

Local Leadership and Public Trust: Openness and Accountability in Local and London Government

Submission of Evidence

The following comments are confined to local government outside London.

Local Government: Leadership and Decision-Making (Para 2.19)

The seven principles of public life potentially raise questions for both the 'council leader' and 'elected mayor' models of local government. However, the three principles of accountability, openness and leadership pose particular questions for the elected mayoral system. It is precisely because the mayoral system was intended to deliver streamlined and more effective leadership that the question of accountability necessarily arises more acutely: the assumed strengths and possible flaws of the elected mayor model are two sides of the same coin.

The traditional committee system provided formal accountability in local government, but at the cost of slow and ineffective decision-making. Whilst every conceivable form of local political management will have to engage in a trade-off between effective leadership and meaningful accountability, this is raised particularly in the directly elected mayor system because of the wide freedom of action granted to mayors (and their chosen cabinet members) once the annual budget has been approved. There is no real day-to-day constraint on executive decision-making in a mayoral system, even in circumstances where the political party of the mayor and cabinet does not have a majority of councillors (as currently in North Tyneside).

The national high-profile of the current and previous London mayors should not obscure the fact that elected mayors outside London have direct responsibility for a range of services (including education) that are not within the remit of the London mayor. Mayors outside London have extensive powers unprecedented in English local government, unspectacular and non-newsworthy though their everyday work may often be.

Under the 2007 Local Government and Public Involvement in Health Act, council leaders may now be appointed for four years. In the power to select their own cabinet, and freed from the necessity of annual re-election by the whole council, the new-look council leader may come to resemble the executive mayor - except, of course, insofar as the leader is not directly elected by the public. The post-2007 council leader is in some ways akin to an indirectly-elected mayor (analogous to experience outside the UK). Conceivably, at some future time, the council leader may even be able to take the title of executive mayor: one way of advancing the persistent political push toward establishing a mayoral system while avoiding the political difficulty of implementing this in the face of public indifference. Irrespective of whether the council leader comes to be seen in this way, the move to four-year terms for a position not subject to direct election suggests that the principles of accountability, openness and leadership will become more relevant to the council leader system from now on.

Local Government: Openness and Accountability (Para 2.29)

The numbers of people participating at referendum in the decision to create a mayoral system, and within this the numbers voting in favour of the change, were small (Game 2003, p 22). There is no evidence of widespread public interest in how local government is run or in the changes in political

management brought about by the 2000 Act (Fenwick and Elcock, 2004, p 525). In England and Wales, only 12 councils in total have opted for a mayoral system (CSPL, 2008, p 9) and one of these has now reverted to a council leader system following changes under the 2007 Act. More generally, there is little evidence that the public holds a positive view of its local authority or has any great interest in being involved in it (eg Department for Communities and Local Government, 2006).

This uniform body of evidence is not an argument against directly elected mayoral systems, but it is an argument against invoking the support of the public in any further extension of the system. There may be good reasons for having more directly elected mayors but public demand is certainly not one of them.

Scrutiny: the introduction of the scrutiny function in the 2000 Act was arguably a more fundamental change than the creation of the elected mayor system, as, for the first time, some elected representatives were removed from the role of formal (perhaps notional) decision-making and charged with oversight and possible recall of executive decisions. There is no reason to think that scrutiny is impacting differently in mayoral and non-mayoral systems, although there may be issues around the effective operation of scrutiny in councils dominated by a single political party.

An abiding problem of English local government is its lack of coherence in comparison to other parts of the UK. Successive reorganisations in England, including the current establishment of unitary councils in certain selected areas, add up to an opaque local government system which may comprise one, two or possibly three tiers, metropolitan or non-metropolitan, run by a variety of means including council leaders, executive mayors or, in the smallest councils, committees. There is no persuasive reason for this implausible mix of arrangements, especially in the context of relatively settled patterns of sub-national governance elsewhere in the UK. The incoherent nature of these arrangements tends to impact on how local government is seen by local people as it does not, in any obvious way, make sense.

Local Government Officers: Role and Accountability (Para 2.37)

Although the formal relationship between executive leader and council officers may not change under elected mayor arrangements, it is harder to maintain a clear distinction between 'policy' and 'implementation' in an elected mayor system than in a council leader system. The executive mayor is bound to be involved in both policy-making and strategic management: a change arising from the very advantage – the leadership role – that the elected mayor was meant to bring in the first place. Equally, the policy side of the Chief Executive's role may be 'stripped out' under a mayoral system as the mayor will increasingly carry out the policy role too (Fenwick and Elcock, 2005, p 65). Thus under an executive mayor system, the role of the council's chief officer is likely to change. This is entirely to be expected if the mayor is carrying out the executive leadership role envisaged by government.

Local Government Accountability and Partnerships (Para 2.40)

Both major political parties currently favour an extension of the elected mayor system, although as suggested above there is no evidence of any widespread public enthusiasm for this. This suggests that the directly elected mayor system is still perceived by the current and aspiring government parties as a solution to some intractable problems of local government, including lack of public participation, bureaucratic decision-making and ineffective leadership.

Yet the relatively few English authorities that adopted the mayoral system did so partly - perhaps mainly - for very specific local reasons rather than because of any appetite for the principles behind

adopting the system, including, for instance, the troubled circumstances of Doncaster, the controversial history of the leading contender for mayor in Middlesbrough or the popular media attention lavished upon the independent candidate in Hartlepool. "Campaigns for directly elected mayors in some parts of England were waged on the basis that electing a mayor would address the perceived governance problems in those local authorities" (CSPL, 2008, p 9).

However, more positively, there is a plausible argument that after the haphazard nature of the initial mayoral elections the mayors in post seem to have established themselves in the public mind, in some cases securing re-election convincingly. The independent candidate and political novice who won the first mayoral election in Hartlepool very narrowly in 2002 succeeded in winning again by a landslide in 2005. This may suggest that although there is no evidence of public demand for the elected mayor system at the outset, once established in office the system does start to have public appeal: "...within the areas that have opted for this system, elected mayors have begun to establish distinctive profiles and programmes of work, have developed new initiatives and, importantly, have been the catalyst for changed relationships with their senior officers and local councillors, as well as with stakeholders and the public" (Fenwick, Elcock and McMillan, 2006, p 443). This argument could be used by government to implement the office of executive mayor more widely on the basis that it will appeal to the public once they have experience of it.

References:

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