its progress and to check whether actual performance is living up

to earlier expectations, in practice such monitoring may be unspecific or unstructured, or, it may be rigorous. More analytical approaches involve comparing actual progress against detailed schedules or plans previously prepared.

Examples discussed later in Chapters 10/19 suggest that the kind of investigation which a parliamentary select committee can bring to bear may be especially fruitful in highlighting weaknesses in implementation and failure of inter-organisational communication which are often at the heart of poor implementation in practice.

As Hogwood and Gunn stress, analysis of inter-governmental aspects of implementation is particularly important given that many essential Government policies are carried out by quangos, local authorities or under the administration of departments themselves. The policy may be central, but action may be delivered by the Town Hall or by the nature conservancy, or by voluntary charitable bodies such as the National Trust, in the case of environmental activity.

The fact that this aspect of the policy process may be multi-organisational and may involve conflict or bargaining does not preclude a role for analysis. In the case of select committees monitoring and reviewing departmental performance, it may allow of a multiple and even conflicting range of expert analytical evidence to be produced.

Similarly, the efficient select committee will look at multiple layers of implementation; organisational, procedural and behavioural analysis will show differing kinds of performance. But the most fundamental level is that of political analysis. This refers to patterns of power and influence between and within organisations as well as to the straightforwardly party political conflict. As Barrett and Fudge suggest, the argument is that the implementation of policy may have been carefully planned in terms of organisation, procedures, management and technical resources, but if it takes insufficient account of the realities of power, then the policy may not succeed. (Barrett and Fudge 1981)

One role which select committees may perform in this context is to remind both the sponsoring politicians and the departmental administrators that they must accept the need for a continuing interest and involvement in new legislation long after it has been settled on the floor of the House; it may well need amendment or regulation or Ministerial Order to cover loopholes or correct weaknesses. Examples of such situations in the environmental areas of government policy, which are discussed in this thesis are the failures of one part of the Wildlife and Countryside Act and of the Caravan Sites Act to deliver what parliament intended. That it took a select committee investigation in reviewing and monitoring implementation, to expose these failures of action is evidence of a role for backbench scrutiny.

But there may be a more dynamic role too, particularly in the context of interorganisational analysis. Barrett and Fudge argue that the implementation of a given policy must involve a process of interaction between organisations, members of which may have differing priorities, values and perspectives - from one another and from the government promulgating the policy. It is here that the select committee may find fruitful ground for investigation of policy failure; their reports might say, as it were: "the view from the bottom up is more illuminating than that from the top down".

Evaluation

For all of the reasons discussed under the previous section dealing with the implementation of policy, the need to have a clear understanding of how successful a particular piece of policy has been, makes it essential that the delivery of a programme is monitored and steps are taken to evaluate its success.

Hogwood and Gunn's model makes it clear that although evaluation is concerned with what happens once a policy has been put into effect, it is important not to leave it until that stage before considering how to go about evaluating the policy. Indeed, the extent to which an option is capable of being evaluated can be one of the criteria for its selection in the first place.

Therefore evaluation techniques will be concerned not simply with carrying out technically correct evaluations but will also be concerned with how results are consumed and utilised.

Nothing illustrates more clearly the interdependence of stages of the policy process than the way in which the objective setting shapes evaluation. If objectives are unclear and are not specified in any measurable form, the criteria for success are unclear. Particularly in analysing the impact of public policy and the success of Government measures, the evaluation process will meet a range of problems stemming from the vagueness with which original goals were set, a divergence of view about policy objectives and, in the case of multiple goals which ones are most important and how far there are any contradictory objectives stemming from other parts of the organisation.

The time available, the budget and the ability to access data all provide constraints in attempts to evaluate public policy.

Governments have available to them a wide range of techniques for undertaking evaluation: from Royal Commissions, judicial enquiries, through to commissioned academic studies for individual programmes by Departments of State, and the activities of government "think-tanks", attempts to measure success or failure of policy delivery are legion.

All however will in one form or another need to find means of

measuring criteria for success, seek information, and to be aware that there are frequently multi-programme targets which need to be distinguished: for example, if vandalism or football hooliganism declines as a phenomenon is it due to improved police methods, better education, better environmental design or any other of a range of possible measures?

Techniques for systematic evaluation include before-and-after studies, retrospective cost benefit analysis, mathematical modelling or the kind of experimental technique used in social policy as described by Ferber and Hirsch. (Ferber and Hirsch 1982) (See also Weiss 1972 pages 60-67 and Rossi et.al 1979 chapter 6)

The role which a parliamentary select committee can play at this point in the policy process, whether invited to do so or not, can be critical to its success in influencing policy outcomes. One of the more recent evaluation techniques discussed in Smith and Cantley (1985) has sought to recognise that particular policies would be perceived, in terms of their success or failure, differently by different agencies or actors affected by the policy and a review. These 'stakeholders' and their view will need to be taken into account in what the authors call a 'pluralistic' evaluation. As the authors explain:

"If we are to understand and evaluate the part played by the several different groups involved.... then we must know how

they use different criteria of success in their own interests and how 'success' thus operates in the social context of its use". (page 12)

This has a particular relevance for select committees seeking to evaluate departmental performance, since the department's own attempts at evaluation are unlikely to take such an approach. From the examples discussed in chapters 10/19 it is clear that ministers and their advisors are almost exclusively concerned to evaluate the extent to which Government priorities and objectives have been met.

But many government measures are implemented by other agencies, semi-autonomous bodies, local authorities and even voluntary bodies. As Barrett and Hill argue, frequently there are contradictory values to be mediated; compromises made between the key stakeholders in the implementation structures.

(Barrett and Hill 1984 page 222) The process of negotiation and bargaining which is entailed is the essence of the 'bottom-up' analysis of policy making. The tensions which are created are, in the view of Ham and Hill, the reason why clear decisions on goals and objectives, are not clarified at the early stages of policy making. (Ham and Hill 1984 page 105)

It is part of the strength of the wide terms of reference which select committees have, that they can in effect undertake investigations in an evaluative mode and in so doing, bring a pluralistic and wide ranging body of comment and evidence to

the attention of ministers which can highlight the gaps between policy making and policy outcomes and give a voice to lower level implementors as well as that of 'clients'. Other examples discussed in chapter 15 illustrate that in highly complex technical policy such as that dealing with radioactive waste disposal, evaluation by expert technical witnesses differs both from one another and from the government's own experts.

For select committees attempting to challenge the Executive on their policy implementation the ability to bring together a wide range of pluralistic evaluative comment is perhaps unique in the Westminster parliamentary context. The unfettered ability of committees to examine witnesses who may or may not be legitimate in departmental eyes is easy to see. In these circumstances, and depending upon the nature of the issue under review it means that the evaluation stage of the policy process may be a fruitful point at which to influence and modify policy outcomes.

Policy Succession and Policy Termination

The model of the policy process promulgated by Hogwood and Gunn terminates at the point where policy makers consider the analytical implications of policy termination and succession (the replacement of one or more existing policies by one or

more other policies) are assessed. (Hogwood and Peters 1983) (DeLeon 1978)) The analytical issues and practical problems involved in terminating the programmes raises arguments which have at least two strands:

- a. A logical outcome of an adverse evaluation is that it should be removed and replaced by something else; and
- b. A political climate of budget retrenchment might assume the possibility of government withdrawal from an area of activity or alteration to some less costly intervention.

Termination and succession may also involve innovation. While changes involving a high degree of innovation and those involving a high degree of succession both go through a similar sequence of stages in the policy process, the nature of the activities within each stage differs according to whether succession or innovation is involved.

Policy succession will encounter more mobilised interests than will policy innovations. The concerns of both producers and consumers of policy will have been developed around a particular existing policy so that an attempt at succession will challenge their interests. This may be contrasted with innovation in which the absence of these interests permits the formation of a group of policy promoters with less direct involvement by affected interests. Also at this stage, the politicians must consider the political 'pay offs' to them of

mobilising a majority among their colleagues and, if in a minority, in the House of Commons or Council.

In general they may have higher returns on their investments of time and energy when they can advocate a new policy rather than when they simply try to modify an existing one. (Wildavsky 1980 Chapter 3)

An important factor for government and Departments of State influencing the need to design for policy succession is that the problems that society is encountering will change. The policy maker at any one time is rarely so well informed or perceptive as to be able to ensure that the manner in which he or she perceives a problem will be enduring, and consequently should design in flexibility when devising solutions. The recent example of the rise of the "Aids" HIV epidemic, and its impact upon policies for preventative medicine and health education were a case in point.

Whilst this may be seen as an argument for incrementalism, the more incremental changes there are, the longer there is an apparent existence of the underlying policy paradigm. (Dror 1968) On the other hand a major policy change may be necessary to instill a change of paradigm.

Other factors will influence the situation: changes in the resource base, changes in demand and the changing perceptions of society at large will all be factors in designing for future

succession and elimination. Policy succession and even termination should be regarded as an integral and beneficial part of the policy process. (DeLeon op.cit) DeLeon argues that ideally the possibility of inadequacies or failure or even just changing circumstances should be realised right from the start of the policy process at the stage when the original policy alternatives are considered.

Hogwood and Peters (1983) suggest three reasons for expecting policy succession to be an increasingly common feature of policy formulation in contemporary western political systems, and therefore for greater attention by analysts:

- a. Governments have over the years gradually expanded their activities in particular fields of policy, so that there are relatively few completely new fields of activity in which they could be involved.
- b. Existing policies themselves may create conditions requiring changes in policies or programmes because of inadequacies or adverse side effects.
- c. The relative rates of sustainable economic growth and financial implications of existing policy commitments imply that the latitude for avoiding the problems of policy termination or policy succession by instituting a new programme without cutting the old, is considerably reduced.

If neither succession nor termination takes place, then the existing policy will continue (policy maintenance); this can occur through inertia, through deliberate decision or through the failure of proposals for future action.

In all of these circumstances select committees monitoring the work of Departments of State may find that within the total taxonomy of influence which they can exert, to choose the moment when policies need to be terminated or succeeded by some modification, is the moment when they might achieve considerable impact. In the examples of environmental policy discussed in chapters 10/19 there is the added possibility that the select committee itself may propose termination or make the case for initiating that kind of departmental examination.

These, then are the nine stages of the policy process; they provide a framework for the policy analyst to understand how policies emerge and for the policy maker to appreciate how they should be formulated. By visualizing the step by step approach in circular form (see fig. 4) it illustrates the essentially cyclical nature of the activity and the inevitability of a 'feedback' factor. Whether policies are renewed, terminated or replaced the outcomes inevitably generate repercussion, reaction or demands for renewal both within the policy community and its clients. In the Westminster and Whitehall system, the select committee process is itself a valuable element in the feedback procedure. Some examples discussed in Chapter 13 show the committee in a sense as filter used by

pressure groups and self-interest bodies to feed back reactions to policy - and in other cases, the committee itself relaying to departments, the failures and successes of these policies as perceived in 'the real world'. The Environment Committee's own decision to return to the topic of air pollution during the 1987/8 session was precisely in order to review progress on its earlier report on acid rain and to assess the effectiveness of the government's response to it; a procedure which the DoE itself was unlikely to undertake and which provides effective feedback to both the initiator of policy and to those who had contributed to the earlier critique. (Rossi 1987)

Having thus established a theoretical pattern of policy making in action, and described what is actually going on at any stage, we can now examine the proposition that some of the stages in the process may be more susceptible to intervention by a select committee enquiry than others. A well-researched report, on a topic of current public interest, which achieves debate on the floor of the House and argues authoratively for change, may have much impact at the time the Department is seeking definitions or choosing options; would it have the same impact if the Department was deep into the implementation programme?

These questions may be answered more surely if we examine the type of issue under discussion and the approach which the Committee takes i.e. the mode it adopts within the 'second sealed box' referred to in fig. 3 above.

The concept of 'mode' and the relevance of the issue type are examined in more detail in the next Chapter.

CHAPTER SEVEN

STYLE AND CONTENT AS FACTORS OF SUCCESS

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Committee 'Mode'

This chapter argues that 'success' for a select committee measured by the degree of influence it is able to exert on policy or departmental practice, will depend upon a number of factors. The type of issue being investigated will be important, as will the point in the policy cycle at which intervention is attempted. Another factor which may have a bearing concerns the particular approach, style or method which the investigation adopts. The stance taken initially on the issue, the approach to witnesses and indeed the kind of arguments which are deployed, all go to make up the mode of an enquiry..

Indeed, committees may have differing purposes for differing reports; it may be to influence a Department or another public sector agency, or to inform Members for a forthcoming debate; or again to provide a platform for external interests. These variations in goals or purposes are an important ingredient in determining mode.

It will be seen that the mode may vary from committee to committee and, within a committee, from enquiry to enquiry and will be influenced by the way the issue was raised at the outset.

In the accounts of ten investigations on environmental topics in chapters 10/19 examples of the main modes' adopted by the committees can be detected. They fall into distinctly separate types.

At times select committees appear to take an approach which is essentially that of advocating new policy, attempting to get new matter on to the political agenda and proposing policy innovation. In other instances the dominant mode is one of analysing existing policy failure, reviewing departmental performance or policy effectiveness.

In some investigations it is possible to characterise the role of select committees as providing a platform for conflicting interest groups, mediating between for example, environmental pressure groups and industrial producer organisations or self interest groups; seeking an acceptable formula for policy advance and prioritising conflicting interests and issues.

And lastly there is a mode or approach to investigations which is overtly aggressive and confrontational and in which the

committees essentially challenge ministers to explain, and expose poor performance or implementation. See Fig 5 below.

Fig 5

MODE	DOMINANT THEMES
Advocating Agenda-Setting	Policy innovation: Channelling public opinion to Government: Tabling new issues.
Analysis & Review	Analysis of existing policies & performance Tabling new arguments or recent thinking: Scrutiny of administrative efficiency: Examination of appropriateness and effectiveness of policy objectives: Exposing conflicting policy aims and inter-departmental contradictions: Forecasting outcomes.
Mediation & Prioritising	Providing platform for conflicting interests: Suggesting compromise solutions Prioritising policy objectives: Resolving conflicts within policy community: Clarifying aims of legislation and mediating disparate interests.
Challenging & Monitoring	Seeking explicit Ministerial objectives or government intention: Exposing policy failure: Exposing policy 'vacuum': Objectives analysis. Monitoring the development of policy.

The hypothesis explored here is that the mode or style of approach to a topic has a profound effect upon the success or otherwise of the committee report in terms of government responses. But 'success' can be measured in other ways and there are a number of examples in the reports discussed in chapters 10/19 of committee recommendations not being adopted by government, but subsequent changes of policy emerging after a lapse of time, co-inciding with the select committee

recommendations. This 'delayed drop' phenomenon is discussed at greater length in later chapters.

In some of the investigations explored in this thesis committees exhibit more than one dominant mode and we now proceed to particular examples of the four main modes identified:

a) Select Committees as Advocate and Agenda Setter

To establish policy where none previously existed or to raise issues of an administrative or practical nature which had not been considered by Government, is a legitimate role for select committees. It is one which many in the wider policy communities covered by their enquiries would use to make particular cases. In the field of environmental policy-making the prime example of such an instance in the 1983/87 parliament was the investigation undertaken by the Trade and Industry Committee, entitled 'The Wealth of Waste', which was concerned to establish the argument that waste disposal and the recycling of discarded industrial material was a legitimate issue of environmental concern, and one on which there should be clearly defined policy. (See commentary Page 213)

The 'Wealth of Waste' report (HC 640 1983/4) was able to establish the poor record of the UK in waste recycling from both industrial and domestic sources, and to challenge the then view of government that it was entirely a matter for commercial judgement as to whether the recycling of material was economic or not. In effect, it established the case that there were environmental costs and benefits as well as commercial ones to which Government should address itself.

In a range of products from paper, glass, rubber and metals British industry did less well than its European counterparts and the committee successfully challenged the Government's statement that it "has not thought it appropriate to develop a national policy for (recycling industrial waste) for the sector as a whole". Nor had it identified any department or Minister to take overall control of this policy area, despite evidence from Ministers in the Department of Environment and their counterparts in the Department of Trade and Industry to the effect that both thought they had the 'lead' role.

But the resistance of industrialists and trade association witnesses to the proposal that other than commercial considerations should be relevant, suggested a tendency in the relatively closed policy community of the Trade and

Industry Department and its contacts, to see the matter only in the mutually shared values of that group.

The success of this select committee enquiry was essentially in establishing a new policy agenda, "The environmental aspect of waste reclamation and recycling".

To ask, as writers such as Hogwood and Gunn do, whether it is the role of policy analysts to seek to place on the policy agenda issues which are not currently receiving attention, may also imply arguments for changing political institutions or for the distribution of power - an underlying theme of the whole debate about select committees and their role vis-a-vis the Executive. For example Stringer and Richardson (1980 page 36) call for more open government in the UK on the grounds that more attention would be paid by government to the identification of problems, if these were subject to critical review from outside the government apparatus. The agenda setting role in this instance justifies the proposition and despite a small input from environmental pressure groups, established positive government responses to four out of ten recommendations. (See tables page 225)

The report produced government statements which explicitly recognised the need to assign a value to the environment and to the energy conservation element of recycling

including a promise to consider implementing new powers under Sections 12/14 of the Control of Pollution Act 1974 (Waldegrave 1984).

Whilst no firm government initiatives were forthcoming from 'The Wealth of Waste', there is ample evidence that the agenda had been expanded irrevocably both for industrialists and for government policy makers.

b) Select Committees as Analyst and Evaluator

When members of a select committee take on the role of policy analysts, they face some problems which affect the mode of an enquiry. They must distinguish between failures of implementation, which it is the purpose of monitoring to avoid, and failure of policy. In the former, the mode may be a challenging or critical one as we have seen above, but in the latter circumstances a more evaluative stance may be productive, especially where the wider policy community confirms that policy itself is defective. It is here that a pluralistic approach, as discussed in Smith and Cantley above, may be effective.

For an example of select committee investigation in a mode of analysing and evaluating policy we turn to the Environment Committee's examination of Part II of the Wildlife and Countryside Act 1981. This measure when passed was characterised by the Government as "The most important piece of countryside legislation this century". (DoE 1983)

Its acknowledged aim was to resolve the conflicting interests of wildlife conservation and the needs of agriculture, and by the use of the "voluntary principle" to provide protection for sites of special scientific interest and generous financial compensation to affected landowners. That the Act had a difficult birth is attested by the fact that it produced over 200 hours of debate and over 1,000 amendments were tabled. (Hansard 1981)

However, by 1984 there was a growing acceptance within the policy community that it was flawed, and that a "loophole" in its provisions was being exploited. (See commentary page 227) A number of aspects of the policy were not working. In a survey of local authorities conducted by Council for the Preservation of Rural England only eight of the thirty nine English counties regarded the policy mechanisms open to them as adequate for the preservation of the landscape and conservation of wildlife habitats. (CPRE 1984) The Royal Society for the Preservation of Birds (RSPB) evidence to the committee

concentrated on Part II of the Act, "parts of which are in most urgent need of remedial action". (RSPB 1984 page 208).

The purpose of the committee's enquiry, explicitly set out by the Chairman, was to analyse this failure, to evaluate the Act's effectiveness or lack of it, and to propose some remedies.

"As written submissions began to flood in, it became apparent that Part II is to us the crux of the legislation as it is concerned with the conservation of our natural heritage. Our sense of urgency, fostered by the need to deal as soon as possible with the 'loopholes' led us to put aside Parts I and III and to focus on the central issue.

"In particular there has been considerable public anxiety recently about the so called loopholes in Sections 28 and 29. There is unanimous agreement, including by the Government, that this problem is in especially urgent need of resolution. However, we have concluded that there are other weaknesses in the Act which also require action". (HC6-Volume 1 Page xi)

It is clear from the tone of this report that any sense of challenge to Government policy is mitigated by an acceptance on behalf of Government that change is required, and the evidence of quasi-governmental bodies such as the Nature Conservancy Council whose memoranda made clear that despite originally welcoming the provisions of Part II, a number of shortcomings

in the legislation had become evident 'at an early stage' (NCC 1984 para. 2.6).

This allows the committee mode to be collaborative in evaluating not only the nature of the loopholes but the measures required to close them. This evaluative stance highlighted a number of specific points which the Government acknowledged in its response (Cmnd 9522), and which it undertook to act upon.

Thus the interests of many 'stakeholders' in the policy each with varying criteria for success in their own terms have been tabled. These may contribute to the effectiveness of the committee's eventual report in modifying government policy, since the department's own evaluation process is unlikely to have scanned such a wide field of interest.

And since implementation is undertaken by a wide range of semi-autonomous or voluntary agencies, only a select committee is likely to expose conflicting or varying values among stakeholders - another factor which makes it less easy for Departments of State to equivocate.

It is an example of a specific inadequacy in legislation monitored by the whole of the wider policy community including the pressure groups, the conservationists, the bodies operating on behalf of the Government and the Department of State itself.

Indeed, it appears that the committee investigation was seen as a helpful mechanism to bring together this monitoring of the effectiveness of the Act, the evaluation of the shortcomings and support for new proposals.

In its response to the committee report the Government accepts the committee's assessment of the problem and as a means of remedying shortcomings, supports a private members Bill:

"The Government is therefore supporting a clause in the Wildlife and Countryside (Amendment) Bill designed to give statutory effect to ensure a reasonable balance between forestry and conservation." (Ibid p.13)

"The Government accepts this recommendation and recognises there is a growing body of opinion in favour of broadening the scope of Section 43 of the Act. The committee's recommendation in this respect has been paralleled by the inclusion of a clause to that effect in the current Wildlife and Countryside (Amendment) Bill". (Ibid p.15)

"The Government agrees that the financial guidelines should be reviewed to take account of the committee's points The Government recognises the force of some of the criticisms that have been made of the guidelines, particularly about their complexity and it accepts the committee's recommendation that a review of their content and presentation would be timely". (Ibid p.17)

Another committee which adopted the role of evaluator and analyst in its approach to an environmental issue was the Committee for Welsh Affairs. Its report on Coastal Pollution in Wales is summarised at page 240. (HC 101 1985/6)

The burden of the investigation was concerned with monitoring the apparent conflicts in policies concerning the exploitation of Welsh beaches for tourism, leisure and recreation, with those which exploit coastal waters for sewage disposal, the control of agricultural waste and the quality of water.

The evident conflicts in the roles of the Welsh Water Authority, the Welsh Office and the Ministry of Agriculture, Fisheries and Foods was a prime topic as was the question as to who should have responsibility for monitoring water quality at beaches used for recreation.

The local authorities argued that they should have statutory powers to undertake sea water sampling on a regular basis. They referred to the potential conflict of interest resulting from a situation in which the Water Authority, the major sewage polluter of beaches, also had responsibility for water quality monitoring.

That the critical recommendations of the Committee for Welsh Affairs were responded to by the Welsh Water Authority, and were largely in a tone of acceptance and concurrence with shortcomings in the legislation and interorganisational co-operation is significant. Replies make clear that both government and its agents in the field of sewage disposal would collaborate in the terms of the evaluative comments from the committee, with an emphasis on further research, new initiatives and more attention to co-operation between local authorities and statutory undertakers. Witnesses in the enquiry had been primarily concerned to analyse the technical nature of these shortcomings and to assess the need for improvement. Far from seeing the report and the tone of the committee's approach as being a challenge or criticism of policy, the work undertaken in the investigation was seen essentially as helpful and as a contribution to finding new solutions. The investigations exposed some basic problems of evaluation, particularly in the lack of agreement on criteria or indicators and the inherent danger that very specific indicators, used in scientific evidence can be at the expense of more qualitative measures.

c) The Select Committee as Mediator

The considerable public concern which arose from two DoE draft circulars on Green Belts (14/84) and land for housing (15/84) took Ministers and officials by surprise. (See commentary page 182)

The Environment Select Committee stepped into the argument explicitly to resolve the apparently irreconcilable interests of developers and conservationists, both of which groups had seen the draft circulars as strengthening their interests. The committee report isolates the issue and sets the mode at the outset:

"We were intrigued that both developers and conservationists welcomed them, and planning authorities expected little change in practice. Were the circulars all things to all men? (sic) Did each side see in the circulars what they wanted to see? If so, the risk is that circulars have provided a framework which no-one genuinely understands, and that in any application each side would call on the circulars for support. The result might be a system of piecemeal planning by appeal. This we would consider most undesirable". (HC 275 p.xi)

Thus the committee was attempting to reconcile the apparently irreconcilable; demand for development competes with the desire for conservation of the environment. With pressure for new housing development particularly in the South Eastern Region there are on one side volume house builders needing land situated in environments in which people wish to live and to buy houses. On the other side are conservationists and existing residents usually strongly opposed to development on green field sites.

From the evidence submitted to the committee it is clear that

the major housebuilders feel the system is failing them. They argue that it has become more difficult to obtain sufficient land that can be developed viably to meet what they perceive as the demands of the market. Land prices become more and more crucial as the desire for home ownership expands through all levels of society.

The select committee correctly perceived that the arguments between builders, planners and environmental groups over the need for new land for housing had become increasingly heated and the draft circulars had not contributed to a resolution of the issue.

The select committee's first task was a succinct analysis of the problem:

"To defend green belts there has to be sufficient land for housing available elsewhere. To promote urban housing there have to be defensible green belts. Throughout our report, in assessing policy, we ask three major questions - do the circulars provide defensible green belts; do they provide a framework within which sufficient land for housing can be identified; do they promote urban regeneration to the maximum possible extent?" (Ibid)

Thus the tone or mode of this enquiry is clearly seen to be prioritising policy objectives and at the same time attempting to mediate between conflicting legitimate interests. It

pinpoints the failure of the department to recognise the conflict. Pointing out that the two circulars are complementary and interdependent, the committee defines the cause of the conflict:

"The green belt circular attempts to reinforce presumptions against development in certain areas. The land for housing circular attempts to encourage development in remaining areas other than national parks and areas of outstanding natural beauty but the failure to make this distinction has muddled the debate and is a central issue in our report". (Ibid)

There is subjective evidence that the Minister and the DoE actively welcomed the committee's role in de-fusing and clarifying this issue which had become a major debate within the local government and wider policy environment. (Rossi 1987)

Indeed, the Government response (HC 635 1983/4) indicated that it was 'very helpful' to Ministers in considering the way forward and the text of the substantive circulars reflected important suggestions which the Committee had proposed.

The committee's subsequent report and series of recommendations, very largely adopted by government, attempts to make green belt boundaries sacrosanct, to ensure those boundaries are properly defined, to improve the appearance of designated land and most importantly to make sure green belts

fulfill their main function in controlling and improving urban development. The recommendations on land for housing were designed to make planning authorities more responsive to demand, to remove artificial constraints on the planning process and to get builders and planners to co-operate in maximising urban regeneration.

The subsequent substantive circulars (DoE 1984 (b)), amended to take account of the committee's report succeeded in meeting the objectives; they represent an important example of the Select Committee in a mediating role at the same time analysing and clarifying policy objectives in a way which the department itself had signally failed to do.

Another example of the Environment Committee in mediating mode was provided in the report on Historic Buildings and Ancient Monuments (HC 146 1986/7), a topic in which a complex range of statutory and semi-autonomous bodies were actively involved. (See commentary page 291)

Relationships between DoE, English Heritage, the Historic Buildings and Monuments Commission, the church and a large list of private owners and local authorities were complicated by varying financial and grant-aiding systems and by conflicts concerning responsibilities and differences of approach.

The Select Committee's attempt to rationalise these issues was acknowledged by the Secretary of State who characterised their

report as "a useful pulling together of views from all the major interest groups in the heritage field". He added: "It has provided a most valuable starting point and a rich quarry of ideas and data for the refinement and development of policy towards the heritage, and is likely to remain valid for this purpose for a considerable time to come". (HC 268 1987/8)

This would appear to be tantamount to admitting that the Select Committee's report was to be used as the prime policy planning document for future departmental initiatives - a considerable achievement even if only a percentage of the recommendations were accepted initially.

d) The Select Committee as Challenger and Monitor

The Environment Committee reports which received the most substantial national discussion during the Parliament of 1983/7 and which brought together a complex array of technical and scientific evidence were also those which attracted the biggest volume of anxious public opinion and drew pressure group concern to the committee's attention.

They were the reports on the destructive effects of acid rain and the storage of radioactive waste. In both these reports the committee and many of those who presented evidence were acting in a mode of open challenge to Ministers, highly critical of policy - or the lack of it - and at the same time forecasting and monitoring the repercussions of not pursuing a

vigorous and coherent strategy for the protection of the environment from both these late-twentieth century phenomena. (See commentaries on pp 197 & 254)

The tone is set in the Chairman's introduction to the Radioactive Waste report (HC 191 pxii):

"It has become apparent to us that far from there being well-defined, publicly debated policy on the creation, management and disposal of radioactive waste, there was confusion and obfuscation among the various organisations entrusted with its care".

Having decided to launch an enquiry, and with public interest intensified by Sir Frank Layfield's report on the Sizewell 'B' public enquiry and another report critical of the nuclear industry, following a leak of radioactive material on the beaches around Sellafield (Black 1984), the Environment Committee is frank about what its investigation reveals:

"The more we looked at what was happening in the UK and compared this country's performance with that of other nations, the more our initial, superficial impression was confirmed. In short the UK government and nuclear industry are confused".

Frustrated by the evidence of uncertainty and lack of policy direction, the committee cites, from the submissions of its

witnesses, on the one hand bold announcements about prospective new disposal sites which are then withdrawn, left hanging in the air or modified ad hoc (HC 191 p.xii). On the other hand a very large proportion of radioactive waste goes on being produced unquestioned and a sequence of different studies shows that the UK is only feeling its way towards a coherent policy. Indeed, as the committee sat, the DoE was engaged in a 'best practical options' study. It was against this background that the committee report to Parliament states: "For an issue which is of such public concern, the Secretary of State's evidence to us is regrettably inadequate".

This mode of challenge extends to the other bodies involved in the industry and in the development of waste disposal policies. Its report is bluntly critical of organisational responsibilities. In response to the Minister's evidence that a review of these issues had recently been undertaken and was a matter of almost constant debate, the committee expressed itself 'not convinced' that the lines of responsibility in radioactive waste management were as clear or as straightforward as they could be. (Ibid p.cxxi) They demanded that the review be published. (See recommendation 37 (Appendix 1). Of the Government's research programme the report says:

"We found at least two areas where research was lacking and needed urgently. These areas appear to have been neglected because they fall outside the area of immediate policy. This is a regrettably shortsighted approach".

The forthright declaration of inadequacy of policy is echoed in the second major report, that on acid rain pollution, a topic to which the committee has returned with a persistence unusual in select committee work.

Following its long and detailed 1983/4 report (HC 446), and a strongly argued Government response (Cmnd 9397), the Environment Committee produced a follow-up report in the 1985/6 session (HC 51) in which it presented the responses of Government ministers from Norway and West Germany - the two countries alleged to suffer most from acid rain pollution emanating from the UK. It also included a welcoming response from the EEC, and others all essentially aligning themselves with the Select Committee challenge to the Government's policies in this area. In the subsequent Parliament of 1987 the attack was to be renewed in an even wider-ranging report on air pollution (HC 270 1987/8).

The challenging mode of the first of this series of reports was, it would appear, partly engendered by the resistance which the Committee had met in undertaking its enquiry. Sir Hugh Rossi, the Committee Chairman reported later that there had been 'great official resistance' not only towards the need for action but also to the acceptance that the emission of invisible gases from British power stations and industry were responsible for environmental damage both to fish and trees, at home and abroad. (Rossi 1988)

The report acknowledges that having started with an open mind, the evidence which members heard was to convince them that the committee should confront the Secretary of State with a demand that no further prevarication was acceptable, and that hard financial decisions had to be taken immediately. The Government's pleas that more research was required before decisions were arrived at was, in the committee's words: 'to procrastinate'. Similar castigation is reserved for the CEGB for making virtually no reduction in its SO₂ emissions despite being the major fossil fuel burner in the country.

Thus it is possible to discern in these two committees investigations a persistent, direct challenge to Government and other agencies in the field, re-inforcing frankly critical observations with evidence to support forecasts of the results of further failure to act, and unchallenged scientific evidence of the results of current policy stances; in other words, monitoring performance and forecasting outcomes.

The particular characteristic of this mode of proceeding is the tendency to reflect the opposition or argument of the wider policy community, not only to current government policy and action, but to the 'performance' in a wider sense of the whole range of actors and organisations involved. In the examples above, the committee's ability to examine witnesses from foreign governments - and subsequently to publish their responses to the Report, takes the international flavour of the issue to the heart of the otherwise 'local' nature of the

argument between the Executive and the legislature; a re-inforcement of the fact that the Government, in these issues, faced challenge from the international community, and needed to defend more than a domestic record. The evidence of the reports discussed in this thesis suggests that whilst the 'challenge' mode is unlikely to result in immediate acceptance of major recommendations, there is a tendency for policy changes to appear incrementally and unacknowledged at a later date. This is discussed in Chapter 22.

Issue Type

One of the factors which may determine how influential select committee investigations are in securing policy change is the nature of the issue which is examined in particular enquiries. One purpose of this dissertation will be to differentiate these types and to test the hypothesis that some may be inherently more likely to achieve success than others.

It is important, in defining issue type to distinguish the concept from the quite different point made by one Committee Chairman, quoted earlier, that he deliberately avoided topics which were controversial in party terms or would, in any case be bound to be debated fully on the floor of the House. (Rossi 1985) We are not here concerned with the political volatility or sensitivity of the issue in hand, where measurement will be to do with voting strength. We are rather testing the importance of content, irrespective of sectional prejudice.

However, in this connection it is well to recall the allied comment of Sir Hugh Rossi, quoted in Chapter 21 that his committee would want to take on subjects which busy ministers were unlikely to have the time to grasp in the requisite detail. It is also the case that in promoting enquiries whose content is on the frontiers of technical knowledge, the scientific witnesses and the complex nature of the evidence represents, in several of the reports considered here, some kind of titanic struggle between the experts called to give evidence by the various groups within the policy community.

On the pages of select committee investigative reports, the Friends of the Earth and 'Greenpeace' challenge the CEGB or British Nuclear Fuels plc on an entirely esoteric battleground determined by the nature of nuclear physics. Departmental experts are pitted against the specialist advisers for industrial associations and from lawyers at a level of professional knowledge, arcane in the extreme, concerning the administration of planning law or the management of historic buildings. The economic value of scrap metal is at the heart of the debate between the DTI, the representatives of manufacturing industry and the energy conservation lobby. It is the nature of these disputations which determines issue type.

What then are the main types of issue - the core of the arguments before the members of the committees?

In the case of the ten enquiries on environmental topics it is possible to distinguish three main issue types, the characteristics of which are distinctive one from another. They are:

Administrative topics

Technical/Scientific topics

Economic topics

In defining subject-matter in this way (See table 2) it is not suggested that each is exclusively concerned with or limited to that material. For example, the report on Radioactive Waste clearly has complex administrative problems associated with it and involves inter-departmental and inter-organisational bureaucratic processes. It also has important economic consequences for the nuclear industry and for environmental policy. Nevertheless, in terms of the debate in which the topic was argued in the select committee, the recommendations to Government and the nature of the conflicts between witnesses for the various groups who gave evidence, it was essentially a technical/scientific subject and the coinage of the arguments which the committee was attempting to deploy was scientific in content. In other words it was the questioning of the scientific premises of national policy which the committee was undertaking and it would be in those terms that the argument would be won or lost.

By the same token the report 'Planning: Appeals, Call-ins and

Major Public Enquiries' is categorised as an administrative topic on the grounds that is essentially the administration of policy which is under scrutiny. Much of planning policy is conducted and modified in Departmental circulars, ministerial directives and codes of guidance, the standard traffic of central/local bureaucratic relations. The matters at issue for the select committee were, for the most part, concerned with procedures for appeal, the process of 'call-in' where the Secretary of State intervenes, and the conduct of major planning enquiries. Other recommendations dealt with the conduct of local authority procedures, the need to cut down delays and the powers of inspectors. Much of the evidence was directed at the need to make these processes work more effectively rather than to comment on the substantive policy issues underlying them. Indeed, the committee commented adversely on the tendency for policy debate to be staged at major public enquiries such as the Sizewell 'B' power station planning enquiry, rather than in Parliament and made clear that its main concern was that the system of enquiries and appeals could be made faster and more efficient. (HC 181) The Government's response included the announcement of new procedural rules to speed up the process. (Cm 43 App.1)

It is for these reasons and for the purposes of this thesis that the select committee investigation is designated 'administrative' and the same approach has been applied to other committee enquiries considered here: to isolate the main theme or leit-motiv as accepted by all participants to the

investigation. On this basis, all ten of the reports considered in this thesis have been categorised as falling into one of the three issue types identified:

Table 2

Committee Report	Issue Type
Green Belt & Land for Housing	- Administrative
Acid Rain	- Technical/Scientific
Wealth of Waste	- Economic
Wildlife & Countryside Act Part II	- Administrative
Coastal Pollution in Wales	- Technical/Scientific
Radioactive Waste	- Technical/Scientific
Planning: Appeals, Call-ins etc	- Administrative
Pollution of Rivers & Estuaries	- Technical/Scientific
Historic Buildings & Ancient Monuments	- Administrative
Caravan Sites Act 1968	- Administrative

In defining the nature of issues as a measure we will argue in Chapter 23 that when we come to discuss whether the concept has relevance in a wider context, there may be different definitions established than those established here.

A Matrix for Measurement

We have now identified three separate factors present in a select committee enquiry, based upon observation of those committees and enquiries dealing with environmental policy, listed in table 3 , which may have a bearing upon the degree of success such committees achieve in modifying policy or effecting policy change.

These factors are:

- (a) The nature of the issue under scrutiny
- (b) The nature or 'mode' of enquiry pursued by the committee
- (c) The point in the policy process at which the select committee report attempts intervention

The next step in the process is to place these three variables into some form of matrix through which it may be possible to identify whether any of the factors listed above can be shown to be linked to success more than others, or, as is more likely whether some combination of the separate factors registers more successful outcomes than others. Such a matrix is essentially a framework for organising an understanding of what happens and what combination of circumstance produces successful responses. It is not, at this stage, intended to argue a prescriptive case; to say that if a committee wants to make maximum change, it should first choose a scientific or an administrative issue, and then conduct its enquiry in a particular way, having first made

sure that the subject was at the commencement of its career in the parliamentary policy process.

Rather, it has already been pointed out above that the reality of political activity is often subjective, irrational and motivated by a wide range of imperatives. The value of a theoretical framework of this kind is its tendency to retrospective 'rationality' in a process which is essentially incremental and which may owe more to opportunism, ideology - and even chance - than to pre-ordained 'good practice'.

Fig 6

Committee:		Topic:			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	

A matrix of the kind illustrated in the diagram at fig: 6 would also allow a further dimension of measurement to be attempted. This thesis has set out to quantify all the inputs to the committee enquiry; to list the interest or locus of witnesses and the origin of technical papers, appendices, and memoranda in terms of the groups represented within the wider policy community. These groupings are identified in six categories thus:

- Ministers and Government Departments
- Quangos and other official agencies
- Local Authorities
- Self-interest Groups
- Pressure Groups
- Independent Experts

Some explanation of the basis of these groupings is required. In allocating each input to one of the above categories bodies such as the CEGB, the Nature Conservancy Council and English Heritage, who have either a statutory responsibility for the implementation of official policy, or are operating as a nationalised commercial enterprise or in some other quasi-governmental role in the carrying out of policy, are differentiated from formal Ministerial or Departmental inputs. In one case, the identification with official policy was such that, it was the Welsh Water Authority which responded formally to the report on coastal pollution in Wales (HC 101 1985/6) on behalf of the Welsh Office. In another (HC 146 1986/7), the

English Heritage responded to the Environment Committee's recommendations in addition to the Department of Environment. But nevertheless, in these instances it is possible to detect a distinction between policy and implementation; a degree of differentiation of response as between those in control of purse-strings and those charged with the practical implementation of legislative provisions.

It is also necessary to make a distinction between various kinds of lobbying organisations and pressure groups. The rather wide definition proposed by Lindblom does not seem adequate:

"We mean by interest group activities all interactions through which individuals and private groups not holding government authority, seek to influence policy, together with those policy-influencing interactions of government officials that go well beyond the direct use of their authority". (Lindblom 1980)

Lindblom's definition does not allow for the basic difference between self-interested groups whose aim is to pursue sectional - and usually economic - ends on the one hand, and those which seek to promote a shift in values or practices.

Potter provides a demarcation as follows: "sectional interests, and shared values". (Potter 1961) He suggests that the former purport to speak 'in defence' of their members and

the latter to 'promote' the causes which reflect the attitudes of their members. Potter readily admits that there are borderline cases and even this definition would give rise to some problems in the context of those giving evidence to select committees, especially on matters of environmental protection.

Moran (1985) and Cawson (1982) distinguish between functional groups and preference groups: the first created by the economic structure, for example representing capital and labour, the second arising from free association between individuals linked by common attitudes, positions or tasks. The comment of Stewart (1958) is relevant here since he draws attention to those 'cause' groups not admitted to governmental consultation. It is one of the developing features of select committee enquiries that many such groups find a platform in the heart of Westminster, which they would not be granted either by Government or the Civil Service.

Most commentators would allow that what is here termed the self-interest groups, often with regular and bureaucratised relations with government departments, need to be weighed differently from those voluntary bodies with a disinterested 'cause', which are here termed 'pressure groups'.

For the purposes of categorising evidence to select committees on environmental issues therefore self-interest groups are those with a commercial or financial stake in the issue under discussion, and in this paper have included bodies such as the

CBI, trade associations, land-owners, individual companies and the National Farmers Union.

Pressure groups have encompassed voluntary associations with a moral or ideological identification with an issue; bodies representing a point of view of a wide grouping of individuals, such as 'Greenpeace', the Friends of the Earth, the RSPB and groups with a campaigning role who seek to represent specific common interests of members and to influence government. These groups may range from political activists with considerable influence to small groups or local coalitions in defence of local amenity; from the financially powerful 'direct action' of 'Greenpeace', to the Claygate Village residents association.

The distinction drawn in this paper is between a self-protective or disinterested concern for policy change and a commercial or financial interest in the outcome of government action.

Other evidence has come from a group of academic or specialist sources with a professional interest in research, or professional expertise ranging from individual scientists and teachers to internationally-known institutes, laboratories and universities.

An attempt will be made to equate the weight of evidence produced from these separate sources with the frequency with which Committee reports have cited such evidence in framing the

recommendations to Government. Is it, for example, the case that evidence from one of the six listed sources is more predominant than others, and is there a correlation between the volume of such evidence and the citations it produces? Does the number of recommendations accepted by Government have any relationship to the volume of evidence and citation which went into the framing of the recommendations?

These questions will be examined in a later chapter and the analysis will rely upon the matrix shown at fig: 6.

But having set up a machinery for analysis, it is necessary to address other, pertinent questions which arise: What is meant by 'success' in this context? If it can be shown that we have a sound basis for assessing the factors which determine committee success or failure in the policy area of the Environment, is it robust enough to apply in other areas of policy or to the work of other, quite different select committees?

As we move on to an examination of these and other issues it is worth returning to the proposition of one of the commentators on the early work of the new select committee system. In summing up the comprehensive seminar held by Strathclyde University, and reviewed in Chapter four the editor suggests that the new system and the activity of select committees has changed the policy process irrevocably. (Hill 1984)

The underlying argument in this chapter has, on the contrary led to the view that it is not the policy process which is changed but rather that it is the point at which the committee report intervenes in that process, which is significant; that success or failure may be more to do with the point of impact than with the process itself. To put the question a different way, we may ask whether, if a select committee engages with a policy issue at the point when it is being defined and quantified by the responsible department, will the committee's proposals influence the policy outcome more than if its engagement is at the point when it is being implemented or when a long-standing piece of policy is being reviewed and re-assessed?

We may now proceed to a practical examination of the efficacy of the propositions in this chapter. That select committees have established a role which governments cannot ignore and are an important part of the complex parliamentary mechanisms available to back-bench members and external actors seeking to influence policy, is widely acknowledged.

They are not the most significant part of that complexity but as Giddings remarked, they are there "A cloud no bigger than a man's hand ...' Which is a suitable image from which to proceed to an examination in more detail of environmental policy and the role which select committees have played in its formation during the Parliament of 1983/7.

By examining the policy related to environmental protection and analysing in detail select committee evidence and reports - and the responses of Government departments - we can begin to apply the concepts outlined in this chapter and to assess their validity.

PART THREE

The Environment: The development of UK policy and action

CHAPTER EIGHT

THE ENVIRONMENT AS A POLICY AREA

*

Introduction

The emergence of 'the environment' as a coherent arena for policy and action in British politics has been slow, spasmodic and incremental. The notions of what were later to become subsumed into a broad concept of 'green politics' stem largely from the conflicts between industrial development and environmental conservation, between the demand for natural resource exploitation and the preservation of amenity. Much of the initiative and public pressure to promote policy change has come from outside the political community with origins in America and Western Europe as often as in the UK. Governments have, on the whole been re-active rather than originators: it has been academics and lobbyists who have proposed interconnections between accelerating industrialisation, rapid population growth, widespread malnutrition, depletion of non-renewable resources and a deteriorating environment. (Forrester 1971)

Propagandists such as Ralph Nader in the USA and the emergence of the Green Party in West Germany testify to the international nature of threats to the ecology of the world as well as to the trans-national nature of modern capitalism.

Various commentators have suggested that these issues emerged in some kind of spontaneous explosion of public concern (Allaby

1971); but a careful study of the last four decades give a different impression. As a political issue or area of public concern, the emergence of an environmental agenda has been of much more gradual imposition on the consciousness of Whitehall and Westminster policy makers. (Brookes et.al) In a contents count of 'The Times' newspaper Brookes and his colleagues demonstrate a much slower dawning, and a more complex process by which the mass media and the public awareness of these issues emerged. By counting the growth of news items, letters and features from 1953 to 1973, they suggest that the new environmentalism in Britain follows closely on the anti-war and anti-pollution movements in the USA in the 1960s: they trace a cumulative pattern whereby as the coverage of specific news items increases, it becomes easier to accept that there exists an underlying problem and not just a series of smaller isolated incidents or issues. Thus the media slowly began to place individual incidents, public enquiries or protests on ecological matters into a wider framework of environmental awareness which itself assumed the nature of a topic with continuing interest for the media and the general public. In the serious daily press environment correspondents appeared during the later 1970s.

Three Phases of Debate

Whilst it is in concern over the seemingly endless exploitation of the world's physical resources that the origins of the environmental lobby lie, it is the political, social and economic conflicts which arise when the demand for more resources impinges

on less material aspirations which go to form the political agenda; expressed as "quality of life", or desecration of communities, arguments may centre on new motorways, reservoirs, mineral extraction or airport noise and expansion (Gregory 1971).

This represents a change in the nature of the debate since the 1960s. The early phase was indeed to do with the global threat, to the whole of mankind - in the using up of the world's resources but in Britain, the issues have emerged as a more specific concern for controls on publicly-sponsored expansion of industrial and nationalised concerns; with issues such as the construction of nuclear power stations, the location of the third London airport and the building of motorways generating widespread opposition and local campaigns to "save the natural environment". In the third and latest phase the ground of the argument has shifted again with an emphasis on the long term effects of new technology, nuclear energy and chemical pollution, threats to future generations of mankind and to eco-systems and wildlife habitats; we examine these three phases of development in more detail.

The Limits to Growth

In 1968 a group of European scientists, the Club of Rome, undertook a project on "The Predicament of Mankind". (Meadows et.al) which characterised the early phase of environmentalism. Working from the Massachusetts Institute of

Technology the group constructed a computer model demonstrating that the basic behaviour mode of the world's system is exponential growth of population and capital, followed by collapse. It showed that if the growth trends in population, industrialisation, food production and resource depletion continued unchanged, the limits to growth on this planet would be reached sometime within the next 100 years. The most probable result predicted, would be a rather sudden and uncontrollable decline in both population and industrial capacity. (Ibid) The only alternative model they could propose was one which was characterised by a state of global equilibrium where population and capital were essentially stable, with the forces tending to increase or decrease them in a carefully controlled balance. The team recognised that achieving a self imposed limitation to growth would require much effort. Population had to be stabilised by setting the birth rate equal to the death rate. Industrial capital had to be stabilised by setting the investment rate equal to the depreciation rate. Resource consumption per unit of industrial output had to be reduced to, say, one quarter of its then current value. Pollution generation per unit of industrial and agricultural output had to be reduced and capital diverted to food production, to soil enrichment and to preservation methods.

For the United Kingdom, the Club of Rome's prescription would appear harsh, but for underdeveloped Third World countries subject to famine and failing agriculture, a real offer of salvation. Their report points out: "taking no action to solve

these problems is equivalent to taking strong action. Every day of continued exponential growth brings the world's system closer to the ultimate limits of that growth."

The worldwide coverage of this report stimulated debates on the environment in most countries of the world, and heralded the growth of numerous pressure groups among those concerned for the protection of our ecological heritage.

Development and Conservation: A National Agenda

In the UK at least, the second phase of development of the environmental lobby turned to an emphasis on the protection of amenity, of wildlife habitats and local communities, the debate continuing firmly in the development versus conservation arena. In the Wilson and Heath years, increasingly Government Departments, public corporations, local authorities and nationalised industries were managing or supervising physical resources on a hitherto unprecedented scale. (Gregory 1971 page xvi) (op.cit).

Not many important decisions in this field were made that were not first sanctioned or set in motion by public bodies under political control, and the issues emerged more clearly in the policy communities around Westminster and Whitehall.

In June 1966 Harold Wilson set up a Cabinet Committee on the Environment in an attempt to co-ordinate the Ministries of

Transport, Housing and the Department of Economic Affairs (DEA).
(Crossman 1977 Volume 1)

In 1969 Anthony Crosland was appointed to be the first "environmental overlord" with responsibilities for co-ordinating the work of other ministers - housing, planning and transport. In his speech to that year's Labour Party Conference the Prime Minister talked of new problems "moving to the centre of the political stage." (Wilson 1974) His theme was of a twofold task: the removing of the scars of the industrial revolution and the prevention of new kinds of dereliction in the technological revolution to come. He concludes that: "The doctrine of changing priorities, the doctrine that new occasions mean new duties, above all the doctrine of environmental priority, had for the first time been put in a major way on the political agenda." (Ibid). Crosland was asked to go urgently into questions of environmental pollution in all its forms and to make proposals on how this should be dealt with including "any changes required in the machinery of government or the law". (Johnson 1973)

There followed a White Paper on Environmental Pollution and a standing Royal Commission to advise on matters of both national and international concern and on the future possibilities of danger to the environment. The Select Committee on Science and Technology published its own report on the work of the Natural Environment Research Council (HC 400 1968/9). This generated the first debate of its kind on the floor of the House of Commons which, in the event, ranged over a number of concerns about

wildlife, the pollution of beaches, and the damaging effects of industrial noise levels.

The progress of the issue was further assisted by an impressive series of Reith lectures by Doctor Frank Fraser Darling, on the theme "Wilderness and Plenty" which themselves generated considerable press comment. (Darling 1969) At the same moment Lord Kennett, then an Under-Secretary at the Ministry of Housing produced a Fabian pamphlet in which he argued: "there is virtually no form of environmental pollution that we do not know how to control. It is just a question of economics." His case reached to the very centre of the issue: how much prosperity and for whom shall be sacrificed for how much environmental purity, and for whom? (Kennett 1969)

Following a particularly disastrous pollution incident when the Torrey Canyon oil tanker went aground, polluting many beaches in the West of England 1970 became the European Conservation Year and following the 1970 General Election the incoming Government created a new Department of the Environment unifying a number of Government functions under a Secretary of State. The Department was to be responsible for the construction industries, for the housing programme and transport development including public programmes of support and development, the preservation of amenity, protection of the coast and countryside, the preservation of historic towns and monuments and the control of air, water and noise pollution. All of these issues were to be pursued locally, regionally and nationally with in some cases an

international perspective. (Johnson op.cit)

Thus in this second phase of its progress to legitimacy the environment debate was placed firmly within the political and administrative framework of national government. But it was very much a peripheral concern compared with the large-scale public spending programmes in housing, roads and other areas. As is shown in Painter's account of the formation of the new Department, the Conservative government's emphasis was on management rationality (Painter 1980). If the Wilsonian ideal had been better co-ordination of policy through departmental integration of closely-related functional responsibilities, the new regime emphasised a belief that economic techniques of policy analysis would provide answers to important questions; that the reform of Whitehall was a top priority and that central government had a key progressive role to play in national growth.

The White Paper setting up the DoE (Cmnd 4506) contained repeated references to concepts such as strategy, objectives, policy planning, output budgetting and central capability. As Painter emphasises, conventional notions of functional departmental organisation were given a new twist, and synoptic co-ordination rather than departmental specialisation is stressed as an organisational principle. In such a decentralised system, sub-units enjoy more autonomy to settle their own differences; bargaining and similar forms of interaction become prominent in seeking co-ordination rather in the manner of Lindblom's idea of

partisan mutual adjustment.

In this atmosphere of efficiency and management rationality it is not clear that the conservationist voice was ever heard clearly or with consistency; the corporatist nature of much economic activity and publicly promoted enterprise meant setting specific targets such as 3500 miles of new motorway by 1981, a 32.1% increase in housing expenditures in 1973/4 and a further 35.7% in the following year. (Cmnd 4578 and 4829). All this went to frame a 'coherent programme structure', in which assumptions and objectives underlying the programmes and policies of individual directorates were related to each other and the Department's objectives. (Draper 1977)

Thus in the conflict between development and amenity, the voice of the latter was either not present at all or was confined to sporadic, localised episodes, which militated against any coherent, strategic set of principles within which a balance of public interest could be struck.

Pollution, Ecology and the Policy Context

The introduction of a new system of select committees, monitoring departments of state co-incided with the Conservative Government of Mrs. Thatcher in 1979 and it is since that time that the third and current phase of the debate has emerged. By the 1980's, the long-term dangers of chemical pollution, of acid rain and of radio-active waste were becoming clearer. Threats to forests and

lakes, to wildlife on land and in the seas, were matched by the fears of unknown genetic harm from nuclear fuels and irradiation.

But the political environment itself was changing dramatically too; the advent of the 1979 Conservative government, in the eyes of many commentators has marked a watershed in British social and economic policy. It has established an ideological stress on 'the freedom of the individual, the benefits of both market forces and entrepreneurship, the role of law and the perils of bureaucratic controls' (Sorensen and Day 1981).

The role of the market has been strengthened by deregulation, privatisation and curbing the power of the unions.

Mrs. Thatcher's priorities for state action have been to remove the obstacles to enterprise, to relieve the burden of public expenditure; a strong state linked to a free market.

Yet there are indications that a degree of continuity and transition mitigate the picture of revolutionary change. The need to defeat high inflation, to cope with recession and inherited situations like the decay of the inner cities has led to what Blowers detects as a degree of inhibition, ensuring a mixture of ideological transformation and policy transition which has been particularly evident in the environmental policy areas. (Blowers 1987)

Blowers suggests that the impact of Thatcherite ideology has also

provoked a reaction leading to less radical rhetoric in the second administration; resistance to change in education and health services and the failure of the first attempt to privatise the water industry are, he suggests, examples of the restraints on radical policy change. (Ibid)

It is possible to detect all of these various strands in the area of environmental policy; ideologically there has been transformation marked by an emphasis on markets and deregulation, rather than notions of the public interest. But in the formation of policy there is evidence of continuity, of transition and response to circumstance.

Indeed an examination of the issues investigated by select committees (see below) suggests that there is not really an environmental policy at all; there are a lot of conflicting policies which have differing objectives, some of them in opposition to each other and some others working against the protection of the environment. It is argued that one of the values of investigative and inquisitional work in committee has been an ability to expose just such contradictions.

We need now to examine both the nature of the emerging issues in this latest phase of environmental debate and the degree to which developing Government ideologies shape the outcomes.

Environmental policy may be described as having three main functional areas; that of development, of conservation and of ecology. Ideological strands have been dominant in the first of

these with policy directed firmly towards deregulation. In the 1985 white paper 'Lifting the Burden' the direction of policy is made explicit: 'Too many people in central and local government spend too much time regulating the activities of others. (The Planning System) imposes costs on the economy and constraints on enterprise that are not always justified by any real public benefit....' (Cmnd 9571). This document goes on to argue for greater efficiency and for a presumption in favour of development, reiterating the case articulated in a speech by the Secretary of State to the Royal Town Planning Institute in which he urged land use planners to act with resolve to 'create some of the preconditions and remove some of the constraints to the recreation of the economic base.' (Heseltine 1981)

The case was echoed again in another white paper 'Building Business not Barriers', announcing a reduction in controls, simpler procedures and 'a positive approach to development.' (Cmnd 9794) Positive measures included the repeal of the Community Land Act, the circulars on Land for Housing and Green Belts, discussed below and the creation of enterprise zones.

The introduction of simplified planning zones in the Housing and Planning Act of 1986 gave impetus to what some commentators have described as a general shift towards a laissez faire philosophy wherein government intervention is reduced to a minimum. (Botham and Lloyd 1983) In these and numerous other policy statements and in legislation the thrust of government action has been to bolster the statement in circular 9/80 that 'the availability of

land should not be a constraint on the ability of housebuilders to meet the demand for home ownership.' (DoE 1980)

Thus in the area of development, ideology has been most evident and ideas of market freedom have been converted to physical form. It has been left largely to the activities of select committees and backbench members to give a platform to those other powerful and articulate voices who retain a stake in environmental amenity and still provide a formidable obstacle to the freedom of the developer.

Conservation however has been an area of policy in which a more transitional approach to policy is evident. Increasingly, international pressure, especially from the European Community has forced a mode of compromise and balance, an attempt to mollify public opinion in a pragmatic concern to satisfy those substantial interests on which Government relies for support. The farming industry which had, for thirty years, been characterised by growth, increased efficiency and state subsidy, had according to the DoE increased the amount of land devoted to crops by one third, with a consequent loss of grassland, removal of hedgerows and draining of marshes. The destruction of wildlife habitats included 90% of flower meadows, 40% of lowland heath and between 30% and 50% of ancient woodland since 1949 (NCC 1984).

The growing resentment of conservationists, and in recent years the over-production of cereals and foodstuffs within the EEC led

the government in its second term of office, to make more efforts to reconcile the apparently conflicting interests of development and conservation. In a letter to Tory MPs in Southern rural constituencies in July 1985, the Prime Minister wrote: 'it is quite wrong to regard these two policy aims - conservation and growth - as irreconcilable.' Policy statements began to say that great importance is attached to conservation: "The Government is equally concerned to protect and enhance the environment in town and country, to preserve our heritage of historic buildings and rural landscape, to conserve good agricultural land and maintain the green belts." (Cmnd 9571)

Through the activity of the Environment Select Committee discussed later in this thesis a damaging loophole in the Wildlife and Countryside Act was closed, providing greater protection for sites of special scientific interest (SSSIs), from farmer landowners. By circular 4/83 financial compensation was granted to farmers who had been refused improvement grants on conservation grounds.

By 1987 ministers were arguing for policies to encourage alternative uses of farmland. The Secretary of State for Agriculture duly announced programmes for planting of mixed woodlands and other forestry, the creation of nine specially designated locations of environmentally sensitive areas which included the Norfolk Broads, the Dales and the Somerset Levels where encouragement would be given to landowners to secure conservation, and enhance the natural habitats.

A draft circular in February 1987 sought the diversification of the rural economy to create wider employment opportunities (DoE 1987). Its aim was to shift the balance from the encouragement of agricultural productivity and to give 'full weight to environmental and economic implications of rural development', but stating that there was no intention to open up the countryside to uncontrolled development.

Nevertheless the draft circular raised sufficiently hostile reactions to ensure that the substantive circular issued in May 1987 was significantly modified. (DoE 1987)

Blowers argues that these policy initiatives represent an awkward compromise, seeking to reconcile tensions between economic and environmental interests within the Conservative Party and on the government benches. (Blowers op.cit.) The modification of the departmental circular was only one example of the need to appease environmental ministers and to placate the farming lobby. He describes the outcome as pleasing no-one: housbuilders felt unduly constrained; farmers saw it as an inadequate response to rural decline; conservationists as a recipe for 'conifers and concrete'. Thus we may agree that whereas policies for development have been substantially motivated by an ideological obsession with the virtues of the marketplace, those for conservation have been modified and transitional where a pragmatic concern to meet those interests on which government relies for support is perceived.

Environment: The International Dimension

The third and current phase of the environment debate has emerged with the recognition that not only has technological change increased the dangers to life and ecology from hazardous wastes and polluting processes, but also that international concern about trans-boundary pollution brings a new kind of pressure for control. EEC directives constrain the Government's freedom of action and inhibit ideological transformation of policy in a new way, linking both national and international pressure for tighter controls. As will be seen below, many of these battles have been fought on the committee floors and select committees have not hesitated to summon witnesses from foreign governments and scientific communities in Europe. (HC 51 1985/6) It is the international nature of this phase of environmental concern and in particular the role of the European Economic Community which has produced prevarication and uncertainty in the policy machine of Westminster and Whitehall, muting the ideological thrust and rendering even the direction of transition somewhat less than clear.

These issues have centred particularly on the ravages of chemical pollution via acid rain from vehicle fuels and power stations, the inability to find an acceptable means of storing radio-active waste, and the dangers to health of polluted beaches, rivers and estuaries. Dumping at sea, policies for unleaded petrol and the future of the nuclear power generation industry are recurring

themes which have been given dramatic impetus by disastrous accidental incidents such as at Chernobyl, Bhopal and Three Mile Island.

Guidance from Europe

International and trans-boundary aspects of pollution have been a developing concern of the European Economic Community and it can be demonstrated that environmental policies in the EEC have themselves emerged in a series of stages since 1973. European environmental protection legislation is based on a European action programme on the environment adopted in 1973 which laid down a number of general principles for a European environmental policy. The stress on preventive measures and the principle of 'polluter pays' were fundamental to this programme.

The need for a community environment policy was proclaimed by the Heads of State or Government at their Paris summit in October 1972 and a first action programme drawn up by the Commission was adopted in 1973.

These ideas were updated and extended in a second programme dated from 1977 and a third action programme, with markedly different starting points from those of the first was introduced in 1983. These activities placed members of the Community under an obligation to introduce environmental considerations gradually

into the planning and implementation of all measures, including those in other sectors of the economy.

The prevention of environmental problems became the fundamental principle and criterion for the development of a rational environmental policy. (EEC 1987)

The measures accepted by the Council of Ministers include the development of an environmental awareness in other community policies, the carrying out of impact studies before decisions are taken, the prevention or reduction of atmospheric, water or soil pollution and nuisances. Later programmes have stressed the management of waste and dangerous chemical substances, the production of clean technologies and the development of cross frontier anti pollution co-operation.

However, since the EEC treaty does not state that environmental protection is an objective of the Community, the powers for legislating in these areas have had to be derived from other treaty provisions - especially articles 100 and 235. This presents a crucial disadvantage in that ministers must reach unanimous agreement in the case of all environmental proposals, a fact which has blunted the full impact of the European policies at national level. (Ibid) However Article 25 of the Single European Act will in due course limit the ability of member states to take unilateral decisions on Community directives.

Nevertheless the continuing long term provision of environmental directives and programmes dating from before British membership, does provide an effective imperative to local action and is an

increasingly important element in the debates of select committees, conservation pressure groups and industrial polluters.

For example in 1985 the Community adopted a Directive on Environmental Impact Assessment which requires the inter-relationships between major developments and environmental consequences to be identified. Environmental assessments must be provided by developers for large projects such as oil refineries, asbestos-making plants, power stations, large chemical production plants, important transportation projects, ports and toxic waste disposal facilities. (DoE 1986(a))

In a wide range of other activity under the Directive the assessment is left to the discretion of individual countries, including projects for agriculture, mining and energy. Assessments under this directive must include the effects on humans, flora and fauna, soils, water, air and climate. They must measure the effect on landscape and material assets and set out the measures proposed to prevent or reduce adverse ecological or environmental damage.

More specific EEC directives such as Directives 85/337; 70/220 and 88/76; also Com(88) 71 cover a wide range of issues such as water quality, waste disposal, air pollution, noise and wildlife protection, most of which, though not yet mandatory, will begin to influence national legislation and already figure prominently in the arguments of many of the select committee reports

discussed below. (Haigh 1984).

Faced with these pressures, Government policy emerges as a series of responses, ranging from procrastination and outright obstruction, to speedy response, but without any impression of co-ordinated policy direction. (Pearce 1987). For example the UK argued for tighter controls on lead in petrol but has resisted measures for the clean-up of bathing beaches and the banning of certain toxic chemicals in pesticides and herbicides. (Pearce Ibid) It has introduced tighter planning controls (circ. 9/84) and announced plans for a unified Inspectorate of Pollution. But its refusal to impose tighter control over power station emissions in an acceptable timescale has provoked major disagreement between the European Commission and the British Government, concerning the trans-boundary pollution by acid rain, and has been the subject of perhaps the most powerful Select Committee report of the second Conservative administration (1983/7) and is discussed at length below. (HC 446. 1984/4)

Conclusion

What kind of comprehensive picture then, emerges? Some commentators argue that environmental policy under three successive Conservative governments has been narrowly focussed

and selective, designed to appeal to partisan interests mainly located in Southern, suburban and rural England (Blowers 1987). But it is possible to respond that as the various EEC directives are implemented so there will be a transformation of British policy away from pragmatic regulation to environmental quality objectives and standards. Policies for environmental control, endorsed at the international level will severely reduce the ability of national governments to pursue independent environmental policies.

In Britain, the ideology which has proclaimed the virtues of the market has, conversely, produced a debate on the need to preserve the heritage; the very stridency of the argument for free markets has produced a reaction in favour of constraint. We may say that the overall effect of the Thatcher government's approach to the environment has been to nurture that debate to the point where the environment is now a significant issue in national politics, with a permanent place on the agenda and attended by a substantial and widening policy community.

Against this background of policy development we move now to an examination of the way in which environmental problems have emerged within the select committee system, and how committees have dealt with them in their monitoring of government and departmental performance. The next part of the thesis takes the ten major committee reports produced in the second Conservative administration of Mrs. Thatcher's premiership for 1983/87, all dealing with the evolving environmental issues discussed above,

and seeks to understand how the interests involved and the committees themselves have been instrumental in the evolution of policy.

CHAPTER NINE

SELECT COMMITTEES AND ENVIRONMENTAL ISSUES: 1983/7

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Introduction

Throughout the parliamentary sessions from 1983 to 1987 there is a consistent thread of work by backbench MPs in a number of select committees touching upon policies for the protection of the environment, the prevention of pollution and preservation of historic heritage and the natural habitat; a range of topics which might loosely be called "environmental issues".

It is an area of public policy which is at once highly scientific and technical in content, profoundly bound up with modern industrial processes and at the same time attracting a passionate interest from a small but articulate and largely middle class community of pressure groups.

Equally many of the issues have important implications for industrial and commercial interests. The deleterious effects of acid rain, the disposal of toxic wastes and radioactive waste by-products are matters which have a direct effect on the costs of manufacturing processes. They attract powerful voices to the debate.

The Government's approach to the green belt and the release of land for housing is of vital concern to the builders and developers whose own organised interest representation reaches to

the centre of power and influence.

A New Platform For Debate

That a number of departmental select committees have launched enquiries in this general policy area has produced a new and potentially expanding arena in which these conflicting interests can fight their case and bid for the ear of Parliament and the policy establishment.

The resulting series of select committee reports and the Government replies range over a wide field and have produced both administrative and substantive changes in policy, positive responses within Ministries, debates in the House and on the whole, in the view of many commentators, a collaborative and progressive advance in the public interest. The next nine Chapters will examine the extent of the trend in particular cases and the way in which select committees have dealt with the evidence before them and the Government's response to their recommendations.

The work in this field has been mainly in the Environment Committee, the Trade and Industry Committee and the Committees on Welsh and Scottish affairs in the case of regional issues. In all more than a dozen major enquiries have been undertaken and have resulted in responses either by way of special reports or command papers. (See table three) In some cases formal debates in the House have been staged in addition to adjournment debates

prompted by back benchers.

That there has been such a constructive relationship with Government on these issues is perhaps mainly due to a wish to avoid the kind of controversial political issue which would be likely to bring committee and department into conflict. The decision to avoid controversy was explicit. The Environment Chairman, Sir Hugh Rossi has explained:- ".....we decided, as an act of conscious policy, not to become involved in topics which are the subject of major political controversy or which are likely to be debated fully on the floor of the House in any event. Instead we decided to identify and concentrate on areas of public concern where the political parties had not defined their attitudes and in which it appeared that Ministers had not much time to investigate in depth for themselves." (Rossi 1987)

Sir Hugh persuaded the members of the Environment Committee that in this way they would enhance their prospects of producing unanimous all-party reports which would thereby carry conviction and influence the decision-making processes. It was this approach which led the Committee in their major enquiries in this period, into the previously somewhat neglected broader environmental issues.

The House of Commons Liaison Committee which is made up of the Chairmen of all departmental select committees reported to the House on the way in which the system was operating, in April 1985 (HC363-84/5). This document contained brief summaries from the

Chairman of each select committee and it is clear that not all took the same view as Sir Hugh Rossi. In the first five years of the new committee system some 275 reports were produced but only on four occasions were reports debated on substantive motions in the House. Many others were touched upon in the course of normal parliamentary business, and there were numerous occasions on which committee reports provided useful background or were mentioned in matters before the House. The Chairman of the Liaison Committee complains that the debating time allotted in the House by the Government's business managers is too modest. (Ibid)

This overall picture contrasts markedly with the performance of the Environment Committee. Sir Hugh believes that his policy of 'non-confrontation' has been justified by the results both during that period and subsequently:- "Two government circulars on planning have been issued taking the recommendations of our first report fully into account. Each of our next three reports was debated separately on the floor of the house evoking positive government responses and consequential action. Our fifth report in the period was implemented in a Private Members bill supported by the Government, all but one clause of which was based upon our recommendations." (Ibid)

The chosen subjects of the Environment Committee, although possibly not controversial in a party political sense, were certainly matters of vigorous debate in the Whitehall policy community, among affected interest groups and local authorities.

For example the first report in session 1983/4 entitled "Green Belt and Land for Housing" (HC275-83/4) was sparked by the issuing of two draft circulars on these subjects from the DoE in the summer and autumn of 1983 which were subsequently withdrawn amidst much controversy between planners, conservationists and developers, with particular reference to inner cities. The committee decided to assist in the consultation process started by the department and to play a major role in the taking and sifting through of evidence from interested parties.

Over a three month period the Committee saw 23 separate groups of witnesses and received over a hundred written memoranda. It is clear that the substantive circulars subsequently issued by the DoE had been redrafted in the light of the committee's recommendations. (DoE 1984)

Equally positive results flowed from the committee's report on the effects of acid rain (HC446-83/4), on the operation of Part II of the Wildlife and Countryside Act 1981 (HC6-84/5) and on further reports dealing with radioactive waste, planning appeals, pollution of rivers and estuaries and the care of ancient monuments, which were produced in subsequent sessions of parliament.

It remains true that despite this series of Committee reports, highlighting environmental problems, the whole subject of environmental conservation and the dangers of pollution remained

during the second Thatcher Parliament a marginal issue of limited concern. However early in the following parliament, the whole complex of pollution issues and ecological threat exploded on to the political scene in a major way; "Green" politics became a theme at the top of party agenda throughout British political life. This phenomenon, and the role of select committees in it, are examined in Part Four of this thesis.

Meanwhile these reports together with others from the Welsh Affairs Committee and the Committee for Trade and Industry will be examined in detail in the following pages of this thesis. (See Table 3).

Table Three

Sel. Cttee	Subject of Report	Sessional No. and HC. No.	Reply by Gov't	Comments Cttee References
Env	Green Belt/Land for Housing	1st 83/4	HC 275	HC 635 83/4 Circ 14/85 15/85 Hansard Vol 63 No 185 Col 161/2
Env	Acid Rain)	4th 83/4	HC 446 Vol I/II	Cmd 9397 Hansard Jan 11 1985
Env	Acid Rain (follow-up))	1st Spec 85/6	HC 51	-
T&I	The Wealth of Waste	4th 83/4	HC 640	HC 321 84/5
Env	Wildlife and Countryside Act Pt. 2	1st 84/5	HC 6 I/II	Cmd 9522 See: First Report of the Liaison Cttee 84/5 (HC 363)
Wel	Coastal Pollution in Wales	1st 85/6	HC 101	HC 401 85/6
Env	Radioactive Waste	1st 85/6	HC 191 HC 211	Cmd 9852 Debate on Press Leak
Env	Planning: Appeals Public Enquiries & "Call-ins"	5th 85/6	HC 181	Cm. 43
Env	Pollution of Rivers and Estuaries	3rd 86/7	HC 183	HC 543 87/8
Env	Historic Buildings and Ancient Monuments	1st 86/7	HC 146	HC 268 87/8
Env	Caravan Sites Act 1968	3rd 84/5	HC 414	See the "Wibberley Report". DoE 1986

CHAPTER TEN

GREEN BELT AND LAND FOR HOUSING

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The complex relationship between central and local government is often regulated and modified by the issue of departmental circulars which can be both directive and advisory. Ministerial circulars, like codes of guidance and consultative documents form part of a complex battery of 'secondary' legislation which can in some circumstances carry the force of common law. (Rhodes 1981) Incremental changes of policy by administrative action frequently occur in this way and the extent of this development is emphasised by the practice of some ministers of issuing draft circulars for comment before enshrining their new proposal in the substantive document.

Such an occasion was the issue by the Department of Environment in 1983 of draft circulars on green belt policy and land for housing which attracted the critical attention of the Environment Select Committee as a result of the widespread debate which ensued. (DoE 1983) Indeed, the discussion generated was described as 'hysterical' by one commentator. (RTPI 1984)

The paragraphs on structure and local plans were unexceptional but three paragraphs dealing with guidance on green belt policy caused very considerable concern within the policy community. Some commentators thought them remarkable for their poor timing and political ineptitude. (Hall 1983 Dobson 1983) On the one hand the circular repeated phrases from earlier circulars (MHLG

1955) reaffirming that "the essential characteristics of green belts is their permanence, and their protection should be long term", and that "there must continue to be a general presumption against any inappropriate development within them."

On the other hand these assertions of support are followed by a list of circumstances in which the green belts could in fact be made rather unpermanent: "broad areas of green belt in structure plans should be altered only exceptionally", and "the inner boundaries of green belts should be carefully drawn so as not to include land which it is unnecessary to keep permanently open for the purpose of the green belt."

A 'Times' leader put the issue succinctly:-

"There is a case for revision of green belt boundaries; considerable tracts of land are neither green (that is, used for agricultural or accessible open space) nor much of a worthwhile girdle." (The Times 8th August, 1983)

Why, asked local authorities if there is no change of policy, is it necessary to issue a new circular? (Cheshire CC 1983) The green belt circular was issued shortly after the distribution for consultation of the draft circular 'Land for Housing', and the announcement by the Volume House Builders consortium of proposals for 12 - 15 villages in the South East, of between 5,000 and 7,000 houses each, of which four or five were proposed for green belt sites. In these circumstances it was clear that the

minister had in mind some relaxation of existing policy.

The Secretary of State took the opportunity of a speech to the Town and Country Planning Association's summer school in 1983 to attempt to put the draft circulars in context. He said:-

"I am as committed as any of my predecessors to preserving a strong, clear green belt policy. The essential characteristic of green belts is their permanence and their protection should be long term, but, the growth of green belts creates its own problems. In the last eight years, and mainly since 1979, the London green belt has increased by 45% and is about three times bigger than London itself!

"What the draft circular is primarily about is how the green belt policies that are incorporated in very broad terms in approved structure plans are translated into the detailed boundaries of local plans.

"What it says is that in drawing these detailed green belt boundaries they must not be pulled so tightly that there is virtually no room left for development in the future. As our society changes so the planning system must change too in order to retain the confidence on which it depends. Changes in industry, in population and in public attitudes require a response from a planning system." (Jenkin 1983)

Both circulars were issued during the parliamentary recess,

adding to the speculation and debate by local authorities, constituency parties and Shire County Members of Parliament.

The circulars repeat the basic objectives of all green belt land which were set out in Circular 42/55. They are:

- a) To check the further growth of a large built up area.
- b) To prevent neighbouring towns from merging into one another.
- c) To preserve the special character of a town.

But changes in economic conditions and in the movement of populations have meant a reduction in projected population growth, a substantial reduction in public sector funds available for major growth points and a new emphasis on inner city redevelopment as opposed to outward movement. (Dobson 1983)

This attitude is embodied in structure plans and in proposals for the regeneration of inner city areas. Hall (1983) points out that it had never been inherent in green belt policy that such land should either be beautiful or that it should be usable for recreation of any kind. Thus the fact that some of the inner edges of green belts are semi derelict or waste land has been irrelevant to whether or not such land is serving the green belt purpose.

This point is taken up by the Royal Town Planning Institute, in its evidence to the committee: "The RTPI strongly supports the

view that properly prepared structure plan green belt policies should only be altered exceptionally. It recognises, however, that the inner boundaries should be drawn carefully and that unnecessary restraint will be self defeating." (RTPI 1984)

The suspicion that the Secretary of State was seeking to advance a modification of green belt policy as part of a plan to regenerate the house construction industry in the South East led to widespread debate among planners, conservationists and local authorities and to the Select Committee on the Environment undertaking an enquiry in the spring of 1984. (HC 275 1983/4) It provides an example of select committee action in mediating between the pressure groups and industrial self interest groups, seeking an acceptable formula for policy advance and prioritising conflicting issues and interests. At the same time they challenge the Minister and his Department to explain an apparent piece of administrative policy making.

The Secretary of State had made clear, early in the argument, his concern for the regeneration of the economy and particularly for the house building industry. He said, in a speech to planners that it was necessary to face the fact that only a small minority of new housing would be built in the inner cities. "There isn't room for large scale development. Most new houses are going to have to be built elsewhere." (Jenkin Ibid) He stressed the Government's economic imperatives by pointing out that over a million people are employed in the construction industry and the increase in house buiding is one of "the brighter spots" in

the economy, he said: "This development must be helped positively by planning authorities." (Jenkin Ibid)

As the committee report makes clear, the planning system is an attempt to reconcile the irreconcilable. Demand for new development competes with the desire for conservation of the environment. (HC 275) Nowhere is this more true than in the housing field with, on the one side, house builders needing land situated in environments in which people will live and on the other, conservationists and existing residents usually strongly opposed to development on green field sites.

The planning system has to attempt to reconcile the two sides by protecting agricultural land, controlling urban sprawl, yet bringing forward sufficient land to match demand. Volume builders claim the system is failing them. (HC 275 - XII 1984) They have argued increasingly that it has become more difficult to obtain sufficient land that can be developed viably to meet what they perceive as the demands of the market. Land prices become more and more crucial a factor as the desire for home ownership expands through all levels of society.

The two draft circulars at the heart of the debate were produced to resolve these competing claims, but also to establish clear policy objectives: the draft circular on house building sets these out as follows:

a) Firstly the planning system must deliver an adequate and

sufficient supply of land suitable for new houses.

- b) Secondly full use must be made of sites within urban areas.
- c) Thirdly the planning system must provide for new undeveloped sites.
- d) Fourthly all these aims can best be achieved by local planning authorities and house builders working together.

Curiously, the select committee found both sides had welcomed the revised draft circulars; both builders and conservationists found solace in them and planning authorities expected little change in practice. The select committee members asked: Were the circulars all things to all people? Did each side see in the circulars what they wanted to see? If so, have they provided a framework which no-one genuinely understands and on which both sides would call in support? Members felt that the result might be a system of piecemeal planning by appeal and considered this an undesirable outcome. (Ibid)

The select committee took the view that the two circulars were essentially linked: to defend green belts there has to be sufficient land for housing available elsewhere - to promote urban housing there has to be defensible green belts. Members stressed three major questions throughout their investigation: Do the circulars provide defensible green belts; do they provide a framework within which sufficient land for housing can be

identified; do they promote urban regeneration to the maximum possible extent?

The committee investigation was concerned to resolve these conflicting interests and took the view that it was essential to do so in order that the main aims of policy could be maintained: i.e. the conservation of the natural environment, the improvement of housing standards and of the urban environment. It recognised that the land for housing circular attempted to encourage development in certain areas other than national parks and conservation areas whilst the green belt circular attempted to reinforce presumptions against development in certain areas.

The committee found that much of the pressure arises in those parts of the country where people want to live, work and enjoy the countryside. Green belts have been set up in most of these critical areas, in many of which are our major urban centres and some of our best agricultural land. The circulars divide these for planning purposes and the report therefore makes recommendations to make green belt boundaries sacrosanct, to ensure those boundaries are properly defined, to improve the appearance of designated land, to make sure green belts fulfill their major function of controlling and improving urban development. The committee's recommendations were designed to make planning authorities more responsive to demand, to remove artificial restraints on the planning process, to get builders and planners to co-operate and to maximise urban regeneration.

Evidence was taken from the Department of the Environment and from the Secretary of State, from local authorities, house builders, conservation organisations and academics. A wide range of pressure groups and other bodies submitted written evidence and the committee, having taken its first evidence in February 1984, published its report in May. (HC 275 1983/4) The report supports the Minister's view that a new circular was necessary especially in that structure plans had largely incorporated green belts as part of wider planning policies and hundreds of local plans were at that time in preparation to define local green belt boundaries. Thus, belatedly, the circular sets green belt policy into the context of structure and local plans, but also recognises the new emphasis on urban regeneration and the changed circumstances of the 1980s so that what had originally been conceived as a way of containing growth was now an essential tool in dealing with the problems of design. (DoE 1984(b)) The committee tabled 26 firm recommendations to Government urging the unequivocal establishment of the positive planning role of green belts and presumption against development together with a fourth objective for them - to assist urban regeneration. It was proposed that the longevity of green belts be expressed by the government as 'as far as can be seen ahead'.

The committee recommended that the condition of land should not be taken into account when drawing green belt boundaries and that such status should be given to pockets of open land between urban areas within conurbations. The government was urged to give greater emphasis to countryside enhancement, to create the

concept of countryside management, to stimulate local initiatives for the preservation of the green belt including additional funding, together with proposals for rationalising the appeal procedure.

In considering the draft circular on Land for Housing the committee urged a greater emphasis on planning guides at regional level and the need to ensure that when amenity land is under threat, an acceptable choice is available elsewhere. It went on to recommend a series of actions to encourage local government to assist in the disposal of land to developers, some modifications of the Derelict Land Grant procedure to assist private developers and generally to make the development process easier and the disposal of land more efficient.

The Government's response to the select committee report came in three parts. On the 4th July, 1984 the Secretary of State provided a written answer in the House of Commons to the first sixteen recommendations and revised the text of the draft circulars, largely adopting the comments of the select committee. These drafts were annexed to the Official Report and published on the day of the written answer. (Hansard 4th July, 1984)

The second part of the Department's response was contained in a letter and memorandum from the Secretary of State dated 24th July to the Chairman of the Select Committee and was subsequently published as the fifth special report from the committee. (HC 635 - 1983/4) This document dealt with the

remaining fourteen recommendations which are analysed below.

In addition, the Secretary of State announced three new initiatives as a result of the committee report. Firstly he set up an independent body, the Groundwork Foundation, to assist in the formation of local trusts to support green belt policies; secondly he announced proposals for monitoring changes in land use and also to commission consultants to examine methods of surveying the stock of existing land uses as the committee had suggested. Thirdly he announced a review of the Derelict Land Grant procedures. (Jenkin 1984)

Of twenty six specific recommendations (see Appendix 1, page 1) fifteen were accepted by government and significant amendments were made to the text of draft circulars subsequently issued as substantive advice. Seven recommendations were rejected dealing with appeal procedures and the award of costs, and with the disbursement of Derelict Land Grants which the committee had suggested should be 'demand-led'. The committee had also recommended a greater use of urban development corporations, a suggestion which the Secretary of State declined to accept but it is interesting to note that the 1987 election manifesto of the Conservative Party proposed to institute a series of additional development corporations to deal with the problems of inner city redevelopment and this is perhaps an example of a select committee idea being rejected initially but finding its way on to the wider policy agenda in subsequent years.

Four of the committee's recommendations, although not accepted immediately were to be the subject of further review by the Government, dealing mainly with administrative and procedural issues which the committee had suggested were inhibiting swift development and land disposal. (HC 635 1983/4)

This select committee investigation demonstrated the committee essentially in the 'analysing' mode, pressing the minister to explain administrative instructions and advice, but at the same time mediating and explaining the controversial subject matter and providing a platform for conflicting interest groups. In this sense the committee undertook a valuable intervention in mediating between the interests of volume builders, planning authorities and environmental pressure groups.

The subject of review was essentially the administrative issues surrounding green belt and development policies and the range of inputs included witnesses from government departments, the Secretary of State, economic self interest groups, environmental pressure groups and local planning authorities. Expert independent advice came largely from academic sources. A total of 139 inputs to the committee's deliberations included, in addition to the evidence given by witnesses and replies to questions, memoranda, technical appendices and a substantial number of unpublished memoranda, letters and other documents. (See Table 4)

That both local authorities and the volume builders have a direct interest in the practical administration of green belt policy and the release of land for new housing development, was demonstrated by the volume of evidence which came from both sources, and as will be seen by the matrix analysis, they accounted for 62% of all inputs to the Committee investigation. (See fig. 7 and Table 4 below)

Committee: Environment		Topic: Green Belts and Land for Housing			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Analysis and /Mediator		Policy Implementation Monitoring & Control		Administrative	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
50	-	134	44	30	28
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
7	7½	4½	2	5	

However, the pressure groups, including those with some official functions in the preservation of the green belt achieved a high degree of influence in the shaping of the final recommendations to Parliament. The Secretary of State's decision in 1984, to issue new draft guidance had aroused concerns from all sides as to his intentions, and what we see in this example of select committee influence, is the mediation of conflicting interests, worked out in a detailed and functional way, bringing the legitimate concerns of both developers and preservationists, into a series of recommendations of which the large majority were acceptable to Government.

Table: 4
 Analysis of inputs and citations in the Select Committee
 report on Green Belts and Land for Housing
 (HC 275 Session 1983/4)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Exper
Witnesses Examined	12	-	32	11	6	10
Supporting Memoranda	3	-	10	4	4	3
Technical Appendices	1	-	5	2	2	1
Other Written Memoranda & unpublished evidence	0	-	24	-	3	6
Totals	16	-	71	17	15	20
Citations Count	34	-	63	27	15	8
Total inputs	50 17.5%	-	134 47.0%	44 15.5%	30 10.5%	28 9.5%

CHAPTER ELEVEN

ACID RAIN

*

More frequently than in earlier generations debates which begin in other countries and issues which are continental rather than national in character, are forced onto the policy agenda of the British Parliament. This is not simply due to British membership of the European Community but stems from many factors including advances in communications, the international nature of finance, trade, energy resources and economic interdependence.

Ecological and environmental matters are typically trans-national in character. The rise of 'green' politics and of pressure groups in defence of amenity have made pollution a matter of concern in parliaments across the world. The environmental lobby has grown in a generation from a series of fringe pressure groups to a central position in the policy communities in a wide range of governmental activity and capitalistic enterprise.

(Rivers 1974)

Such was the context for the Environmental Select Committee's interest in the problems and policies associated with acid rain; in 1983 advances in policy and collective action in a number of European nations were going on without the UK; Britain's contribution to continental eco-damage over a wide area of Scandinavia and Northern Europe was being quantified more precisely than before. (DoE 1984)

The Government's policy position was explicit: "Pollution is dealt with by political action, but is explained by science. Science is dynamic and the policies of the other Governments must evolve to meet new evidence. What is durable within this framework of change is the Government's overall policy: that action against pollution shall rest on the best scientific evidence, the best technical and economic analysis and the best possible assessment of priorities." (Cmnd 9397)

Having achieved, between 1970 and 1980, nearly 40% reduction in SO₂ emissions the Government's objective was to achieve another 30% "by the end of the 1990s", with similar reductions in NO_x by supporting stricter emission standards from petrol-engined cars and the encouragement of "lean-burn" engine technology. The DoE's stance however was to resist the pressure to install flue-gas desulphurisation plant (FGD) at power stations "whilst scientific knowledge is developing and environmental benefit remains uncertain". In support of this position the CEEB evidence was concerned with pricing policies and the effect on both domestic and industrial consumers of the £1.5 billion which an FGD approach would entail.

The Committee's decision to mount an investigation was set against the proposition by other European countries that by its stated policy position Britain was not playing its part in fighting the phenomenon (FoE 1984). Nevertheless the select committee's original stance was of neutral enquiry:-

"We commenced our enquiry with open minds. We are now convinced, and by our report hope to show, that immediate and hard financial decisions have to be taken as time is running out. Simply to plead for more research into cause and effect is but to procrastinate. Enough is now known to justify the development and application of technology for removing the causes of effects now abundantly apparent." (Rossi 1985(b))

Witnesses confirmed that acid rain is, in the view of an international grouping of environmental activists, one of the major environmental hazards faced by the industrialised world. What it is and what it does are imperfectly understood, and as a consequence there exists a reluctance to take action; a view which the committee and the pressure groups which gave evidence to the enquiry, found hard to accept. (HC.446-II).

The term 'acid rain' was first used in 1872 to describe the atmospheric chemical processes whereby sulphur dioxide, emitted when coal is burnt, falls as sulphuric acid in rain. Today it is used to describe acid deposition, wet, dry and occult - i.e. mists and fog - caused by a number of pollutants emitted when fossil fuels are burned. The term is both graphic and evocative, thereby readily lending itself to the dynamics of political controversy.

The Committee faced constant difficulty with technical witnesses in the use of the term and used it in their report in the widest

possible sense to cover the consequences to water life, the forests, buildings and human health of the chemical changes in the atmosphere produced by emissions from combusted fossil fuels. These emissions may be sulphur dioxide (SO₂), nitrogen oxides (NO_x) or hydro carbons. Their major products are sulphuric and nitric acids, nitrogen dioxide and also ozone.

Prior to the committee's report the British Government, in virtually every parliamentary answer to questions seeking controls, and in response to demands that it should join the '30% club' (that is, countries committed by a Protocol to a 30% reduction in their SO₂ emissions between 1980 and 1993), have stood upon the fact that the United Kingdom's emissions of SO₂ have fallen 37% since 1970, considerably closing the gap between the UK and other countries. However, in 1970 the country was and still is to date, the largest producer of SO₂ in Western Europe. (DoE op.cit)

The committee established during its enquiry that the Central Electricity Generating Board (CEGB), despite its being the major burner of fossil fuels in this country has made virtually no reduction in its SO₂ emissions. By following a tall stacks policy the CEGB has lessened the acid deposition falling near to power stations but has caused it to be transported over long distances. Thus the committee assumed, increasing the amount of depositions falling in rural areas and even in areas as remote as Scandinavia. Many such areas were shown in evidence, to have been more ecologically sensitive where persistent levels of acid

rain can have the worst effects. (CEGB 1984)

Expert witnesses told members that Britain is the principal foreign depositer of SO₂ in Scandinavia. By 1990 the biggest single polluter of Swedish forests and lakes - even if we join the 30% club - will be the United Kingdom. We already deposit 50% more than any other country in Norway. It remains the case that in Western Europe only West Germany exports more SO₂ which is deposited in other countries than the United Kingdom.

(Warren Spring 1984)

In its report to Parliament the thrust of the Committee's argument was that by implementing the EEC draft directive (Com [83]704) to reduce SO₂ emissions by 60% between 1980 and 1995, the government now has an opportunity to reverse this state of affairs, and take as positive a step as it did on reducing lead in petrol.

The Select Committee investigation led to the conclusion that NO_x emissions are largely from the CEGB (55%) and motor cars are major emitters of both NO_x and hydro carbons. Their conclusion was that no significant steps have been taken to control NO_x and no reductions of significance in NO_x emission have been recorded in the United Kingdom. The EEC draft directive requires a reduction in these emissions of 40% by 1995. The committee enquiry covered 10 full days of evidence from experts and representatives of major energy producers, industrial interests and both official and unofficial organisations concerned with

the protection of the environment. The Minister of State at the Department of Environment was also summoned to the Committee. In addition there were detailed memoranda submitted by all those giving evidence and a further 85 pieces of separate written evidence from individuals, experts, companies, professional institutions and international organisations with an interest in the topic. These ranged from the British Lichen Society and the Japanese Ambassador on the one hand to the Department of Trade and Industry and the Commission of the European Communities on the other.

The Committee found among witnesses a deep seated lack of understanding of the complex chemical processes by which the products of fossil fuel emissions cause damage and also a relative lack of public awareness of the problem. By contrast in West Germany there is widespread concern over forest damage, in Scandinavia over fish-kills in rivers and lakes all on an extensive scale. It emerged from the enquiry that environments similar to those affected in Scandinavia exist in parts of the United Kingdom but so far only very limited damage has been observed. A dominant feature of the debate before the committee was the demand by some interests in the UK for the proof of the existence of a complete causal chain between emitted pollutant, their derivatives and the observed damage caused. This lack of proof was used by the Minister and the CEGB as the best reason not for undertaking action but rather, for instituting further research - a line of argument with which the Committee was reluctant to concur. (Forestry Commission 1984)

Other scientists independent of any manufacturing or industrial interests were convinced that scientific work had advanced far enough for decisions to be taken. They told the committee that like the issue of lead in petrol it had become a matter 'of public political will, something will have to be done'. The same witnesses told members that there is sufficient evidence on which action should be taken - and various forms of action. These views were endorsed by scientists from abroad and in particular by both Swedish and German Government scientists involved in the problems in those countries. (Rossi op.cit)

In the course of the enquiry members visited West Germany, Sweden, Norway, Scotland and the Lake District as well as the Central Electricity Research Laboratory at Leatherhead. Discussions encompassed Ministers, civil servants, scientists, farmers and those with first hand evidence of acid rain damage. The Committee was advised by scientists from the University of Leeds and Imperial College London.

The report deals firstly with the environmental impact of acid rain and examines in sequence, damage caused to buildings, to lakes, rivers and freshwater life, to trees and plants and damage to materials. Other evidence concerns visibility degradation and the threats to health of acid rain pollution.

The investigation then turned to an examination of the polluters and those who suffered from them, with evidence by industrialists

and engineers on the scope for emission controls and the costs of the technology required to impose them.

The report arrives at a series of conclusions on each of these aspects of acid rain pollution; firstly that it is beyond doubt that acid rain, due mainly to SO₂ emissions is damaging British buildings and "slowly but surely dissolving our historic heritage." Secondly and despite complex natural and chemical interaction in regard to fish and freshwater life that a substantial reduction in SO₂ and NO_x emissions is needed to safeguard the diversity and richness of freshwater life in this country.

Evidence from witnesses suggested that mosses and lichens were susceptible to acid deposition and the committee concluded too, that there was sufficient evidence that crops and other plant species were damaged enough to cause considerable concern. They recommended that a reduction in SO₂ and NO_x emissions would achieve environmental and ecological benefits. Members arrived at similar conclusions in regard to the corrosion of metals and the degradation of visibility, leading them to urge further research in these areas. (Rossi op.cit)

In regard to human health and despite evidence of increased mercury levels in fish, threats to water supplies and a suggestion of damage to respiratory functions, the enquiry concludes that there was an almost total absence of research which they deprecated and sought a commitment from government

that research would be commissioned and would take into account evidence from Swedish, German and US sources with a view to establishing whether risks exist to human health in this country.

Government witnesses did not disagree that the United Kingdom is the largest single emitter of SO₂ in the whole of Europe with the exception of the Soviet Union, despite the fact that UK figures have reduced by 37% between 1979 and 1984. Projections by the Department of Energy suggested that in the decade 1980-1990 this country's emissions would fall by less than 5% whilst Germany's would fall by 60% and many other West European countries by 30%. Indeed, the Department of Energy estimated that it was possible, with industrial growth, that emissions might actually rise.

(DoE op.cit)

80% of the sulphur deposited in this country is from internal emissions and 28% of our emissions end up in other countries, principally Scandinavia; in quantity terms the UK is second only to West Germany in the amount of sulphur it deposits in other countries. A similar picture emerged for NO_x which, according to the Warren Spring Laboratory, in its evidence to the committee contributes one third of acid rain falling in Scandinavia. The Department of Energy's projection was that NO_x emissions in the UK would rise by 10% by the year 2010. (op.cit)

Whilst most of the committee's eventual twenty one recommendations to Government concerned the need for further

research, the setting up of monitoring arrangements and a commitment to improving existing technology, there were four major recommendations urging that the UK join the '30% club' immediately and that the CEGB should be required to reduce its SO₂ emissions accordingly, with the aim of attaining a 60% reduction by 1995. It urged co-operative work within the EEC to agree overall levels of reduction and the development of British technology and research through grants towards development costs.

Evidence during the enquiry both from the Minister of State and his scientists indicated that these major recommendations would cost over £1.5 billion for power stations alone. For modifying ten existing major power stations at a £150 million each and £35 million of annual operating costs respectively the Government's estimate was that this would require some 5% addition to domestic electricity bills and incur significant further public expenditure.

The Government's commitment to achieving further reductions was over a longer time scale and did not include a willingness to commit this scale of expenditure on the basis that there was no conclusive evidence that the measures envisaged would solve the problem or indeed, whether ongoing research would provide better solutions.

To this extent the recommendations were rejected: "It is therefore not yet possible to judge whether or when low NO_x burners could become the best practical means of control, and in

consequence it would not be sensible to set targets or timetables for emission reductions from existing plants, or emission limits on new plants. There can be no question of the Government assisting industry to convert existing plants; this would be contrary to the 'polluter pays' principle which must apply to NO_x as it does to other emissions..... Against this background the Government intends to achieve further reductions in national nitrogen oxide emissions from motor vehicles, aiming again at a reduction of 30% of the 1980 levels by the end of the 1990s." (Cmnd 9397)

The Government also declined to join the '30%' club, arguing that the future pattern of industrial structure and energy use is not easy to predict, making it difficult in turn to estimate what further effort and investment might be required in order to be certain of achieving the targets set by the 30% club. Its response also suggested that there were good prospects for new and better combustion technologies which would lead to reductions in SO₂ emissions being developed as a consequence of research now in hand or foreseen. Two weeks before his appearance before the Environment Committee enquiry on acid rain, the Minister, William Waldegrave, had headed the UK delegation to the Munich International conference on air pollution and on 27th June addressed the concluding session. He summed up the British Government's position vis-a-vis its continental neighbours;

"And in Britain's case, we have difficulty with only one thing: immediate adoption on top of the nearly 20% reduction

made since 1980 in SO₂ emissions - of a binding commitment to a 30% drop by 1993. But we are saying 'yes' to further substantial SO₂ reductions in a reasonable timescale; 'yes' to parallel NO_x reductions; 'yes' to a European-wide onslaught on pollutants from motor-car exhausts; 'yes' to further strengthening of scientific work and monitoring within the ECE Convention, and in other contexts; and above all 'yes' to an international agreement itself."

But if the government was exhibiting only marginal objection to international aims, the CEEB was considerably more sceptical about EEC targets; it told the Committee, concerning the draft directive COM (83) 704 that 'costs are underestimated by a factor of five, benefits by a substantial amount.... mainly due to a mis-understanding of the causes of alleged damage. Claims that the Directive will be cost-effective are manifestly unsound.'

In these circumstances neither Government or CEEB were inclined to commit the country to expensive emission controls, especially as there is uncertainty about the environmental benefits to be achieved in this country and in continental Europe. Its formal response to the Committee set the bounds of government co-operation. "The Government intends to achieve further reductions in national SO₂ emissions, aiming at a reduction of 30% from 1980 levels by the end of the 1990s." (Cmnd 9397)

The analysis of inputs [see Table (5)] to this enquiry shows a preponderance of highly technical data from a range of scientists

and academic research bodies. Even the self-interest groups and industrial witnesses produced essentially scientific evidence of a high order. It is the more remarkable that the relatively small volume of evidence from environmental pressure groups, although equally scientifically-based, scored so strongly in terms of shaping the Committee's eventual recommendations.

Table: 5
 Analysis of inputs and citations in the Select Committee
 report on Acid Rain (HC 446 Session 1983/4)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Experts
Witnesses Examined	8	3	0	15	3	9
Supporting Memoranda	1	0	0	3	1	2
Technical Appendices	1	1	0	4	1	3
Other Written Memoranda & unpublished evidence	8	20	2	16	9	30
Total	18	24	2	38	14	44
Citations Count	38	86	0	47	12	46
Total Inputs	56 15.0%	110 30.0%	2 0.5%	85 23.0%	26 7.0%	90 24.5%

In terms of the weight of argument presented to the committee, the enquiry represented something of a battlefield, with powerful interests such as the Motor Manufacturers Association and the CBI seeking to defend the interests of their members, against pressure groups like Friends of the Earth and the British Lichen Society, whose well-researched argument was supported both by the voice of Scandinavian and West German ecologists and the more neutral factual material presented by a large group of independent and disinterested research institutes and expert witnesses. Major polluters like CEGB and NCB were mainly concerned to buy time for further research and to budget for incremental expenditure only when all alternative solutions had been examined. Officially sponsored agencies, for example the Nature Conservancy Council and those responsible for the fabric of cathedrals, gave dramatic evidence of the need for urgent action to prevent further erosion of historic heritage and environments.

In seeking to isolate the key issues for effectiveness analysis of the committee, (fig. 8) we can agree that the topic was essentially of a scientific/technical nature, with most of the argument conducted in those terms; exposing, in the outcome, wide differences of interpretation of evidence, large gaps in understanding and lack of adequate research data from which to extrapolate. The committee is critical of several government agencies in this regard (HC.446-I-p.xvii)

That the outcome in the Government's response (Cmnd 9397) was their concurrence with 15 recommendations and a rejection of only five, masks a rather more substantial resistance to backbench opinion. In the five recommendations which are rejected, the committee go to the heart of the policy issue which the Minister posed to the Munich conference above.

Fig 8: Matrix Assessment: Acid Rain

Committee: Environment		Topic: Acid Rain			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Challenge & Monitor Objectives		Evaluation and Review		Technical/Scientific	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
56	110	2	85	26	90
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
4	8	3	2	5	

It is in these five recommendations that the major anti-pollution proposals are contained, with demands for the CEEB to undertake

radical prevention measures; for the Government to join the commitment of its neighbours in the '30% club' targets and for industry to have imposed upon it, greater anti-pollution measures. The fifteen positive responses, in comparison, call for rather less commitment, expenditure or action. Whether or not stung by the criticisms of other nations, the committee's investigation was undertaken in a mode of challenge to current policy stances and the commercial criteria of the energy industries and the CEGB. The committee explicitly set out to monitor current performance and to challenge policy objectives. It collaborated with the experts from countries said to receive most of the polluting emissions 'exported' from the UK and succeeded in at least exposing the differences between what Britain proposes and our neighbours demand by way of combatting the export of industrial acid rain.

The internal debate on these issues had ensured that the Government and its advisers were at the point, in their own policy development, of analysing options, evaluation of current targets and reviewing objectives; whether the Environment Committee report, seeking to enter the policy cycle in these areas, was either welcome or effective, is a matter we examine in more depth later in this paper.

CHAPTER TWELVE
THE WEALTH OF WASTE

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Most issues of environmental policy may be fought out between the interests of development and conservation; the needs of technological advance being balanced against the undesirable externalities of pollution or waste of natural resources or danger to health. Advances in environmental policies are often in fact, trade offs premised upon the conception of conflict between economy and environment in which amenity and health are balanced against the economic and technical needs of the polluters. (Blowers 1986).

But there is, in the issue of waste reclamation and recycling, a rare coalescence of view between the environmentalist lobby and industrial interests. There are economic benefits, greater profit and very real environmental advantages to be identified in a number of industrial contexts, in a planned and comprehensive policy of waste reclamation. When the Select Committee on Trade and Industry decided to investigate the whole field of reclamation and recycling, the unanimity of view was marked; only the Government did not have a policy.

The committee enquiry was prompted by the revelation, in EEC statistics, that the UK was low in the league tables of recycling of glass and plastic, rubber, paper and board. Only the scrap metal industry in Britain, has a substantial record of recycling

of waste (HC640 83/4).

The committee's first discovery was that the Government did not have a policy and in the Minister's words, it had "not thought it appropriate to develop a national policy for the sector as a whole." (HC640 1983/4)

In a memorandum to the committee from both the Trade and Industry and the Environment Departments, the government said:

"The Government fully recognise the importance of reclamation and recycling and welcome the co-operation between industry, central and local government and other bodies with interests in the area. It looks to industry, in its own enlightened self interest to undertake reclamation/recycling where it makes commercial sense to do so. It does not regard such activities as an end in themselves and consequently has not thought it appropriate to develop a national policy for the sector as a whole." (Ibid)

On the other hand there was a broad consensus both in the committee and in those giving evidence that more recycling in the UK is desirable on purely narrow commercial grounds, even without taking into consideration the obvious environmental advantages. The committee's report pointed out that recycling leads to a more efficient use of raw material resources and considerable energy savings. A greater reliance on recycled materials reduces the need for virgin raw materials, which in the UK often have to be

imported. In addition the recycling of waste (and the production of heat and power through incineration) both reduces the costs of waste disposal and provides income which can be offset against disposal costs. The select committee's report found that despite these powerful economic arguments, the UK failed to produce a well developed recycling industry. In a few sectors the industry is highly sophisticated; however it is for the most part very fragmented, having to deal with materials of varying quality and to operate in a fluctuating secondary market.

Evidence sought from sectors where re-cycling is well organised gives an indication of the scale of economic benefits involved; witnesses demonstrated that the ferrous scrap industry is well established and that some 63% of iron and steel production in 1982 was derived from scrap and waste, approximately half of this coming from the ferrous scrap industry. (Ibid)

In the case of certain non ferrous metals the benefits of recycling are even more marked. Recycling aluminium for instance saves 90% of the energy required to produce aluminium from bauxite.

In the glass industry despite a 'bottle bank' scheme introduced by the Glass Manufacturers Federation, and despite there being nearly 2,000 bottle bank sites collecting 100,000 tons per year, the scheme has not been the success anticipated and the committee found that only 8% of glass consumption was returned in this way. Great Britain was at the bottom of the European league table for

glass recycling. (Ibid)

In the case of the waste paper industry the committee found that over 60% of UK use of paper and board is imported and that the waste paper industry itself is doing better in export markets than at home! (Ibid)

Similarly in the textile field the amount of reclamation in the UK was found to be small-scale and fragmented. With the decline of the home textile industry much of the waste is exported, particularly to Italy. The industry is also hampered by shortages of supply with large quantities of household waste and textiles finding their way into domestic refuse dumps. The committee found that the collection policies of local authorities had a marked effect in this sector.

Other witnesses discussed the inadequacies of plastics recycling and the greater scope for incineration and waste-derived fuel. The potential role for local authorities as both collection and disposal agencies was highlighted by reports from the Greater London Council and Leeds City Council where policies in these areas are advanced. The possibilities for improving the performance and the organisation of local government reclamation activity was underlined in the committee's report (Ibid). The lack of clarity about responsibilities at local level was mirrored by the government departments which gave evidence. This prompted the committee to regret the lack of an overall co-ordinating role being taken by central government and to

criticise the apparent unwillingness of Government to take the lead in promoting recycling schemes where they were economically viable.

The unfortunate ambiguity in Government policy is demonstrated by its inability to decide which department - Environment or Trade and Industry - is the "lead" department in this area. Officials from T & I gave evidence that there "is no lead department" but when the Minister gave evidence he clearly confirmed that his department was indeed taking the lead. This was then flatly contradicted by William Waldegrave, Under Secretary of State for the Department of the Environment who, in a letter to the Committee said that there was no nominated lead department for recycling as such, but that the Environment Department is giving the lead for waste management generally.

But even whilst affirming his role the Minister was unable to state that a specific minister existed with authority across departments and with overall responsibility for recycling policy. The committee featured this confusion strongly in its subsequent recommendations. (Ibid)

Another confusion quickly arose. Government Ministers expressed the hope that industry would itself take the lead and that the recently formed UK Reclamation Council would fulfill some of the roles sought by the Committee whilst the Reclamation Council said in evidence that its major objectives included effective representation of the needs of the industry to central government

and a demand that government itself should stimulate interest in the value of reclamation and recycling. As the committee's report commented, far from doing central government's job for it, the UK Reclamation Council would seem to be yet another organisation which will urge Government to do more.

In the outcome therefore, the select committee's report was at pains to join with critics from local government and industry in demanding that government policy should give strong leadership on a national scale: "We are surprised that the Government fails to appreciate either the significance of its own role, or the need for a national policy." The report then went on to outline a policy which it proposed should be adopted by the Government together with ten clear recommendations for implementation.

The report takes a normative tone indicating that the principal actions required of central government in this area are threefold: firstly, to provide a lead and an overall co-ordinating role in the promotion and development of recycling; secondly, to provide incentives to local authorities to investigate the viability of and to set up recycling schemes where appropriate; thirdly, to stimulate industry to engage in a higher level of recycling.

In all, the committee's report published in October 1984 contained ten specific recommendations proposing that one Minister should be given overall responsibility across departments for this area of policy, and empowered to take

decisions involving economic environmental and energy issues. It was proposed that the Government should provide more financial support to the UK Reclamation Council to allow it to promote and publicise recycling schemes together with capital grants to the appropriate tier of local authority for the setting up of specific recycling ventures.

The committee recommended the GLC schemes to other waste disposal authorities and sought government support to extend the arrangement whereby financial rebates are paid to collection authorities for glass recycled through bottle bank schemes. The committee also sought the implementation of sections of the Control of Pollution Act 1974 not previously activated, which would give local authorities more power and the ability to spend more, and levy charges for the collection of trade waste.

The Government was pressed to give greater incentives to industry for recycling activities and to promote new industrial design schemes in this area. More resources and an enhancement of the existing government research programme at Warren Spring Laboratory were recommended. The committee also suggested the use of taxation policy to encourage greater use of recycled material and sought a greater emphasis on public purchasing policy being directed towards encouraging the use of recycled materials whenever economically sensible. (Ibid)

This enquiry is an example of select committee activity exposing an absence of policy, a lack of liaison or co-operation between

departments, and a surprising confusion of roles between one Minister and another. In economic terms it was able to elicit that if (in 1982) an active policy of waste re-cycling had been operated, an estimated £750 million of materials could have been re-used (excluding rubber and textiles). Further, that of the £1.8 billions actually recycled in that year, £1.2 billion was produced by the already efficient ferrous scrap industry. (DTI 1984).

In policy terms, the Select Committee also exposed the weakness of the local authority structure which places waste collection duties with the lower tier (District Councils and London Boroughs) and waste disposal duties with County Councils. Thus the Authority which incurs the cost of collection does not receive any benefit from introducing re-cycling schemes. This anomaly led the Committee to support the GLC scheme of giving grants to boroughs willing to run glass re-cycling schemes, and to urge the DoE to take a positive lead in encouraging local authorities in waste reclamation activity. Policy weakness was thus exposed at national, county and district level.

Six months after publication of the Select Committee recommendations, the Government reply accepted that the report had stimulated a re-appraisal of policies and practices; it confirmed that the Government is in favour of re-cycling where this makes economic sense, and agreed that this assessment should be influenced by the impact on environmental policy and that a long view of what is economic and commercially viable should be

taken.

Of the ten specific recommendations of the Select Committee, the Government responded positively to four and negatively to five. The suggestion that there should be a Minister given overall responsibility across departments for recycling policy was not agreed but the Government did accept the need for proper co-ordination and direction of policy and appointed a Parliamentary Under Secretary in the Department of Trade and Industry with special co-ordinating responsibility for waste recycling issues and although he was not given decision making powers in other ministries he was made responsible for identifying inconsistencies or omissions in the policy and for handling parliamentary debates and questions on recycling matters.

The Government agreed to discuss with the UK Reclamation Council the possibility of further financial support for promoting new schemes. They agreed to encourage disposal authorities to initiate schemes such as those that the GLC had introduced, but declined to make further financial resources available. Discussion on the activation of sections 12 to 14 of the Control of Pollution Act 1974 was opened and the Government accepted that it should encourage design promotion schemes in this field and work with industry in supporting further research projects. It also agreed to give encouragement to all public authorities in public purchasing policies to make greater use of recycled materials.

The negative aspects of the Government's response were largely to do with finance; the suggestion that further grant aid be given to local authorities was rejected as was the idea of further cash incentives to industry to encourage more recycling schemes. The Select Committee's suggestion that taxation policy should be used to encourage recycling activity was not accepted.

Both the Select Committee and the major organisations which gave evidence to it subsequently expressed some disappointment at the 'defensive stance' of the Government's reply although welcoming the serious consideration which the recommendations received and the positive responses which were made.

Criticism from the committee on the Government response concerned what its chairman called the lack of will to support local authority waste recycling projects and argued that quite apart from the economic advantages of such a policy, there would be considerable environmental gain from an enhanced scale of activity both by government and industry. (HC321 1984/5)

This point raises, for the policy analysis researcher, the need to examine the mechanisms available for policy-making in areas which fall between two or more departments and which may involve conflicting interests or contradictory objectives; in other words, the ability of Government to act 'corporately'. It is possible to identify a role for all-party select committees?

The absence of a specifically 'green' lobby in this select committee enquiry does suggest that the pressure groups which campaign on environmental issues were not alert to a fundamental question; the environment argument for waste reclamation was subordinate and was left to local authority witnesses and to individual members of the select committee, but the thrust of the debate was economic; it was 'the wealth of waste' retrieval which was at issue and not the quality of the environment. The unspoken implication is that if re-cycling and reclamation were not economically valuable, it would not be a policy issue. These questions will be taken up later in this thesis.

A quantitative analysis of the inputs to this investigation (See table 6) has differentiated the sources of evidence, witnesses and supporting documents into six main categories; the citation of such evidence in the committee's final report is also analysed on the same basis. It suggests that the recommendations were shaped or influenced largely by the evidence of the local authorities and trade groups which gave evidence and the mode of the committee had been predominantly one of attempting "to set the agenda", to challenge the ministerial view that it had not been thought appropriate to establish a direct government policy on reclamation, and to advocate policy initiation. (See matrix fig.9)

Table: 6.

Analysis of inputs and citations in the Select Committee
report on The Wealth of Waste (HC 640 Session 1983/4)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Expert
Witnesses Examined	9	0	5	20	0	1
Supporting Memoranda	3	0	2	6	0	0
Technical Appendices	3	0	0	9	2	1
Other Written Memoranda & unpublished evidence	1	5	0	12	3	0
Totals	16	5	7	47	5	2
Citations Count	31	0	19	28	7	3
Total inputs	47 28.5%	5 3.5%	26 15.5%	75 45.5%	12 7.0%	5 3.5%

Fig.9: Matrix Assessment: 'The Wealth of Waste'

Committee: Trade & Industry			Topic: Waste Reclamation & Recycling		
Committee Mode:		Policy Process Intervention:		Issue Type:	
Agenda-setting Advocate Challenge		Issue Definition		Economic	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Indep. Experts
47	5	26	75	12	5
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
0	2	2	1	5	

In terms of the policy process model, applied here the committee's intervention has to be seen at the point of issue search and definition. It is significant that although Ministers of State and departmental officials had contributed over 20% of the inputs to the investigation their influence on the output of recommendations appears minimal. The essentially economic terms in which the waste reclamation issue was approached with the environmental aspects taking second place, is perhaps due to the fact that the Trade and Industry Committee and not the Environment Committee undertook the investigation. (See Table 3)

This may be why the analysis is shown to support the high degree of coincidence between the number of recommendations in the final report supported by the inputs from those self interest groups and local authorities. Over 70% of the input score from these sources produces 90% supporting recommendations. Ministers and their departmental officers were responsible for over 20% of input but found an echo in only 10% of recommendations (outcomes). The relatively minor input from the environmental pressure groups to this investigation has however, still shown to have influenced four out of the ten recommendations.

CHAPTER THIRTEEN

WILDLIFE AND COUNTRYSIDE ACT PART II

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The passage through Parliament of the Bill which became The Wildlife and Countryside Act 1981 was a long and difficult one. There were some two hundred hours of debate, more than a thousand amendments were tabled and many significant ones made.

The Act is in three parts. Part I deals with wildlife protection, the protection of particular species and the control of certain methods of killing animals. Part II deals with nature conservation, the countryside and national parks. Part III deals with public rights of way. The underlying theme of debate on Part II of the Bill was concerned with the balance between the needs of agriculture and the conservation of the natural environment and early on in its subsequent enquiry, the Environment Committee decided to restrict its investigation exclusively to Part II for two reasons. First, as written submissions began to flood in, it became apparent that to deal effectively with all three parts of the Act, each distinct in its subject matter, would take many months of investigation and secondly the considerable pressure group activity which arose and which prompted the Environment Committee's attention was largely concerned with what were said by many who gave evidence to be "loop holes" in Part II. (HC6: Vol II) The Committee decided this was the central issue and its primary aim was to examine the effectiveness of the individual provisions in achieving the balance between the needs of agriculture and the conservation of the environment in the light of experience since the Act's

passing into statute.

When the Act finally completed its parliamentary stages in October 1981 it was hailed by the Government as the most important piece of countryside legislation this century. It was presented as a means of resolving the conflicts between agriculture and conservation which have been burgeoning throughout the countryside during the 1970s. It was based firmly on what Government has termed the "voluntary approach" and was underpinned by a novel and generous basis of financial compensation to those individuals whose farm development proposals were affected. (DoE 1983)

The demand for a further enquiry into the working of this part of the Act was stimulated by a number of conservation controversies including the proposal to drain the Halvergate marshes in the Norfolk Broads, and action to uproot hedgerows and reclaim moorland on Exmoor. The campaign launched by national conservation pressure groups such as the Council for the Protection of Rural England (CPRE) and the Council for National Parks (CNP) mobilised informed public opinion to the view that the measures in the Act had failed to live up to the expectations which the Government and others had set for it and highlighted loopholes in the legislation.

The nub of the protest is perhaps summed up in the CPRE evidence to the Environment Committee which suggests that the system of protection offered by the Act has not worked and that in practice

its applicability and relevance to the underlying causes of conflict between agriculture and conservation had been strictly limited in both scope and area. "Even in SSSIs (sites of special scientific interest) and national parks where special provisions apply, its positive intentions have been undermined by problems of implementation, administration and financial caution. In the wider countryside it has impinged barely at all..... Our broad conclusion is therefore clear. Whilst a number of important adjustments to the Act are required, these cannot succeed unless they form part of a package of wider reforms, particularly to agricultural policy and the future management protection and enjoyment of the countryside." (CPRE 1984)

Another group, Friends of the Earth, told the Committee that there was a disturbing accumulation of evidence which showed conclusively that the present habitat protection measures, whilst originally a welcome step forward, could not safeguard Britain's most important wildlife habitats and landscapes. They felt the Act was inadequate in resolving the conflicts between nature conservation and agricultural development in the wider countryside outside of national parks and sites of special scientific interest.

In the course of its investigation the committee heard over 120 witnesses, considered a similar number of written submissions and more than 30 detailed memoranda from specialist groups.

An analysis of these submissions (see Table 7) illustrates the wide range of conservation pressure groups, professional and academic interests, local authorities and agricultural and landed interests who felt the need to take sides in the debate.

Table: 7
 Analysis of inputs and citations in the Select Committee report on Wildlife and Countryside Act Part II (HC 6 Session 1984/5

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Experts
Witnesses Examined	2	4	0	6	21	1
Supporting Memoranda	0	3	0	2	6	1
Technical Appendices	0	1	1	5	8	3
Other Written Memoranda & unpublished evidence	1	0	28	10	39	12
Totals	3	8	29	23	74	17
Citations Count	11	77	8	35	75	4
Total inputs	14 3.5%	85 23.5%	37 10.0%	58 16.0%	149 41.0%	21 6.0%

In the course of the Bill's original passage the then Secretary of State for the Environment had said:

"The Bill is a compromise. It acknowledges that there is a balance of argument. It sets out the position to which the Government now believe it is right to move. It will not be the last Bill. It does not in any way seek to create a maginot line. It seeks a balance between the often conflicting and deeply held views of people whose motivation and sincerity are not in question, although they line up on opposite sides of many arguments." (Hansard 1981)

The voluntary approach which had been at the heart of the Minister's strategy assumed that a compromise would be reached between the sometimes conflicting needs of agriculture, forestry and conservation which would require co-operation.

In its own evidence to the committee, the Department of the Environment explained this strategy as follows:

"Provisions of Part II depend essentially on the voluntary approach to conservation. The alternative would be the imposition of permanent statutory controls on farming and forestry operations. Instead, the Act allows for temporary restrictions in certain areas while management agreements are negotiated whereby owners and occupiers forego the benefit of improvement to their land in return for compensation".

(HC6-84/5)

The committee had also visited important sites and spoken to farmers affected by the legislation. It was surprised at the

degree of acceptance from landowners and found: "a significant sympathy amongst many farmers for the concerns of conservation organisations." (HC6-84/5)

The 1981 Act added various extra controls especially to SSIs, by three principal mechanisms. Firstly through farm grants available for the Ministry of Agriculture, Fisheries and Food (MAFF) on a wide range of drainage and fencing activity. Under the Act notification of such works and application for grant triggers a number of provisions for objection to and refusal of the grant and for the offer of management agreements. This is intended to control damaging major agricultural improvements.

Second, the system of management agreements is extended with a codified compensation system, so that farmers and statutory bodies can agree on management of the land to prevent damage.

Third, there is a greatly increased provision in SSSIs for the flow of information; between the farm owner and the Nature Conservancy Council (NCC) which is the officially designated conservation body under the Act.

However, the voluntary approach means that ultimately a farmer cannot be prohibited from developing his land. He can be delayed by statutory notices or discouraged by the refusal of grant. He can be encouraged to act in a conservationist way by the offer of compensation through a management agreement, or even by the offer for his land to be bought from him.

Although the Act is primarily about designated areas there are three important provisions having more general effect: increased conservation duties for MAFF and for water authorities and the extension of the power to make "landscape" management agreements to all local planning authorities. In evidence critical of the Act, the most frequently expressed anxiety about its general thrust was its ineffectiveness in dealing with the "wider countryside". Here, said many witnesses, the Act does "not do a great deal".

But as the Act is limited in the areas which it protects so it is also limited in scope. It can conserve national parks and SSSIs but could do little to prevent the rest of the countryside from being "improved" into cash crop prairie. This leads to the most important weakness in the legislation: it was a DoE sponsored Act, the policies in it are primarily environmental and not agricultural; it focuses on environmentally designated areas.

Some conservation groups suggested that a more effective way of protecting sensitive areas of the countryside than the voluntary approach, is the extension of planning controls. This is a very involved area and there are very few such controls over agriculture. The general development order 1977 (GDO) exempts agriculture from control other than a very few large farm buildings and some restrictions in national parks.

The Friends of the Earth pressed for an urgent extension of planning controls and that it would be more democratic for local people living in the countryside to have a voice in the decisions that affect their environment. However, many other witnesses who commented did not agree. These included the NFU and the DoE, the CPRE and the Conservation Society. Strong criticism was also reserved for the internal drainage boards, particularly from the Royal Society for the Protection of Birds (RSPB) and the NCC: "Inland drainage boards continue to carry out land drainage functions with little or no regard for wider issues of scenery or wildlife." (HC6 Vol II P216) Nevertheless the committee agreed with the Association of Drainage Authorities that the Act was still in its infancy and further time was needed for it to work before any further alteration was made. (Ibid p276)

Set against the pressure for urgent reform represented in the evidence of FoE, CPRE, RSPB, The Ramblers Association and similar bodies and individuals, the concern of the NFU, The County landowners, the Royal Agricultural Society and the Agricultural Workers was to let the Act have more time to take effect, to increase grants to other resources, and to retain, at all costs, the voluntary nature of the Act.

In its final report the Environment Committee concentrated on two particular "loopholes" in the Act. Firstly the three month loophole under Section 28 which allows the farmer to damage or destroy an SSSI during the period between notice and formal notification, without fear of penalty. The Section 29 loophole

is similar in that it results from the time it necessarily takes the DoE to consider and prepare the major conservation order. These provisions create a period of vulnerability during which a farmer may, without fear of sanction, damage or destroy the SSSI while the order is being made.

It became clear, before the committee report was published, that the Government would be prepared to back a Private Members Bill which would not only close these loopholes but would extend the period of notice required under Section 28 from 3 months to 4 months.

The final report of the Committee in fact made some 18 separate recommendations for improving the Act and in summary, the inputs from witnesses and the responses of Government are analysed in matrix form at figure (10)

Fig.10: Matrix Assessment: The Wildlife & Countryside Act Pt II

Committee: Environment		Topic: Wildlife & Countryside Act - Effectiveness			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Analysts and Review /Monitor		Policy Implementation & Control		Administrative	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
14	85	37	58	149	21
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
2	3	6	4	3	

This enquiry is an example of the select committee system pin-pointing a weakness of policy in action at the implementation stage of the policy cycle; of implementation exposing a 'loophole'; and of the use, by the pressure groups within the policy community of the committee processes to exert pressure for change. In the event the Executive itself was able to use the committee enquiry too, and the vehicle of a Private Member's Bill, to rectify the weakness.

Throughout the debate there is a general acceptance by pressure groups, committee members and Government spokesmen that the 1981 Act had broadly been successful and represented the most important modern attempt to legislate for the protection of

wildlife habitats and to strike a balance between the needs of agriculture and those of conservation. Broadly the committee report reflects this view. It says that the Act was successful in providing the necessary foundation, legislative and philosophical, for policy in the future. It says that it is working well in many areas and has made a significant contribution to the newly emerging consensus on the importance of conservation.

Perhaps its strongest criticism was reserved for MAFF. The committee comments:

"The DoE has, both at official and ministerial level, shown its commitment to conservation, financially and administratively. We cannot, unfortunately, say the same for MAFF. Without fundamental changes in the structure of agricultural finance, conservation will continue to be set in weak opposition to the forces of intensive and paradoxically unwanted production, instead of being an integral part of good husbandry, as it should be. MAFF must reappraise its attitudes." (HC6-1984/5)

The Government's published response to the Environment Committee report was produced within four months, in May 1985. It welcomed the Committee's general support for the Act and its voluntary philosophy; it said that the Government was "more than happy" to respond quickly and positively to most of the concerns and the need for urgent action to make the Act more effective. It

expressed its support for the Private Members Bill and in particular the proposals to block the so called loophole in Sections 28 and 29 of the Act. It also supported the proposal for new duties to be imposed upon National Park Authorities and the Forestry Commission and agreed to follow up urgently, the committee's call for action to speed up the establishment of marine nature reserves. Additional grant was agreed for the NCC and the Countryside Commission in order that they should carry out their duties under the Act more effectively.

It rejected the broad criticism of MAFF and its commitment to conservation.

Less than one month later the measure introduced by a back bench member of the Environment Committee, with negotiated Government support, emerged as the Wildlife and Countryside (Amendment) Act 1985. This short Act was primarily concerned to tighten the provisions of Sections 28 and 43 of the Substantive Act as well as making minor improvements to the protection of badgers and imposing new duties on the Forestry Commission requiring it to endeavour to achieve a reasonable balance between the development of afforestation and the conservation and enhancement of the conservation of flora and fauna and geological features of special interest.

Under the Amendment Act the principal weaknesses of the original Act were removed and in particular, the loophole through which farmers could continue to undertake improvement works after a

notice had been served on them, was closed completely. It also imposed an additional duty upon the national park authorities to prepare maps of areas important for conservation.

At the completion of its passage the Minister was able to say that the Select Committee's report had been helpful in reinforcing the main thrust of the Government's policies and for identifying the areas in which more effort or change was required. He pledged that policy would continue to develop but with a reinforced confidence that the lines so far established have been correctly laid.

CHAPTER FOURTEEN

Coastal Sewage Pollution in Wales

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The circumstances in which a Select Committee enquiry can influence policy change or be effective in bringing influence to bear on Departments, may vary considerably. The context of the enquiry will have some bearing on the mode or approach which members employ in the investigation. This Chapter reviews an especially fruitful circumstance which arises from the dysfunctions which can occur when one set of government policies conflict with another. There is a legitimate area for select committee investigation, especially when two separate Departments of State are involved and where the implementation of policy is in the hands of a third, quasi-governmental body or independent agency.

The select committee on Welsh affairs operating in a mode of review and evaluation of policy effectiveness, found just such paradoxes and contradictions when it decided to investigate coastal sewage pollution in Wales (HC 101 - 85/6) stimulated by an EEC Directive promoting higher health standards on 'Euro-beaches' throughout the community.

The Committee's mode was in no small way a factor of the Welsh context of the topic and in addition Jones has drawn attention to the peculiar antecedents of the Committee on Welsh Affairs and to the fact that its origins lie as much in the failure of the

devolution debate (1975-1979) as in the decision to set up departmental select committees. (Jones 1984)

The members of the committee had established a particular approach to their activities at the outset of the parliament of 1983. The committee consciously set out to become a forum for Welsh politics at Westminster, cutting across the party divide and airing issues of concern in the principality; its reports have tried consistently to point to the often unique problems faced in Wales. (Wardell 1985)

The politics of the principality have for long been subject to the criticism that the administrative machine had not been subject to the level of public accountability which the rest of Westminster accepted as normal. An hour of questions in The House once every three weeks, the occasional adjournment debate and three or four sessions of Welsh Grand Committee were, prior to the setting up of the Select Committee on Welsh Affairs, considered inadequate by both sides in the devolution debate (1975-1979).

Indeed John Morris the Labour Government's Welsh Secretary was severely critical of the system:-

"On all-Wales level of authority we already have a host of nominated bodies exercising enormous powers. Other decisions, some of them in great detail are taken by myself and whilst I am answerable to Parliament no-one would pretend that Parliamentary scrutiny of the Welsh Office's activities is

adequate (Morris 1975)

The Labour Government's solution of a Welsh Assembly had been countered by the opposition's proposal of a special select committee which was indeed announced by the incoming conservative government on the same day that the Wales Act was repealed in June 1979.

In extending the terms of reference of the committee to include, in addition to the scrutiny of the Welsh Office, "associated public bodies" the Leader of The House had said:- "The test in every case will be whether there is a significant degree of ministerial responsibility for the body concerned." (St. John Stevas 1979(b)). The committee took full advantage of this facility, directing its first major reports to the Welsh Development Authority, the Broadcasting Authority and the Welsh Water Authority respectively: indeed the investigation into coastal pollution is the second important inquisition into that body's activities.

Committee members exhibited a common aspiration to ensure that the committee operated effectively with a broad remit and "an autonomous status" (Jones Ibid)

The uniquely Welsh political background invested the committee with the considerable advantages of a natural constituency with the press and public opinion in the principality, geared to its activities. The topics chosen demonstrate Members' intention to

satisfy both the territorial and the parliamentary demands as well as attempting to acquire a policy role.

Despite Jones' conclusion that:- "There is no effective way of measuring the committee's influence on government policies" (Ibid P.66), the following review of their investigation on an important environmental issue, attempts to assess quantitatively the impact of the report on the policies of the Welsh Water Authority (WWA), the interests of Welsh Coastal Authorities and the response of the pressure groups with an interest in the topic. There is a sense also in which the public bodies with legislative duties in the matter have utilised their participation in the investigation to influence the policies of their sponsoring Ministry: a collusive relationship between public utility and back bench interests, in the fight for cleaner beaches and more investment.

Wales possesses a coastline of outstanding natural beauty, whose bathing beaches provide a valuable recreational resource for the Welsh people, and are of primary importance to the tourist industry. But the sea is also used extensively to dispose of sewage and takes over 56% of the 500,000 cubic metres of effluent generated every day in the Principality. (WWA 1984(a))

The select committee was faced immediately with the paradox of one policy which exploits coastal waters for sewage disposal, with another which attempts to protect the environment and promote uses such as recreation and fisheries.

The predominant mode of review and evaluation adopted by the committee enquiry probed both governmental policy and the effectiveness of policy implementation by the Welsh Water Authority, the body responsible for this area of activity in the Principality. It also examined the role of other agencies with an interest in this policy area.

Faced also with concern expressed by local pressure groups and by local authorities about the pollution of holiday beaches, and the failure of most beaches to meet European Community standards of bathing water quality, the committee's enquiry exposed a disturbing degree of policy failure and an inability to meet criteria laid down by government a decade earlier. (Ibid)

The conflicting interests of the Welsh Office, of Welsh Local Authorities and of the Welsh Water Authority were apparent in the evidence adduced to the select committee, particularly in regard to responsibilities for monitoring water quality at beaches. A difference of view between these bodies and the DoE became apparent. It was argued that statutory powers to undertake sea water sampling and water quality monitoring, were in the hands of the water authority who were also, as owners of most sea water outfalls, among the major polluters of beaches. Thus the criticism that the authority was both 'poacher' and 'gamekeeper' was noted. A fourth official agency, the Ministry of Agriculture, Fisheries and Food (MAFF), had a direct interest in this policy area in that it is the body responsible for licensing offshore dumping sites for sewage sludge. This ministry is under

no duty to consult the water authority in carrying out these licensing functions. Thus two pollution control authorities were operating within one body of water without statutory consultation, and other bodies with a direct interest in the outcome had no statutory function whatsoever, despite, in the case of the District Councils, a public duty to monitor the public health and to carry out duties under environmental health legislation. It may be thought that this is a formula for confusion, for conflicting interest and for a lack of clarity in policy implementation and monitoring.

The select committee's evidence demonstrated that Wales has more coastal sewage discharges than any English water authority as a consequence of its long coastline and the dispersed distribution of population into mainly coastal communities. There are 260 authority discharges to tidal waters, 148 being into estuaries and 112 direct to coastal waters. The majority are short outfalls discharging crude, untreated sewage. Only 6% are less than 10 years old, almost 40% are over 40 years old and a few date from the 19th century. (WWA 1984 b) In addition to the WWA discharges there are hundreds of private sewage discharges to estuaries and coastal waters. (Welsh Office 1985)

The select committee heard from the Water Research Council that problems associated with coastal pollution might be more serious in Wales than other parts of the country. (WRC 1984) In support of this tentative suggestion WRC presented data relating to 22 Welsh beaches of which only 18% could be classified as having

good water quality compared to 41% of 63 English beaches.

The setting of standards for the quality of marine water has been considered in many countries. In 1974 and 1978 working groups organised by the World Health Organisation reviewed the approaches adopted by countries bordering the Mediterranean, Baltic and North seas, and by USSR and USA. It was established that many national authorities have set bacteriological standards for water quality and some even prohibit bathing near to discharges of sewage. In 1975 a directive aimed at improving the quality of bathing water in Europe was adopted by the EEC. (Directive 76/160/EEC). It listed mandatory values for a number of physical, chemical and microbiological parameters which had to be met by member states, by December 1985. This directive states that samples should be taken at least fortnightly and that at least 95% of samples should be below these values. However, the United Kingdom has consistently declined to meet this requirement basing its argument upon a 1959 report of the Medical Research Council which states: "the committee can see no logical justification for the application of rigid bacteriological standards for bathing beaches such as are used by a number of controlling authorities in the United States. (MRC 1959) Thus the EEC directive does not presently apply to Wales because of the criteria laid down by the DoE. As far as the English coast is concerned the directive only applies to areas where bathing is not prohibited and is traditionally practiced by a large number of bathers.

The committee pointed out that other member states of the EEC with extensive coastlines have designated many more than the 27 bathing waters eventually identified in the UK.

The select committee heard from witnesses from Welsh pressure groups expressing 'disgust' at the way the Department of the Environment have circumvented the requirements of the EEC directive by nominating so few beaches as being places where a large number of people bathe." (CAPL 1985)

Local authorities in Wales also pointed out to the select committee that many European tourist resorts were now using their 'Euro-beach' status as part of their tourist promotion activity, thus putting Wales in "a position of disadvantage....." (CWDC 1985)

Shellfish

The Welsh Office drew the committee's attention to other aspects of beach pollution and particularly the dangers of eating shellfish taken from polluted waters. Their memorandum commented that medical evidence linking outbreaks of gastroenteritis, infective hepatitis and fevers to the consumption of contaminated shellfish is "both considerable and conclusive" (Welsh Office 1985) (Ibid: Page 122) Oysters, mussels and cockles concentrate bacteria within their bodies during feeding and are sometimes eaten by people after minimal cooking; they therefore constitute a serious threat unless properly purified. The WWA saw this

primarily as a public health problem and pointed out that although there had been an EEC directive (79/923) on this matter, the DoE guidelines on its implementation result in only a partial implementation in UK waters. As a result only one shellfish water in the whole of Wales had been designated in this way. Principal responsibility in this area was said to lie with DHSS Inspectors and with Environmental Health Officers of Local Authorities.

Thus the policies and practices of two more Departments of State were found to have a bearing on the issue of coastal pollution and the select committee enquiry exposed a complex web of policy and responsibility in which little co-ordination or central direction was evident.

The sixteen recommendations formulated by the select committee (HC 101-1) fell into five groups dealing with the following issues:

- Control of Discharges
- Survey of Bathing Water Quality
- Search Requirements
- Health
- Finance

The committee urged greater control over private discharges and sought a statutory requirement for MAFF to consult with water authorities over sewage sludge dumping at sea. They urged more

work on water quality control and joint working between District Councils and the WWA and suggested that the authority should emulate French authorities in the way that the public were informed of the quality of bathing beaches as well as an increase in the number of beaches meeting the EEC standards. More scientific research by independent agencies was recommended. On health grounds the select committee sought an acceleration in the replacement of antiquated sewage outfalls and a total exclusion of the possibility of solid wastes appearing on public beaches. More public awareness of eating untreated shellfish and three important recommendations concerning the capital financing of these works were directed to the Welsh office with the intention of taking greater advantage of EEC grant aid in certain circumstances.

In the event the response to the select committee report was formulated by the Welsh Water Authority which supported all sixteen recommendations. This was published as the first special report of the Select Committee on Welsh affairs for 1985/86 (HC 401) which, on closer examination, leaves a number of questions unanswered concerning the effectiveness of the report.

Several of the committee's recommendations were in fact directed at other departments of government, particularly the DoE, the sponsoring department of Welsh Water Authority. Another was directed at the activities of local government public health inspectors and whilst both of these were supported by the Welsh Water Authority, it is not immediately clear that the principal

agencies concerned have either noted or accepted the committee's proposals.

The analysis of this enquiry in the matrix below (Fig.11) demonstrates that the committee mode was predominantly one of review and evaluation of existing policy; the exercise was somewhat collaborative and those agencies with the most direct interest in the outcome, including the Welsh Water Authority itself, and the independent Water Research Council, dominated the input to the Committee and influenced favourably the nature of the recommendations which were produced. The local authorities too, with an interest in both tourism and environmental health, exerted an important influence upon the Committee's recommendations (see table 8)

Fig.11: Matrix assessment: Coastal Pollution in Wales

Committee: Welsh		Topic: Coastal Pollution in Wales			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Analysts Monitors		Evaluation and Review		Technical and Scientific	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
18	49	21	2	13	90
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
3	10*	1	2	0	

* Three recommendations although suggested by the WWA were actually directed at the DoE or Local Authorities and it is not clear that they have been adopted.

The nature of the Committee's enquiry and evidence with which it was presented was essentially technical and scientific in nature dealing in complex medical judgements about the degree of infectious potential of sewage and its degradation in tidal waters. It was another illustration of Sir Hugh Rossi's theory that the most effective role for select committees is to eschew issues of major political controversy and concentrate upon areas of public concern where party stances had not crystallised and in which Ministers had not much time to investigate in depth themselves. (Rossi 1985). Issues with a somewhat complex

technical context, in particular, in Rossi's view have a claim to select committee scrutiny for that reason. The enquiry into Welsh coastal pollution was a case in point.

The framing of the outcome and recommendations demonstrates that in terms of the policy process model of Hogwood and Gunn it represents an intervention at the stage primarily of review of current policy, its effectiveness and its maintenance. The tone of the recommendations was essentially that of urging more effective performance.

Table: 8
 Analysis of inputs and citations in the Select Committee
 report on Coastal Pollution in Wales (HC 101 Session 1985/6)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Experts
Witnesses Examined	5	7	5	-	1	3
Supporting Memoranda	1	2	2	-	1	2
Technical Appendices	0	2	2	-	2	5
Other Written Memoranda & unpublished evidence	1	2	1	1	1	0
Totals	7	13	10	1	5	10
Citations Count	11	36	11	1	8	80
Total inputs	18 9.5%	49 25.5%	21 11.0%	2 1.0%	13 6.5%	90 46.5%

CHAPTER FIFTEEN

RADIOACTIVE WASTE

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In the summer of 1983 the National Union of Seamen and other transport unions decided to boycott radioactive wastes destined for dumping at sea. (HC 191 - ii) Their action resulted in the setting up of an independent panel of scientists to investigate the safety of North Atlantic sea dump under Professor F.G.T. Holliday. The Holliday report was published in December 1984 (Holliday 1984). In October, 1983 there was significant public controversy when the Nuclear Industry Radioactive Waste Executive (NIREX) identified two sites at Billingham and Elstow in Bedfordshire for the disposal of low and intermediate level wastes. A month later an incident leading to contamination of beaches in the region of the Sellafield power station occurred as a result of which British Nuclear Fuels (BNFL) was convicted on a number of criminal charges relating to discharges of radioactive material to sea. In November 1984 the Black Committee reported on possible health effects in the West Cumbria area of the Sellafield leak. (Black 1984)

The press and public interest in these and other nuclear related issues was part of a growing awareness during the 1970s that the benevolence of civil nuclear power was tainted by its own sinister adverse affects from radioactive waste. By the 1980s public awareness in the UK focussed particularly on the effects of radiation - for most people inexplicable,

unseeable, untouchable and almost mystically evil in its association with the appalling destructive power of atomic weapons. It is also associated with that other great 20th century fear - cancer. Most frightening of all are the unknown effects, the genetic changes which might pass on to future innocent generations.

It was against this background that the select committee for the environment decided to investigate policy in these areas and began a formal enquiry in March 1985. At that time two further important events were awaited: the publication by the DoE of the results of their study on the best practicable environmental options for disposing of radioactive waste and the long running public enquiry over the expansion of the Sizewell B power station being conducted by Sir Frank Layfield QC (Layfield 1987).

In every sense the issue was a "live and growing" one in the words of Committee Chairman Sir Hugh Rossi (HC 191-1).

The enquiry was launched for reasons which were made unusually explicit by the members:

"It had become apparent to us that far from there being well-defined, publicly debated policy on the creation, management and disposal of radioactive waste, there was confusion and obfuscation among the various organisations entrusted with its care. In January this year we took a

formal decision to conduct an enquiry into radioactive waste. Since then the more we looked at what was happening in the UK and compared this country's performance with that of other nations, the more our initial, superficial impression was confirmed. In short, the UK Government and the nuclear industry are confused." (HC 191-1 p.xii)

On the one hand Members of the committee felt that there were bold announcements about prospective new disposal sites being issued and then withdrawn without any resolution of the problem. On the other a large amount of radioactive waste continued to be produced without question. In the words of the committee's final report: "The UK is still only feeling its way towards a coherent policy. For an issue which is of such great public concern, this is regrettably inadequate." (HC 191-1 p.xii)

The international nature of nuclear activity is an important factor, whether from uranium mining, fuel production and power station design, to research into waste management and disposal techniques. The major international atomic agencies have considerable influence on policy and operations including such bodies as the International Atomic Energy Agency, the International Commission on Radiological Protection and the OECD's Nuclear Energy Agency. The committee therefore felt it important to find out for itself what was happening abroad and in the course of its inquiry visited France, Germany, Sweden and the United States. The

comparative information gleaned was a substantive part of the final report, although it was used not to provide a precise model for UK policy but rather to give a solid basis for questioning the assumptions made in the British context about the form and scope of policy and the technical limitations for operational practice.

The committee set itself a broad remit. The central question was: what should we do with radioactive waste? The only limitation imposed by members was to avoid entering the debate about the need or not for nuclear power. The report made the point that even if nuclear power production were to halt at once, the problem of the management and disposal of existing radioactive wastes would still have to be faced. The technical nature of the enquiry posed problems. It was, in the committee's own view undoubtedly the most technically difficult subject it had so far tackled, finding even the most fundamental concepts of nuclear reaction and radioactivity difficult to grasp. A number of technical and specialist advisors were recruited and during the course of the enquiry members visited four of the larger nuclear power reactors as well as a large number of facilities and institutions abroad. A considerable number of witnesses came from pressure groups such as Friends of the Earth and Greenpeace whose militant stand on the topic was at the heart of much of the press and public interest in the matter, as well as local authorities, professional experts, environmental organisations, the CEBG and of course, relevant

Departments of State.

The report considered the way in which radioactive waste is currently contained and stored and took evidence on future options for disposal.

Medical evidence dealt with the risks to health of various levels of waste products followed by technical witnesses discussing the role of reprocessing and the critical question as to whether the waste and radiation problems associated with reprocessing outweigh its economic, commercial and long term benefits.

A further section of the report deals with the gap between the nuclear industry and the public's perception of the risks and hazards to life of a nuclear power strategy. In evidence a study by Professors Lee and Brown of Surrey University demonstrated that 79% of the population would move away from their homes if a radioactive waste facility were proposed within two or three miles. Only 15% of the population thought it unlikely that something might go seriously wrong with such a facility. (HC 191-1 page xcvi) The committee's proposals for 'bridging the gap' between the industry and the public included suggestions of wider public information programmes, more openness on the part of the industry, public information in decision-making, and an acceptance that only the most prestigious and full scale solutions, whatever the cost, should be proposed.

A separate chapter dealing with policy and government exposes significant problems of responsibility as between one department and another. Whilst the Department of Energy assured the committee of their full acceptance of the Department of Environment who take the lead in questions of radioactive waste management, the committee nevertheless expressed real concern at the way the two departments interpret their respective responsibilities as between the management of waste and nuclear policy generally.

The aim of Government is to place radioactive waste in the province of the department charged with protection of the environment, rather than one responsible for promotion of nuclear power. Whilst members supported this approach in principle, they exposed difficulties arising from this separation of responsibilities and found that fundamental aspects of radioactive waste policy had remained immune from much needed scrutiny. The policy on reprocessing is cited as an example.

In evidence the Secretary of State for the Environment told members:

"My responsibilities are not for the management of the energy industry in this country; my responsibility sits on the matter of radioactive waste and to see whether industries that are employing people and earning money in this country are doing so safely with regard to the

environment".

However in Cmnd 6618 in 1977 it states that the Secretary of State for the Environment has the responsibility: "To ensure that creation of waste from nuclear activity is minimised." Thus the Environment Minister interprets his responsibility for minimising waste as that of ensuring that they are safely managed. He rigidly stops short of involving himself in policy matters to do with the actual creation of radioactive waste. (Cmnd 6618 1977)

The committee's report involved 41 separate and specific recommendations for rectifying these and other policy issues, and seeking more urgent action to evolve policies both on the reprocessing of waste and on the provision of sites for storage, particularly of high level wastes but also of intermediate and low level material. Current government policies allow low level waste to be disposed of only under authorisation and there are a number of authorised facilities, the largest of which is at Drigg in Cumbria. Intermediate level waste is stored at originating sites, some at power stations but the great majority at Sellafield. High level waste is currently stored in tanks as a liquid at Sellafield and Dounreay.

The committee's report was published in January 1986 and the government response came 5 months later in 'Radioactive waste - The Government's response to the Environment Committee'

(Cmnd 9852). In welcoming the Committee's overall conclusions that safe disposal routes are available in the UK the government agreed that indefinite storage represents an unacceptable risk. It agreed that the location of disposal sites was not a matter which could be left to future generations.

The government's objectives for radioactive waste management were stated precisely as follows:

- a. All practices giving rise to radioactive wastes must be justified - i.e. the need for the practice must be established in terms of its overall benefit.
- b. Radiation exposure of individuals and the collective dose to the population arising from radioactive wastes shall be reduced to levels which are as low as reasonably achievable, economic and social factors being taken into account.
- c. The effective dose from all sources, excluding natural background radiation and medical procedures, to members of critical work groups should not exceed one mSv in any one year with a limit over a lifetime of 70 mSv. The government acknowledges its duty to determine overall strategy and a framework within which the nuclear industry must operate. As to responsibility within departments they say:

"Responsibility for civil radioactive waste management strategy rests with the Secretaries of State for Environment, Scotland and Wales and for defence wastes with the Secretary of State for Defence. In each case this responsibility is exercised in close consultation with other ministers and agencies, in particular the Secretary of State for Energy and for Social Services and the Minister for Agriculture, Fisheries and Food, and the Health and Safety Executive. The Secretary of State for Northern Ireland controls all these matters within Northern Ireland. The Government considers that this distribution of responsibilities remains appropriate." (Cmnd 9852. p.3)

In responding to individual recommendations (see figure 12) the government rejects 13 and makes neutral comment on 6½.

Fig. 12. Matrix Assessment: Radioactive Waste

Committee: Environment		Topic: Radioactive Waste			
Committee Mode:	Policy Process Intervention:			Issue Type:	
Challenger/Monitor	Options Analysis			Technical/ Scientific	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
165	183	123	133	48	140
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
8½	9½	3½	6½	13	

Of the remainder 21.5 recommendations are accepted in one degree or another (52.5%)

Table: 9
 Analysis of inputs and citations in the Select Committee
 report on Radioactive Waste (HC 191 Session 1985/6)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Experts
Witnesses Examined	16	13	19	10	8	8
Supporting Memoranda	6	8	8	5	4	6
Technical Appendices	2	3	4	12	6	10
Other Written Memoranda & unpublished evidence	1	0	0	3	3	11
Totals	25	24	31	30	21	35
Citations Count	140	159	92	103	27	105
Total inputs	165 21.0%	183 23.0%	123 15.5%	133 16.5%	48 6.0%	140 18.0%

This report demonstrates the Environment Committee in the role of 'Challenger' of Executive Policy; its dominant mode through the enquiry was both to challenge the complacency of government departments and to forecast future policy problems if current policy prevails. In what it accepts is a highly complex scientific topic, it matches government's own experts with a battery of no less than 140 separate inputs from independent scientific sources. (Fig. 9)

The report demonstrates an intervention at the options stage of the policy process, the issues arising from which are discussed further at Ch. 20. With the Government still clearly considering what policy options were available and attempting to gauge public re-action to them, the Committee intervention is, unlike others considered here, at an early stage in the policy life-cycle. Despite a policy-change on medium grade waste disposal, it found less immediate response than some other important reports on current environmental topics, but appears, nevertheless to have had significant impact in longer-term thinking within the Department.
(Patterson 1988)

CHAPTER SIXTEEN

PLANNING: APPEALS, CALL IN AND MAJOR PUBLIC ENQUIRIES

The Planning System

Planning control over land development in England has existed in its present form for nearly 40 years. Its statutory basis is now to be found in the Town and Country Planning Act 1971, which requires that any development of land must be authorised by a grant of planning permission. 'Development' is broadly defined as making a physical change or a change in the existing use of any buildings or land. (TCPA 1971)

There are several exemptions conferred by the Act itself and by subsequent statutory instruments. One of these excludes a variety of use changes from the definition of development and the other automatically grants planning permission for a number of carefully defined purposes.

In those cases where planning permission is required, an application must be made to the local planning authority for the area which has the power to grant planning permission, subject to such conditions as it thinks fit, or to refuse permission. The applicant has a right of appeal with the Secretary of State against a refusal of planning permission, against any condition attached to a permission or, if the authority have failed to determine the application either within a prescribed period (8 weeks) or such longer period as may have been agreed in writing

between the applicant and the authority. Notice of Appeal must be lodged within six months of either the local planning authority's decision or the expiry of the agreed period.

Appeals are handled by the specialist planning inspectorate of the Department of the Environment and, since 1968, the Secretary of State may transfer the decision making power to Inspectors themselves. These powers have been devolved to the extent that less than 5% of all appeals from local planning authorities are determined by the Secretary of State although he may recover the decision for himself if he wishes. (DoE 1986(b))

There are two principal parties to an appeal: the person who has failed to obtain the planning permission and the local planning authority. Each has the right to insist upon the appeal being dealt with by a public local enquiry presided over by an inspector. They may waive this right in favour of the matter being decided on the basis of written representations alone. If one or both decline to waive the right they may be offered, as an alternative to a local enquiry, an informal hearing thus avoiding the quasi-court room atmosphere attaching to formal hearings.

Although third parties are unable to appeal against planning permission which has been granted they are entitled to participate in an appeal against a refusal. Where the appeal is dealt with by way of an enquiry there are three categories of third parties who will be heard. firstly, the owners and agricultural tenants of any land to which the appeal relates who

have made representations; secondly, certain official bodies such as National Park authorities or neighbouring local authorities; thirdly, any other member of the public may attend any session of enquiry and may participate at the Inspector's discretion.

The decision of the Secretary of State or of the Inspector is final, subject to the right of challenge in the High Court on a point of law. (TCPA 1971). No right of appeal is available to third parties.

In addition to appeals from local planning authority decisions, there is a pre-emptive power of 'call-in' available to the Secretary of State and any application may be called in by him at any time before the authority makes its decision.

The Select Committee Enquiry: The Context

The Environment Committee report is only one of several unofficial or 'Whitehall outsider' reviews of land-use planning which appeared during 1986 including one by the Nuffield Foundation chaired by Lord Flowers (Nuffield 1986). Also, in a novel collaboration, the Confederation of British Industry and the three local government national associations, produced a mainly technical report. (CBI 1986) The Royal Institution of Chartered Surveyors produced a review complaining strongly of the lack of clear national and regional policy guidance. (RICS 1986)

The Flowers Committee found a general view among planners and field experts that the planning system had 'lost its bearings', although no agreement was reached on future directions. They also noted a scarcity of standard national data on which the policy analyst may hope or attempt to decide what difference elaborate statutory planning has made, for example to land prices or population movement. (op cit)

They endorse the proposition that the classic functions of British planning are in preventing nuisance, disciplining the natural turbulence of some land markets, regulating public and private interests where they clash, or promoting public policy.

All of these reports were themselves set against a background of official review as the DoE itself announced the publication of draft circulars and revised codes of practice (DoE 1986(b)).

In January 1986 the Environment Select Committee launched its own investigation into the planning system and invited written and oral evidence from a wide range of organisations and individuals concerned with the planning process. The committee took evidence from ministers and officials from the DoE, planning inspectors and representatives of developers and local authorities as well as planning professionals and a range of amenity and conservation groups. (See Table 10) The enquiry was advised by an academic expert in planning law from the University of Southampton. (HC 181/1).

The investigation focussed on a number of separate but interrelated planning issues. These were the planning appeals system, call-in arrangements and deemed consents, third party appeal and major public enquiries. It followed in the wake of two of the largest public enquiries ever held in Great Britain, that relating to the development of Stansted Airport and the Sizewell 'B' nuclear power station. Both these enquiries had raised issues of major national importance and had formed the battleground for large scale clashes between environmentalists, development interests and the government. (Armstrong, 1985)

A certain degree of dissatisfaction and frustration were evident from witnesses in all these aspects of the planning system and in which, in the committee's view, the Department of Environment has a key role to play. Their report dealt separately with appeals, call-in and major enquiries whilst acknowledging that overlap exists. The three separate sections of the committee's report dealt with these matters in sequence.

Virtually all witnesses were agreed that the right of appeal was an essential element in the system but that the long delays associated with appeals procedure were unacceptable.

Departmental statistics given to the select committee showed that in 1984 some 406,000 applications had been decided by local authorities, 86% of which received consent. Of the remaining 55,000 between a third and a quarter went to appeal and there had

been a growing trend showing an overall increase in the number of appeals lodged and the number won. (DoE op.cit)

Members were concerned to recommend changes in procedure to cut down delays, to penalise frivolous appeals and to introduce more informality and simplicity into the process, together with greater powers for the inspector to exert more influence over enquiry proceedings and in the procedures prior to the actual hearing. The Department was urged to recruit more full and part time inspectors and to set keener targets for cutting down delays. (See Appendix One p.77 for detailed recommendations)

As to the Minister's powers of call-in, the committee was concerned to see fresh and more wide reaching criteria for this rarely exercised power with extended rights for third parties to require the Secretary of State to call in an application. A series of recommendations were tabled by the committee to review this whole area of the government's powers in the planning system.

Turning to the major public enquiries referred to above, witnesses from the nationalised industries gave as evidence that the Sizewell enquiry alone had cost the CEGB £15 million over the 340 working days during which it sat. It had been 'the enquiry to end all enquiries' in the words of one witness. (HC 181-2 page 173)

However, in the absence of a specific definition of a major

public enquiry the committee heard evidence from a series of experts from the legal profession, from planning specialists and in particular from leading counsel practising in this field.

A DoE witness suggested that any enquiry which would last longer than 16 working days should be considered 'major' whilst the Chairman of a nationalised industry felt that if the Secretary of State had called it in and it was estimated to take a year from application to approval and an outside Inspector was appointed, it should be deemed major. The Committee however rejected these approaches as arbitrary (HC 181-1 op.cit) and set out their own definition based upon the scale of the regional and national policy issues involved and whether the 'national policy factor' was a controversial one.

This qualitative rather than quantitative judgement is in fact similar to that in the DoE's own subsequent draft code of guidance which also refers to the complexity of the environmental or technical nature of the issue and whether or not a large number of third parties are affected. The draft code also says: 'It will be for the Department to decide...' (CM 43. Appendix 2)

Professional bodies from town planning, surveyors and from local government also gave evidence. They tended to the view that in general, statute and practice are geared to deal with the kind of local, site-specific issues expected from the planning system. They have not, so far, been framed to deal with those cases where wider national or regional issues arise. Over the last decade or

so increasing concern has been expressed about this limitation and was reflected in evidence to the committee. Most of the witnesses on major public enquiries were concerned with pointing out and analysing the difficulty of adapting the planning enquiry system to handle the very major investigations such as Stansted or Sizewell. A number of suggestions were made both in evidence and in various studies referred to by witnesses about how best to deal with the problem.

The committee report expressed considerable sympathy with the exasperation felt by developers and promoters of projects. The National Industries Chairmans Group (NICG), which had recently conducted expert studies of nine of the biggest public enquiries in recent years said that virtually all of them had cost over a £1 million in direct expenditure. The wider cost of the delays incurred to work programmes, to supplies and in customer expense were 'incalculable' (NICG 1986).

The committee's recommendations on this section of the enquiry dealt with the need for cost benefit analysis of the present system. (See Appendix One p.77)

"Our principal concern in this report has been to investigate ways in which the planning appeal and enquiry system can be made faster and more efficient without reducing fairness or taking away from applicants and objectors the right to a fair hearing."

However, what constitutes a 'fair hearing' is itself in dispute. A DoE official told members that while "historically the question of policy within which the project was set was never really an issue", the fact is that there are many other interests now which have much wider concerns and see the public enquiry as a place where wider policy stances can be challenged. Thus, although the Sizewell 'B' enquiry was ostensibly an argument about planning permission for a power station, in fact it became a national debate between the environmental lobby and government over nuclear energy policy.

And yet, as the committee report made clear, any public enquiry is only advisory and can be completely ignored by the relevant Secretary of State (HC 181 p.xiii) As the evidence of academic witnesses commented, "often participants at enquiries are left with the impression that they are in some way contributing to the making of public policy - and influencing a not-yet-taken decision" - a tendency which the Nationalised Industry Chairmen wished to see ended. (NICG op.cit)

In its response to the Committee, the Government's position on this issue is made explicit:

"Over the last 20 years, both local residents and pressure groups claiming to represent the general public have increasingly demanded the right to express a view on the policy assumptions underlying a major development proposal, particularly in the public sector, as well as on the local

effects of the proposal. This has been particularly true of road proposals, where objectors have sought to question the need for the road, and to put forward alternative public transport solutions to the traffic problem which the proposal is intended to solve. It has also been true of proposals from the energy industries, where questions have been raised about what ought to be the relative contributions of coal, nuclear power, alternative technologies and energy saving measures in meeting future energy needs. This phenomenon is not limited to the United Kingdom; in certain other countries, objectors have resorted to direct action against projects. We must do everything possible to prevent this from becoming the normal form of protest against a major and controversial project. The Government considers therefore that adequate provision must be made for this kind of public debate to take place, in one forum or another."

The response also elicited a broader policy position:

"The Government's policy is to simplify the planning system and improve its efficiency. It fully accepts that it should put its own house in order as a key element in that process. The Committee's report records the initiatives which the Government is taking towards that objective - in the Housing and Planning Act 1986, through changes to secondary legislation, and in other ways. As the Committee's report rightly says, "much detailed and serious work is underway in the Department to try and tackle the problems of delay and we regard the many

initiatives which are in hand as well worthwhile". The Government is grateful that many of its efforts on the subject have the support of the Committee. As the memorandum below shows, the Government already had in hand further action on a considerable number of points raised by the Committee in its report."

Of the 36 detailed recommendations of the Select Committee, the DoE broadly accepted 19 and agreed positive action on two. It made neutral comment on five and rejected twelve. (See Appendix One p.77)

The enquiry was conducted, in terms of the select committee approach in an analytic mode, reviewing long-established administrative policy. (See fig. 13) The intervention in the policy process cycle was in the areas of evaluation and review and came at a point when both Government itself and other interests in the wider policy community were taking stock; thus the three other important reports on the planning system referred to above (p.267) In finalizing its report the Committee had defeated one Member's attempts to make the tone of some passages less sympathetic to the developer and the frustrations of public enquiry procedures. Chris Smith had also sought to remove the recommendations proposing to award costs against LAs which lost on appeal, and the proposal to allow compensation in cases in which the decisions of planning authorities were subsequently overturned on a procedural or legal point. Nine divisions were pressed, all of which Mr. Smith lost by four votes to one. And

indeed the Government's response was to partially accept that the award of costs in some circumstances should be introduced. The Government itself took the opportunity, in its responses to the Committee, to publish simultaneously, new procedural rules it was initiating to speed the appeal process (Cm 43 Appendix 1) and a new draft code of practice for preparing major planning enquiries (Cm 43 Appendix 2)

Fig. 13: Matrix assessment: Planning Appeals, Call-in and Public Enquiries

Committee: Environment		Topic: Planning: Appeals, Call-in & Public Enquiries			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Analyser and Monitor		Evaluation and Review		Administrative	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
167	19	40	123	77	115
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
2	14½	2½	5	12	

Table: 10

Analysis of inputs and citations in the Select Committee report on
 Planning: Appeals, Call-in & Public Enquiries

(HC 181 Session 1985/6)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Experts
Witnesses Examined	5	0	6	10	6	11
Supporting Memoranda	3	0	6	9	3	4
Technical Appendices	4	3	0	7	7	3
Other Written Memoranda & unpublished evidence	2	3	5	4	10	8
Totals	14	6	17	30	26	26
Citations Count	153	13	23	93	51	89
Total inputs	167 31.0%	19 3.5%	40 7.5%	123 22.5%	77 14.0%	115 21.5%

CHAPTER SEVENTEEN

POLLUTION OF RIVERS AND ESTUARIES

*

Unlike some developed countries the UK has a strong tradition of tackling water pollution and a good record to prove it. This is especially true for the past four years but a steady stream of improvement dates back to the middle of the last century when cholera and typhoid were endemic due to polluted water supplies. (HC 183 1986/7).

The Select Committee on the Environment, in launching a report on the problems of pollution in rivers and estuaries around the British Isles carried out an investigation complementary in many respects to that of its colleagues on the Welsh Committee who had undertaken a similar enquiry into the pollution of coastal beaches in the principality. (HC 101 1985/6)

The committee immediately acknowledged the improvements pointing out that less than one hundred years previously their predecessors in the Palace of Westminster had to hang up window blinds impregnated with chloride of lime to overcome the stench from the River Thames. Nevertheless although the Thames Estuary counts among the most prominent of post war success stories in estuarial restoration, there are other industrial rivers and estuaries throughout the country, such as the Trent, the Tees and

the Tyne where recovery has been just as dramatic. Yet despite this undoubted progress there remain serious water pollution problems.

Broadly, in the Committee's view the chief sources of water pollution can be grouped under three headings: human, agricultural and industrial. The water pollution problems which concerned MPs most can conveniently be split into two distinct groups, the first of which they termed 'historic' pollution resulting from urban and industrial development in the 19th century. The second is of more recent origin and relates to a net deterioration in water quality. (HC 183 1986/7). The committee detected a recent halt in the hitherto steadily improving trends in river quality as the main cause of concern and the purpose behind their decision to undertake an investigation.

The committee's concern was triggered particularly by the DoE's 1985 Statistics on River Quality survey showing that overall Britain's rivers are slightly more polluted today than they were five years ago. (DoE 1985)

However small this deterioration, in today's climate of high regard for environmental protection and after a 25 year record of continuous improvement the reverse trends shown up in the survey

were sufficient cause for concern and were, in the committee's own words "bad news". (op.cit)

In very general terms the overall net deterioration in river quality is due firstly to the declining quality in effluent routinely discharged from some sewage treatment works owned and run by water authorities and, secondly, to the reported increase in spasmodic pollution incidents, particularly associated with farming and to a lesser degree with industry. (op.cit)

Two government departments are principally concerned with control of pollution in rivers and estuaries; the Department of Environment (DoE) and the Ministry of Agriculture, Fisheries and Food (MAFF). In much the same debate as within the Welsh Committee, it became clear that on some issues there is a difference of approach between the two departments in tackling water pollution, particularly agricultural pollution and indeed, evidence of contradictory policies in operation. Even within each department the organisation of responsibilities seemed in the committee's view to militate against effective action. For example within the DoE the Minister for Housing and Construction has oversight of the water industry and the Minister for Environment Countryside and Planning is responsible for control of water pollution. Eventually Ministers from both MAFF and DoE were questioned on these matters.

Rivers and estuaries are a major national resource. Rivers provide one third of the water which goes into the public supply and, additionally, large quantities of high quality water for agriculture and industry. (DoE 1987) Estuaries are important in providing water for industrial uses, particularly for power station cooling. Additionally both rivers and estuaries make an important contribution to the beauty and natural features of the landscape both in towns and cities and in the open countryside. They are habitats for wildlife, recreational fishing and in the major estuaries commercial fishing. (Salmon, sea trout, eels and shellfish are estimated to contribute between four and five million pounds per year to the gross national product). These natural features provide various opportunities contributing both to the leisure industry and to health and recreation.

In this context and in view of the problems outlined above, the Environment Select Committee sought to satisfy itself that Government Departments, the Water Authorities and others responsible in this field were not only working to arrest the downturn in water quality, but also to turn the trend back to one of long term improvement. In particular the committee sought to check whether the right policies were being pursued and whether the controls were in place under the Control of Pollution Act 1974 Part II (COPA), to prevent the entry of major pollutants into the water course and encourage a return to steady improvements in water quality.

"At the back of our minds throughout this enquiry lay our broad support for the 'polluter pays' principle. So far as possible we wish to see this principle apply in the field of water pollution as elsewhere so that costs should fall in the main on those responsible for polluting water courses." (op.cit)

In pursuit of this aim the Committee's report looks in turn at pollution caused by the Water Authorities themselves, by agriculture and by industry.

In the course of the investigation all ten regional water authorities and the two Departments of State gave evidence indicating that broadly, improvements are attributed to investment by the water authorities or by industry, whereas deteriorations are chiefly attributed to deteriorating effluent at sewage works, sometimes due to increased loads, and to agricultural pollution. The DoE told the committee that it expected little change in river quality until 1990. (op.cit)

Written and oral evidence from a wide range of other witnesses including industrial groups, independent scientific witnesses and bodies representing farmers, and wildlife and environmental pressure groups produced a body of facts, some conflicting views, but a consensus within the wider policy community that any reduction in monitoring or standards require concerted action.

The dissolution of Parliament in the spring of 1987 required the report to be brought to a premature end but not before a substantive report had been published, with the main impressions and conclusions of the committee well documented. Members had visited sites in this country and elsewhere in Europe including the River Rhine and had sessions with EEC officials responsible for European policy on water. The committee was advised throughout the enquiry by two specialist consultants.

Soon after the return of a new conservative Government in May 1987 and before the Government could reply to the Committee report, a Bill was published proposing to create a National Rivers Authority and to privatise the ten water authorities in England and Wales. The Secretary of State said that the role of the new authority would include powers under the Secretary of State for planning water resource provision, environmental quality and pollution, land drainage and flood defence as well as fisheries, conservation, recreation and navigation.

Predictably, therefore, when the Department finally responded to the Committee's report in June 1988 - a year after the Government had been returned to office, much of the response was covered by proposals already now under active discussion in the formation of the new, privatised, water industry. A number of conclusions had been arrived at as a result of the Government's own separate

consultation process for the future of the industry (DoE 1986(c)) and the response thereto.

The draft legislation covered proposals to transfer all the duties of Water Authorities into privatised companies, included the setting up of a new National Rivers Authority (NRA) to which existing controls and regulating functions associated with pollution control and water quality were to be given. The question, for the purposes of this case study is to what extent the Select Committee had influenced the detail of the proposals.

The Minister was able to say that on the main issues concerning the regulatory framework and the need to reduce pollution risks, and the means of tackling the deterioration in water quality, he was in broad agreement with the select committee recommendations. (HC 543 1987/8)

In addition to the announcement of its privatisation plans and the consultative white paper prior to the May 1987 election, the Government had made a series of announcements concerning the new National Rivers Authority and its powers; published proposals for a fresh approach to the control of dangerous substances discharged into rivers, and had chaired an important international conference on the 'protection of the North Sea'.

It can be seen therefore that policy in this field was clearly at

the point of formation. Objectives and priorities for the new companies and for the NRA were being set, and options analysed. The point in the policy cycle at which this Select Committee report intervened is clearer and more precise than in many of the reports discussed above.

If the committee, when it first launched its enquiry, had not been aware of the radical change of policy which was to occur, and had established a mode of enquiry which was essentially that of analysis and review of existing policy, and the performance of the water authorities, it had, by the time Government considered its recommendations, intervened at a critical point in the formation of a quite new policy departure at the heart of the ideological drive towards privatisation of most public sector structures.

From the verbal examination of the Minister during the Committee's enquiry it is clear that he and his advisers had not, at the time, formulated detailed proposals. For example, in answer to a question, pressing him on the need to arrest the deterioration in water quality, the Minister said:

"There is a whole range of issues ... which are being given increasing priority and will need corporate planning ... if there is a change in the structure of the industry it would give a chance to review all these issues.' (HC 183 II p.267)

And again, on a witness's suggestion of a unified pollution information archive:

"I have not had the proposition put to me. It sounds interesting...." (Ibid)

In fact, the Minister was able to accept, in one degree or another 25½ (71%) of the 36 detailed recommendations, making neutral comment on four (11%) and rejecting 6½ (18%) (see analysis at fig. 14).

The issues on which the Government felt unable to concede were firstly to do with increases in public expenditure, whilst the Water Authorities were still in the public sector, and, secondly, the detailed nature of some of the statutory constraints to be laid upon the putative new industry.

However, the large number of those proposals which were accepted and which were written into the formation of the industry and the regulatory code of the NRA, suggests that the combined arguments of those within the policy community, either through the select committee or through other consultative processes, had an important influence in policy formation. The scientific/technical nature of much of the argument, augmented by considerable discussion of administrative issues suggests that Departmental officials in both administrative and scientific

roles had been influenced in the fine detail of the argument. Indeed, the Minister said in his response that he was reassured by the wide range of agreement he had found between himself and the Environment Committee on policy goals and instruments. (HC 543 p.v)

The essential policy issue for the select committee in the process was, given the Government's intention to privatise the industry, the need to put on a statutory basis the water quality objectives and the regulatory standards to be imposed. This, the committee and the wide range of pressure groups which submitted evidence, clearly achieved together with a commitment that there would be more emphasis on preventive measures; advice and guidance; monitoring of performance; all under-pinning a stronger regulatory framework. (HC 543 p.v)

Table 11 shows that despite the problems this enquiry met in submitting its recommendations before the dissolution of the 1983/7 Parliament it gathered an impressive body of learned evidence, research data and the views of a range of interest groups, as well as subjecting Ministers and officers from the Department of Environment and MAFF to a detailed inquisition. 170 separate pieces of evidence were assembled, which were cited over 260 times in the subsequent formulation of recommendations. (See fig 14)

Table: 11

Analysis of inputs and citations in the Select Committee report on
Pollution of Rivers and Estuaries (HC 183 Session 1985/6)

	Ministers & Gov't Depts	Quangos & Official Agencies	Local Authority	Self Interest Groups	Pressure Groups	Indep Exper
Witnesses Examined	27	17	-	12	6	7
Supporting Memoranda	2	5	-	3	3	2
Technical Appendices	6	12	5	10	8	9
Other Written Memoranda & unpublished evidence	2	3	2	7	11	10
Totals	37	37	7	32	28	28
Citations Count	91	108	-	17	9	39
Total inputs	128 29.5%	145 33.5%	7 1.5%	49 11.5%	37 8.5%	67 15.5%

Fig. 14: Matrix Assessment: Pollution of Rivers & Estuaries

Committee: Environment		Topic: Pollution of Rivers and Estuaries			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Analysis & Review		Setting Objectives Options Analysis		Technical/Scientific	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
128	145	7	49	37	67
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
5½	11	9	4	6½	

CHAPTER EIGHTEEN

HISTORIC BUILDINGS AND ANCIENT MONUMENTS

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Historic buildings and ancient monuments are, in the words of the Chairman of the Select Committee on the Environment, "an essential part of the personality of this country." (HC146 1986/7) In the course of an investigation by his committee during the summer of 1986 witnesses from a wide range of voluntary and statutory bodies repeatedly stressed how crucial they are to people's perception of the environment in which they live.

The architectural heritage is a major tourist attraction - an industry which earned nearly £5 billion from overseas visitors in 1985 and is growing at a real rate of not less than 4%, according to the British Tourist Authority. (BTA 1986) It is the need to tap the economic value of this visitor interest by effective maintenance of historic buildings which formed an important theme in the select committee's report. Further evidence, from the National Trust suggests that the British spent approximately £6 billion last year for travel within the United Kingdom, much of it concerned with visits to places of interest and of historic value. (NT 1986)

The select committee report falls into a series of main sections discussing firstly the way in which the architectural heritage is

managed and whether it is realising its full economic potential; secondly the administrative mechanisms for listing of buildings and scheduling of monuments and the effectiveness of the public subsidy provided for this purpose. (HC 146. 1986/7) The report then discusses public access, the distribution of grants and the relationship between the Department of the Environment - the sponsoring ministry and the other semi-autonomous bodies with statutory responsibilities; these include English Heritage, Historic Buildings and Monuments Commission, the Church of England and a lengthy list of local authorities and private owners.

In a cross-reference to one of its earlier reports the Environment Select Committee took evidence concerning the damage to monuments from pollution and in particular acid rain, and questioned the Government's own role as the owner of the largest historic buildings estate in the country.

In the course of the enquiry members of the committee made a number of visits to cathedrals, private homes, stations and field monuments.

Much of the debate in the course of the enquiry related to the relationship between English Heritage and the DoE, the responsibilities split between them and the financing

arrangements and level of public subsidy generated for the protection of buildings and ancient monuments. These detailed matters of administrative policy and division of responsibilities revealed important differences of approach between the two.

The Committee made critical comments on the lack of weight given to the potential for tourism development and the consequent financial benefits which could be generated. The Report concludes that successive governments have not done enough to realise the economic potential of the heritage and thereby to ensure its conservation: "We believe that the heritage is capable eventually of paying its own way but additional resources are required initially." The recommendations propose a number of ways in which both Government and local authorities could add to the additional resources raised through greater tourism.

(op.cit)

In a searching investigation into the listing and scheduling mechanisms, the committee recommend radical revisions of the administrative arrangements, more information to owners of listed buildings and the revision of the criteria for listing. Further recommendations dealt with the serving of building preservation notices and building repair notices in which the committee wished to give greater responsibility to English heritage. The role of the military on Salisbury Plain and other areas was criticised

and the committee discovered that over half the scheduled monuments on Salisbury Plain had been damaged in less than a decade. It urged immediate steps to reverse this situation.

Public access to ancient monuments, the taxation regime and a proposal for zero rating of VAT became part of the committee's proposals. (op.cit)

In a separate section of its report the committee dealt with the preservation of churches and cathedrals seeking greater assistance, more conformity of policy among diocesan authorities and a recommendation that charges should be made for entrance to cathedral buildings. A proposal in the final report that an admission charge of at least a pound per head to assist in the financing of programmes of regular repair and maintenance to the fabric of cathedrals was in a subsequent response from the Church accepted by the authorities as a non compulsory charge.

In a final section the select committee canvassed the possibility of the establishment of a national heritage commission, but concluded that it would not be 'practical politics' to bring together such a vast array of disparate bodies in a single organisation - what the English Heritage witness called a "super quango". Nevertheless the committee asked the Secretary of State to consider the possibility of merging the Royal Commission on

Historical Monuments and English Heritage into a single body.

In its response to the 42 specific recommendations of the committee, the Government included replies from English Heritage and from the Deans and Provosts of the English cathedrals. (See Appendix 1) (HC 268 1987/8)

The Government's reply welcomed what it called a "constructive and thought provoking" set of recommendations and commented on the particular value of a document pulling together the views of all the major interest groups in the heritage field. (HC 268 1987/8) The Committee report was, said the government, a valuable starting point and a rich quarry of ideas and data for the refinement and the development of policy towards the heritage: "and is likely to remain valid for this purpose for a considerable time to come". Whilst it rejected over 50% of the individual recommendations, it concurred with a number of the broad themes, dealing with the economic potential, the promotion of tourism, and the need for better public access to historic sites and royal palaces.

However, despite a substantial measure of agreement between Government and Committee on broad policy aims for the heritage, half the recommendations were not accepted but the Government response commented that it did not necessarily close the door on a number of the proposals for all time. The Secretary of State

for the Environment indicated that in a situation of ongoing and continuous review, the committee's report would play a part in future policy evaluation.

English Heritage too commented on the report's value in providing a comprehensive survey of the field, an agenda for ongoing debate and a spur to reviewing current policy and practice.

In the course of its enquiry the committee attracted an unusually large number of representations from local conservation and pressure group bodies, individuals and owners of listed buildings, and the authorities from religious denominations, museums, galleries and architectural bodies. (See figure 15).

The mode of enquiry adopted by the committee was one of mediating both between interest groups and between the Government and the official and voluntary policy community. In particular the response of the Church authorities in the maintenance of cathedrals proved an important milestone in relationships between church and state. The enquiry was directed principally at the implementation of complex administrative policy affecting a large group of official, voluntary, national and local bodies. The analysis of these factors quantified at fig. 15, is discussed below in chapter 20.

Fig. 15: Matrix Assessment: Historic Buildings and Ancient Monuments

Committee: Environment		Topic: Historic Buildings and Ancient Monuments			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Interest Group Mediators/Prioritiser		Policy Implementation and Control		Administrative	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
88	91	41	76	113	44
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
3	5½	7	9	17½	

CHAPTER NINETEEN

THE CARAVAN SITES ACT 1988

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The 1968 Caravan Sites Act had been introduced to ensure that sufficient local caravan sites were provided for gypsies and other travellers, and had been based on some DoE research carried out in 1965. It imposed a statutory duty on local authorities to provide and manage sufficient such facilities for travellers in their areas.

When in the 1984/5 session, the Select Committee on the Environment investigated the general estimate provision for the Department it commented, among other things, that the implementation of the Caravan Sites Act appeared to be less than satisfactory since although it had been operative for 17 years, local authorities had not provided sufficient sites and indeed less than two thirds total provision had been made. (HC 414 1984/5). In its reply to the committee's report the DoE accepted that there had been a shortfall in implementation and responded positively to the Committee's proposal that there should be a modest review of the effectiveness of the policy. The Department invited a limited range of local authority organisations and gypsy support bodies to comment, both on the policy itself and the implementation of it. In this sense the Government's response to the Committee was 100% acceptance.

In the event a considerably greater degree of response and

comment came back from gypsy support groups, local authorities and others and the Department decided to commission an analysis of the responses from Professor Gerald Wibberley, a retired expert in countryside planning from the University of London.

His analysis of the responses together with comments and suggestions of further action were subsequently published by the Department (DoE 1986(d)), together with a statement of the Minister's proposals for action.

This rather low key response to an environmental issue exposed a significant failure of implementation and some trenchant criticisms of departmental practice. The pressure groups sought stronger sanctions on those authorities who had not made sites available whilst many Councils criticised the Department's administration of grant and the slowness of the procedures. Respondents also sought more emphasis on good site management, and a review of the 'designation' policy which makes it a criminal offence for travellers to stop in areas where sites have been provided, if no official plot is available. Many respondents urged a strengthening of the legislation.

The Wibberley report commented that at the present rate of performance, a relatively minor problem was in danger of becoming a major issue.

Professor Wibberley's commission had been to prepare a factual and analytical review of the material derived from the consultation process. He was also free to put forward his own recommendations to the Secretary of State. It was to take the form of an analysis of the issues raised in the responses and to include an assessment of suggestions for action made therein.

In this sense the Wibberley Report is the equivalent of select committee recommendations, but the Department's response fell considerably short of meeting the major recommendations; instead it emphasised the contribution which private sites could make and declined to take a stronger line with authorities which had so far not made progress. The Minister was not proposing to review the 'designation' policy and expressed the hope that Councils would now do more. Further advice and better monitoring was promised, and a strengthening of the Department's gypsy unit. No modification of the financial grant procedure was forthcoming.

Fig.16: Matrix Assessment: Gypsy Site Provision

Committee: Environment		Topic: Gypsy Site Provision			
Committee Mode:		Policy Process Intervention:		Issue Type:	
Analysis & Review Monitor		Evaluation and Review		Administrative	
Input Score and Citations					
Ministers & Government Departments	Quangos Official Agencies	Local Authorities	Self Interest Groups	Pressure Groups	Independent Experts
4	-	27	2	27	5
Government Responses to Recommendations					
Positive Acceptance & Action	General Agreement	Acceptance for Consideration	Neutral Comment	Rejection	
1	0	0	0	0	

In this example the Select Committee sought a 'modest review' of policy effectiveness. The Government's response was to agree and to commission a review. However, the subsequent response to proposals for policy change, arising from the review itself, was less complete.

The matrix analysis does not illustrate that the large number of recommendations for action put forward by pressure groups and interested individuals, although they carried some weight with the independent analyst, were not wholly taken up by the DoE.

The unusual step of seeking an academic review of the evidence, and carrying out a departmental consultation as an alternative to a select committee investigation, may in fact have avoided a more effective set of criticisms with the weight of a published Committee report behind them. It has also allowed a departmental response considerably less positive than might have occurred in that context.

This enquiry illustrates the Environment Committee in a monitoring mode, seeking to know why it was necessary to be providing a capital estimate for gypsy sites, seventeen years after a mandatory duty had been placed on local authorities. (HC 414 1984/5). The issue was essentially about the administrative effectiveness for implementing existing policy, and the intervention in the policy process cycle was at the point of evaluation and review. (See Fig.16)

Summary

Part III of this thesis has traced the development of environmental policy through two decades of parliamentary policy-making and the growth since 1979 of the impact which departmental select committees have made upon it.

We have examined in detail all the major enquiries undertaken by committees during the parliament of 1983/7, and have submitted the outcomes to an examination in the theoretical "matrix" constructed in Part II Chapter 7.

Part IV of this thesis now proceeds to a discussion of the results, and to draw out the tentative conclusions which emerge.