



*New Council Constitutions*

*Four Years On:*

*Findings From The 2006 ELG\* Census Survey*

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June 2007  
Department for Communities and Local Government: London

The findings and recommendations in this report are those of the author(s) and do not necessarily represent the views or proposed policies of the Department for Communities and Local Government.

\* Evaluating Local Governance: New Constitutions and Ethics (ELG) is the name of a research project which is conducting a five year evaluation of the new council constitutions and ethical framework for the Department for Communities and Local Government (Formerly the Office of the Deputy Prime Minister). The project involves a collaboration between the School of Social Sciences, University of Manchester with, Goldsmiths College and the SURF Centre at Salford University. The members of the research team are Professor Gerry Stoker, Professor Peter John, Dr Francesca Gains and Dr Stephen Greasley (University of Manchester), and Professor Nirmala Rao (Goldsmiths College). Further details about the project, publications and current activities can be found on our website [www.elgnce.org.uk](http://www.elgnce.org.uk)

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# Executive Summary

This issue paper reports on the findings of the second wave of the ELG census survey. In the spring of 2006 a survey was sent to all the principal local authorities in England asking a set of questions about their political management arrangements. The response rate was 78%. The survey repeated a number of questions that were asked in a similar exercise in 2002. The two surveys allow us to track the implementation of the reforms as they become embedded in local government. An additional aim of the survey was to collect data that would be used for the final impact report. In particular we assess the extent to which the formal institutional structures are in place to support the three objectives of the 2000 Act: visible and effective leadership; democratic legitimacy; and, checks and balances. The forthcoming impact report will use these features to assess whether the way political management is organised within an authority does impact on the quality and efficiency of service delivery and the esteem in which local government is held by local citizens.

## Visible and Effective Leadership

The size of cabinets has fallen slightly since the 2002 survey and the proportion of women in cabinet positions has remained fairly stable.

On average mayoral authorities have smaller cabinets than the leader-cabinet authorities and women are better represented in mayor's cabinets although these differences are not large.

There has been an increase since 2002 in the proportion of leader-cabinet authorities giving leaders individual executive decision-making powers, a larger increase is found in the proportion giving other individual cabinet members the power to make decisions. There have been moderate increases in the proportion of authorities giving leaders the power to decide who is in the cabinet and to allocate portfolios.

Adding together three leader freedoms – individual decision-making, leader selects cabinet and leader allocates portfolios – reveals a moderate shift towards more concentrated leadership. The shift is most marked in metropolitan boroughs, in 2002 they were the type of authority least likely to give leaders the three constitutional freedoms, by the time of the 2006 census they display a pattern that is fairly similar to the other types of authority.

## Democratic Legitimacy

Full council appears to be the policy-making meeting most commonly used by local councils to allow residents a voice in council processes. This is reflected also in the higher rates of press attendance at full council when compared to executive and other meetings.

Press attendance at full council and executive meetings is more regular in mayoral authorities than leader-cabinet authorities. Whilst the proportion of leader-cabinet authorities and mayoral authorities with area committees is similar, leader-cabinet authorities are more likely than mayors to give decision-making power to these committees.

The majority of LSPs are not chaired by the council leader. Mayors are no more likely to chair LSPs than leaders in leader-cabinets.

There has been an increase in the proportion of authorities whose overview and scrutiny committees scrutinise external bodies.

## **Checks and Balances**

The checks and balances introduced by the 2000 Act are now well embedded across the English local government system:

Scrutiny committees are better resourced than they were four years ago and they have taken on more comprehensive roles.

Virtually all (98%) the authorities required to publish a forward plan also place it on their website.

A majority of authorities have chosen to allocate the chair of their standards committee to a non-elected independent member.

## **Models of Political Management and Performance**

The report on the 2002 census developed a model of variation between the leader-cabinet authorities. Where authorities had adopted arrangements which supported strong leadership and strong scrutiny (the separation of powers model) they were judged to be closest to the overall aims of the legislators. In 2002 16% of authorities fell into this category by 2006 this proportion has almost doubled to 31%.

# Chapter 1.

## Introduction

The Local Government Act 2000 is a central part of New Labour's local government modernisation agenda. Its implementation marked the end, in all but the smallest authorities, of the long established committee system in local government. English authorities with populations over 85,000 were required to adopt either a mayoral system or a leader and cabinet to enhance executive decision-making. Non-executive councillors were to develop a stronger role in community representation and a role in scrutinising executive decision-making. A new ethical framework was also set in place. The core rationale was that the introduction of a separation of powers would strengthen leadership and improve the decision-making capacity of local authorities.

The objectives of the Act were three fold:

- To create a more **visible and effective political leadership** in local councils in order to enhance the prospects for effective service delivery and of broader community programmes meeting local and national targets;
- To enhance **democratic legitimacy** of local government, to enable it to gain in public respect and trust so that it could provide a sustainable and viable forum for local collective choice; and
- To provide sufficient **checks and balances** in the construction of new council constitutions to ensure that other objectives such as freedom of information, transparency of decision-making and the involvement of a wide base of councillors in local politics were not undermined by the drive to stronger executive leadership.

This issue paper is one of a series that seek to explore whether the new constitutional arrangements have been successful in achieving these objectives. It presents data taken from a survey sent to all the principal local authorities in England. This survey follows up on a similar survey undertaken in 2002 and tracks changes over time. It is one of a number of instruments that researchers from the Evaluating Local Governance (ELG) research team have used to evaluate the outcomes of the 2000 Act.

### 1.1 About the ELG evaluation and background findings

The ELG evaluation of the Local Government Act 2000 offers the rare benefit of a five year period over which to investigate the implementation, outcome and impact of this wide-ranging piece of legislation. In the first year of the evaluation, data were gathered on how the 386 principal local authorities had implemented the Act given the wide variations in possible constitutional form and design. To gather this initial evidence a census survey was issued to all local authorities (75% response rate). From these data, a representative range of 40 authorities were chosen as case study authorities and subject to further

examination. Findings from this initial research were presented in our first report, and published on the ELG website ([www.elgnce.org.uk](http://www.elgnce.org.uk)). An executive summary was sent to all local authority chief executives.

Our initial report found that most authorities had chosen the leader-cabinet option and that there had been no significant problems in the implementation of the new executive arrangements. An initial set of institutional indicators to measure the strength of leadership and scrutiny in leader-cabinet authorities were developed. While implementation had not generally been problematic, using these indicators only 16% of leader-cabinet authorities had adopted constitutions which appeared to offer both strong leadership and strong scrutiny.

The second year of research built on these baseline data and examined more closely the processes which were emerging to operate the new arrangements - specifically, the roles of, and relationships between councillors, officers and stakeholders. To do this, councillors, key officers and local stakeholders in a representative sample of 40 local authorities were surveyed (40% response rate). Documentary evidence from 20 authorities was also examined and two days were spent in each, conducting interviews with councillors, officers and local stakeholders. Findings from this research were presented in our second annual report (2004) and published on the ELG website. Issue papers on diversity; alternative arrangements authorities; mayoral authorities; politically hung authorities; and, leadership supplemented the 2004 Report. Key findings were that processes to support the changes to executive decision-making through the creation of cabinets and mayors were well established and whilst overview and scrutiny activity was less well understood or enacted than executive activity, in most cases, it was still making a positive contribution.

The first two years of the evaluation were formative in nature. Although the objective of ELG research is not to produce good practice guidance, we have sought through the ELG website, issue papers, reports, conference presentations, network meetings and case study visits, to share emerging findings in the hope that this will feed into the processes of policy implementation, development and debate taking place within local authorities. Indeed, ELG intend to maintain a dialogue with the local government community through continued attendance at conferences and seminars and through the website for the remaining research period.

During the last stage of our evaluation we move to a summative phase and seek to measure the overall outcomes and impacts of the legislation. This report is one of three documents which we will draw on in writing the final outcome and impact evaluations for the end of the research in spring 2007.

## 1.2 The purpose of this paper

The purpose of this issue paper is to report on wave two of our census survey of all English principal local authorities. The report repeats much of the analysis done after the 2002 survey, the findings of which can be found in our first annual report (see [www.elgnce.org.uk](http://www.elgnce.org.uk)). The aim of the current survey was to collect data on relevant institutional features in local authorities. This report presents the current picture using the 2006 data and analyses change over time by comparing responses in 2006 with those in 2002.

## 1.3 The survey and presentation of findings

Surveys were distributed to all principal local authorities in the spring of 2006. The response rate was 78%. We received responses from ten of the twelve mayoral authorities. At various points in the report we compare results from mayoral authorities with those from leader-cabinet authorities, any differences found have to be treated with caution given the small number of mayoral authorities available.

Further details of methodology and a table showing a breakdown of response rates across different types of authority are shown in Appendix B.

The following three chapters report in turn on data relevant to the overarching aims of the legislation discussed earlier in this chapter. Chapter 2 discusses visible and effective leadership with a particular focus on leader-cabinet authorities. Chapter 3 describes structures for supporting democratic legitimacy and chapter 4 explores institutional features designed to provide checks and balances. Chapter 5 discusses variation within the most common model of political management, the leader-cabinet authorities. Chapter 6 summarises the findings in this paper. The majority of the findings are presented graphically, the tables on which these graphs are based are found in Appendix A.

# Chapter 2.

## Visible and Effective Leadership

### 2.1 Introduction

A key aim of the Act was to establish the institutional foundations for visible and effective leadership in local authorities. This was to be achieved by allocating explicit leadership roles and the opportunity to make executive decisions to a small subset of elected councillors in each authority. It was believed that these changes would make democratic decision-making more responsive and would clarify local political accountability.

The most radical of the options for reform were the two versions of the mayoral system – mayor-cabinet and mayor-council manager. In both these systems mayors are directly elected in an authority-wide election and serve a fixed term. Mayors have the power to make executive decisions, if they wish to take that power, and they have a prominent role in setting the budget and policy framework each year. In the mayor-cabinet system the mayor selects a group of councillors to sit as a cabinet. Individual cabinet members may be given delegated powers to make executive decisions and the power to make decisions may be delegated to the cabinet as a whole. In the mayor-council manager system the executive is made up of the directly-elected mayor and the council manager appointed as head of paid services. Currently, there are eleven mayor-cabinet authorities and one mayor-council manager, all but one of these were established in the first year after the implementation of the Act.

The bulk of English local authorities, those with a population of over 85,000, were required to adopt either a mayoral model or the leader-cabinet model. The vast majority of these adopted a leader-cabinet system. This system also separates a small group of elected members from the council as a whole to occupy leadership positions and make executive decisions. The leader is voted-in each year by the full council and then the other cabinet positions are either also voted-in by the council or allocated by the leader. A key change resulting from the legislation is that there is no requirement for the political composition of the cabinet to match the composition of the council as a whole. Collectively, the cabinet is given the power to make executive decisions and this power may also be delegated to individual cabinet members, the cabinet usually also leads the annual budget setting process.

The fourth option – known as alternative-arrangements – was only available to authorities with a population of less than 85 000, or as a ‘back-up’ if there was a failed mayoral referendum. There is one authority which adopted alternative-arrangements as a result of a failed mayoral referendum. The alternative-arrangements model allows for no more than five policy committees which are required to be politically proportionate vis-à-vis the full council. Many such councils do have a formal leader but this is not a requirement.

At the time of our 2002 census only seven mayoral authorities had been established, four were added to this total in the first year after the implementation of the Act and more recently (autumn 2005) Torbay has adopted the mayoral model. Two authorities indicated in their response to our survey that they had shifted from alternative-arrangements to the leader-cabinet model. Given this high level of stability, any changes in political management across the country have to a large extent occurred within the bounds of each model. This chapter summarises aspects of the structures for political decision-making in the different models.

## 2.2 Cabinets and policy committees

In those authorities that have cabinets (leader-cabinet and mayor-cabinet authorities) the legislation placed an upper limit of 10 members on the cabinet. The average size of cabinets in leader-cabinet authorities is 8.4 in 2006 a marginal fall from 8.5 in the 2002 census. The smallest cabinets in the leader-cabinet model have five members and these are found in four district councils. Over half (53%) of the leader-cabinet upper-tier authorities fill all 10 available places cabinet places, whilst the figure for districts is 16%.

We have data on nine of the 11 mayor-cabinet authorities and they have an average of eight members in their cabinets. The average number of policy committees in alternative-arrangements authorities is 2.6, with an average size of 11.3. Of the alternative arrangements authorities eight have a single policy committee analogous to a cabinet but retaining the proportionality requirement.

In 2002 17% of leaders in leader-cabinet authorities were women, in 2006 this proportion has dropped to 13%. There has been a small increase in the average proportion of cabinet positions occupied by women in 2006 (26%) as compared to 2002 (23%) (these figures include leaders and cabinet members). In more than half (53%) of the leader-cabinet authorities three-quarters or more of cabinet positions are held by men and 8% of all leader-cabinet authorities have no women in their cabinet.

Of the 10 mayoral authorities that responded to the survey one has a female mayor. The average proportion of female cabinet members in the nine mayor-cabinet authorities that responded is 34%, slightly higher than the figure for leader-cabinets reported above. In 22% of mayor-cabinet authorities three-quarters or more of cabinet positions are held by men, a fairly large difference when compared to the leader-cabinet authorities. This offers some corroboration to the finding in the sample survey that it is easier for women to become involved in the business of mayoral authorities.

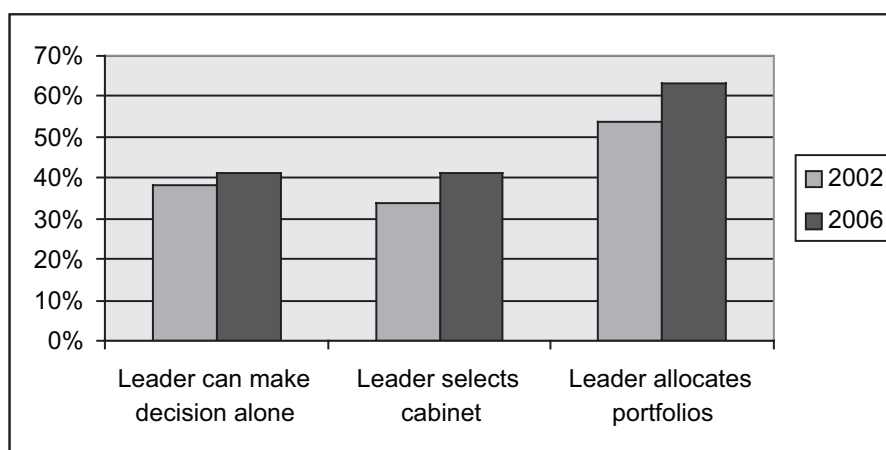
## 2.3 Leader-cabinet decision-making: executive functions and leader freedoms

The majority of authorities operate the leader-cabinet system. For the remainder of this section the focus is on how decision-making operates in this substantial subset of authorities. The method adopted here reproduces an analysis which was conducted on the 2002 census.

Within the leader-cabinet model there is scope for variation in the freedoms given to leaders. At one end of the spectrum, where leaders have fewest freedoms, there has been minimal change in political decision-making in response to the Act. At the other end of the spectrum a greater number of freedoms for leaders indicates a stronger engagement with one of the overarching aims of the Act – to create visible, strong leadership.

This section discusses three types of freedom that leaders may be given – leaders may be allowed to make executive decisions alone, leaders may be given the power to select their cabinet and leaders may be permitted to allocate portfolios. For each of these different freedoms patterns of variation found in the 2006 census and changes since the 2002 census are explored. The current overall pattern of these three leadership freedoms and the change since 2002 is presented in Figure 2.1 (see Table A2.1)<sup>1</sup>, each of the freedoms is discussed separately below. With data based on counts there is the potential for the responses from districts to swamp the picture in the upper-tier authorities, so the analysis is broken down by type of authority.

**Figure 2.1** Leader-cabinet authorities giving leaders each of three freedoms, 2002 and 2006



In both 2006 and 2002 our census asked a question about the different ways that the functions of the executive cabinet can be discharged. In 2006, 41% of the leader-cabinet authorities give leaders the power to make executive

<sup>1</sup> The data on which the figures are based can be found in appendix A

decisions alone (Figure 2.1). However, a greater proportion of authorities (60%) gave individual decision-making powers to other members of the cabinet (see Table A2.2). This disparity may reflect a distinction in some authorities between leaders taking a strategic and overarching perspective with the more operational matters being the responsibility of particular portfolio holders. Both types of individualised political decision-making have become more common since the first census was conducted in 2002, the proportion of authorities delegating decision-making to leaders has increased by 3 percentage points over the period and the proportion delegating to other individual members of the executive has increased by 10 percentage points.

Executive functions can also be delegated to individual officers and this is more common than either delegations to leaders or to other individual members of the executive. However, there has been no change since 2002 in the proportion of authorities allowing officers to make executive decisions (84%). It appears that whilst the shift to politicians being able to make individual decisions was initially treated with caution by local authorities, in the years since the implementation of the Act there has been a modest acceptance of the value of delegating executive decision-making powers to cabinet members.

We asked a question about how members of the cabinet were selected. In some authorities this is for the council to decide, in others this freedom is given to leaders although in both cases 'behind the scenes' deals are often important. As Figure 2.1 shows, in 2006 41% of authorities give this freedom to leaders, this is an increase of 7 percentage points since 2002 (see Table A2.1).

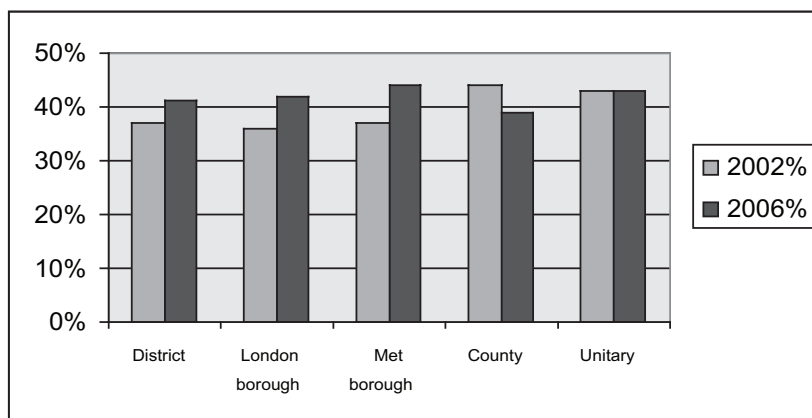
The third leader freedom we identified from the 2002 census was the power to allocate portfolios. Again this may be a power given to the leader or to the council as a whole. As Figure 2.1 and Table A2.1 show, in 2006 63% of authorities who answered this question allow leaders to allocate portfolios. Overall, over the period from 2002 to 2006, there has been a 6 percentage point increase in the proportion of all leader-cabinet authorities allowing leaders to allocate portfolios.

## 2.4 The leader freedoms: variation by type of authority

### 2.4.1 How are the functions of the executive discharged?

There is not much variation across the different types of authority in the allocation of executive decision-making power to leaders, see Figure 2.2, Table A2.3. The proportions of councils allowing leaders the power to make executive decisions clusters around 40% for all five different types of authority. There have been marginal increases in the proportion of districts, London boroughs and metropolitan boroughs giving leaders this freedom and a slight fall in the proportion of counties.

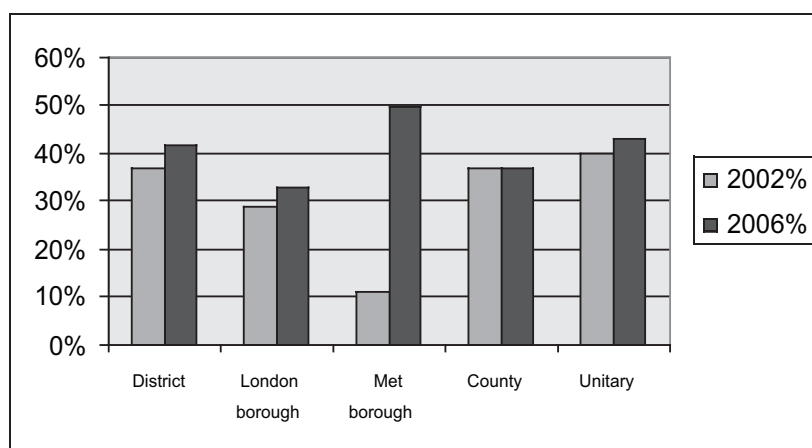
Figure 2.2 Leader can make decision alone, by authority type, 2002 and 2006



#### 2.4.2 Who selects members of the cabinet?

In 2006, the metropolitan borough authorities are the most likely of the authority types to allow the leader to select the cabinet (50%) (Figure 2.3 Table A2.4). The proportions of the four other types of authority that permit leaders this freedom are all fairly similar, clustered around 40%. In terms of change over time the metropolitan boroughs have seen a marked increase, of 39 percentage points, since 2002 in the proportion permitting leaders this freedom. Over that period they moved from being the type of authority that was least likely to allow this freedom in 2002, to being the most likely in 2006. County councils are the only type that has seen no increase in the proportion allowing leaders this power.

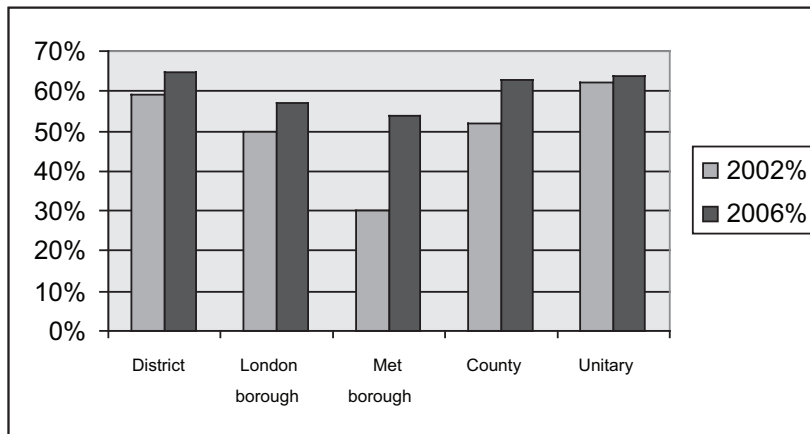
Figure 2.3 Leader selects cabinet by type of authority, 2002 and 2006



#### 2.4.3 How are portfolios allocated?

The proportions of all five types of authority giving leaders this power are within an 11 percentage point range from 54% (metropolitan boroughs) to 65% (districts) (Figure 2.4, Table A2.5). The metropolitan boroughs have, however, seen the greatest percentage point increase, of 24 points since 2002, and there have also been moderate increases in counties (11 points), London boroughs (7 points) and districts (6 points) since 2002.

Figure 2.4 Leader allocates portfolios by type of authority, 2002 and 2006

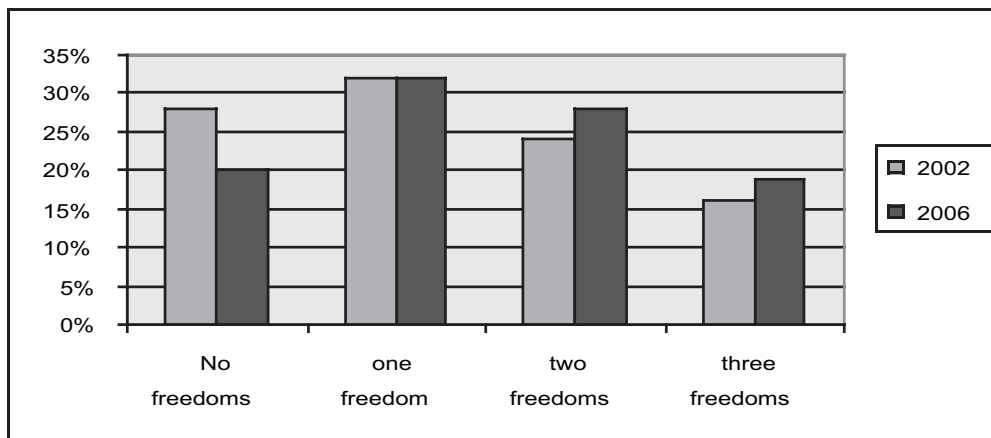


## 2.5 Summing leader freedoms

By adding together these three freedoms – scoring one if a leader is given a particular freedom and zero if not – a fourfold categorisation of leadership can be produced (see Figure 2.5, Table A2.6). In 2006 one in five (20%) authorities give their leader none of the freedoms we have discussed, just under a third (32%) give leaders one freedom only, 28% allow two freedoms and just under one in five (19%) give all three freedoms to leaders.

Overall there is a moderate tendency to move away from weaker forms of leadership towards greater leadership freedoms since 2002. There has been an 8 percentage point drop in the proportion giving no leader freedoms (from 28% in 2002), a 4 point increase in the proportion giving two freedoms (from 24% in 2002) and a 3 point increase the proportion giving all three freedoms (from 16% in 2002).

Figure 2.5 Number of leader freedoms, 2002 and 2006



Figures 2.6a–e and Table A2.7 show the proportions of each type of authority allowing different numbers of freedoms. Unitary authorities are evenly spread across the range of leadership freedoms, with 25% in each category (see Figure 2.6e). The other four types display a slight concentration of authorities in the two middle values. For example, in 2006 70% of metropolitan boroughs (Figure 2.6c) give their leaders one or two powers. The major variation was found in the pattern of change over time. Whereas districts, county, and unitary authorities experienced little in the way of proportional change since 2002, the pattern in London and metropolitan boroughs had shifted greatly towards higher proportions in two and three freedoms categories. In the other types of authority change has been marginal but there is a consistent shift towards a greater proportion of authorities of all types giving more of the freedoms to their leaders.

Figure 2.6a Number of leader freedoms, districts, 2002 and 2006

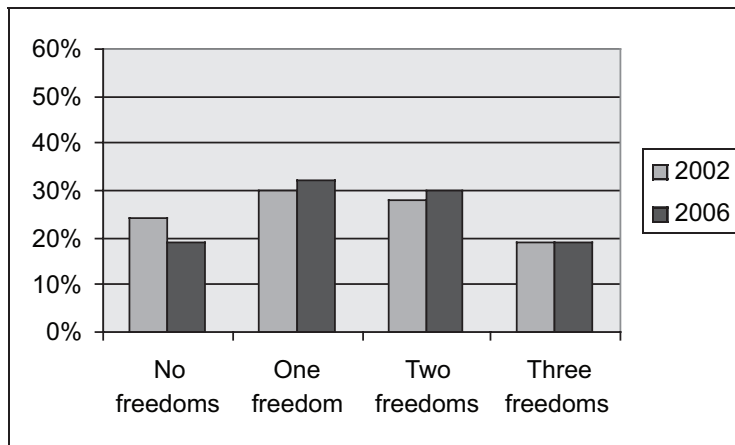


Figure 2.6b Number of leader freedoms, London boroughs, 2002 and 2006

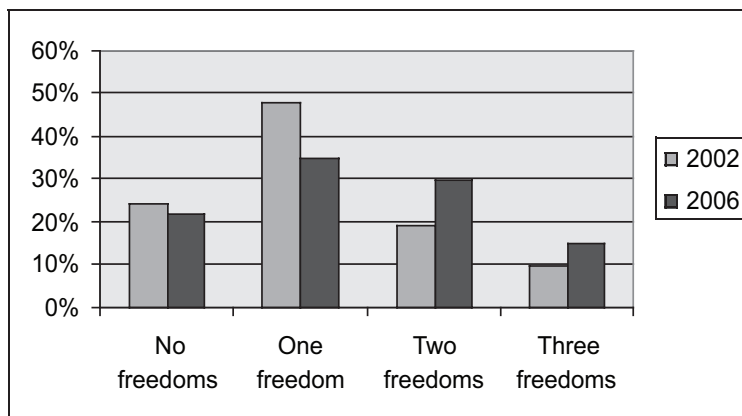


Figure 2.6c Number of leader freedoms, metropolitan boroughs, 2002 and 2006

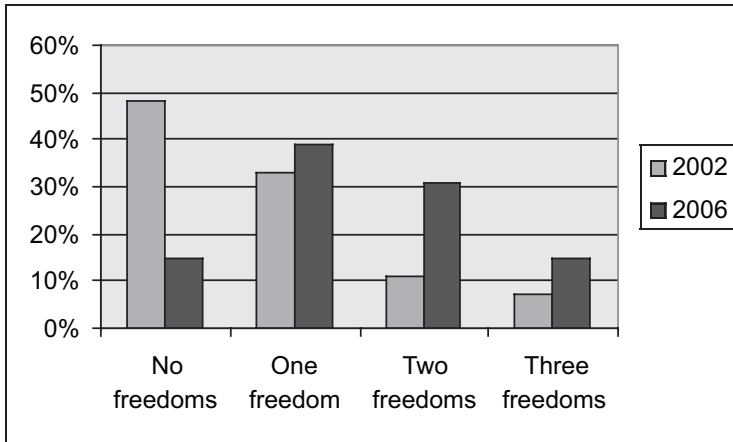


Figure 2.6d Number of leader freedoms, counties, 2002 and 2006

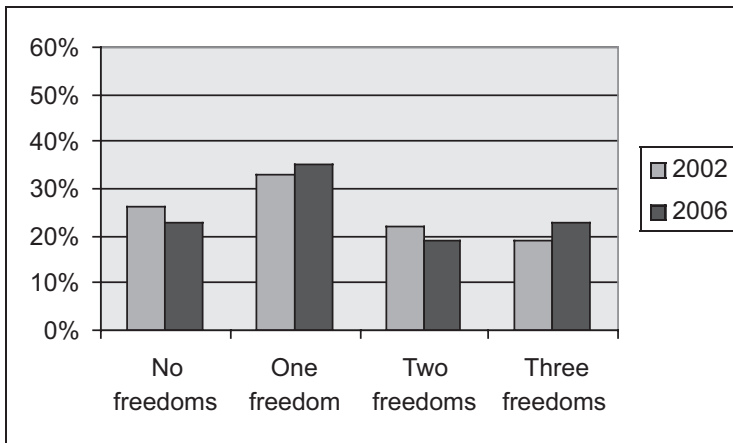
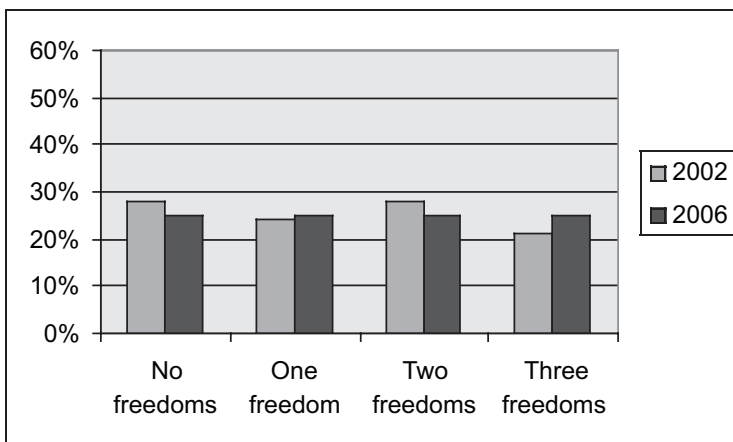


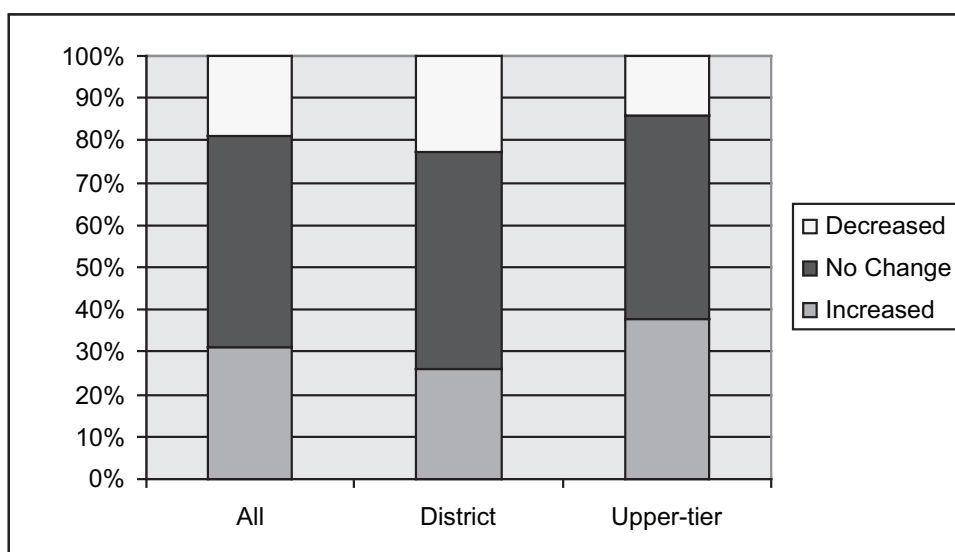
Figure 2.6e Number of leader freedoms, unitaries, 2002 and 2006



## 2.6 Leader freedoms: an authority level analysis

The analysis so far has used all the responses from leader-cabinet authorities in 2002 and 2006. However, not all the authorities that responded in 2002 also completed the survey in 2006 and vice versa. This section briefly looks at those authorities that completed relevant questions in both waves of the survey (53% of leader-cabinet authorities). Figure 2.7 (Table A2.8) shows how these authorities have changed the number of freedoms given to their leaders.

Figure 2.7 Change in leadership freedoms, leader-cabinet authorities that responded in 2002 and 2006



Exactly half of these authorities give their leaders the same number of freedoms in 2006 as they did in 2002. Of the remainder, 31% have increased the number of freedoms and 19% decreased. Comparing the district authorities to the upper-tier authorities<sup>2</sup>, Figure 2.7 shows that it is in the latter that there has been a stronger trend to giving leaders more freedoms. The proportion of district authorities increasing freedoms to leaders (26%) is similar to that decreasing the number of powers given to leaders (23%). Whilst in upper-tier authorities the proportion increasing the number of freedoms (38%) is roughly double the proportion that give leaders fewer freedoms in 2006.

## 2.7 Conclusion

Overall there has been an increase in the proportion of authorities giving their leaders the freedoms described in this section. That increase suggests that local government has become more comfortable with the goals of the Act. The changes are concentrated in the types of authority that were initially reluctant to vest leaders with these freedoms – London boroughs and metropolitan boroughs.

<sup>2</sup> Because of the lower response rate, the absolute numbers within each of the types of upper-tier authority are quite small, for this analysis we group them together.

# Chapter 3

## Democratic Legitimacy

### 3.1 Introduction

The second aim of the Act that we identified in our evaluation framework was to facilitate greater engagement with the public and better partnership working. Greater clarity about who leads a council, a simpler structure of decision-making and identifiable individual councillors with responsibility for particular areas of council business were all intended to make the public's engagement with a council's political structure easier. In addition by freeing a majority of councillors from some of the time burden of committee attendance it was hoped they would have more time for ward and constituency functions.

It is extremely difficult to assess from institutional data the extent to which an authority engages with citizens and partners as much of that engagement will be through informal contact. However, we do have data on the avenues available to members of the public who wish to have their voices heard in local government decision-making structure. We also report some data on area committees, local strategic partnerships and the external scrutiny function.

### 3.2 Opportunities for public involvement in council meetings

We asked a set of questions about how the public could participate at full council, cabinet (or policy committees) and overview and scrutiny meetings. Roughly two thirds (66%) of councils report that members of the public can ask questions of leaders or portfolio holders at full council, and 74% also allow members of the public to present petitions. Other avenues using full council that are reported include members of the public being given the opportunity to speak at full council, involving members of youth councils or parliaments, a public question time operating prior to full council, deputations, webcasting and presentations from partners.

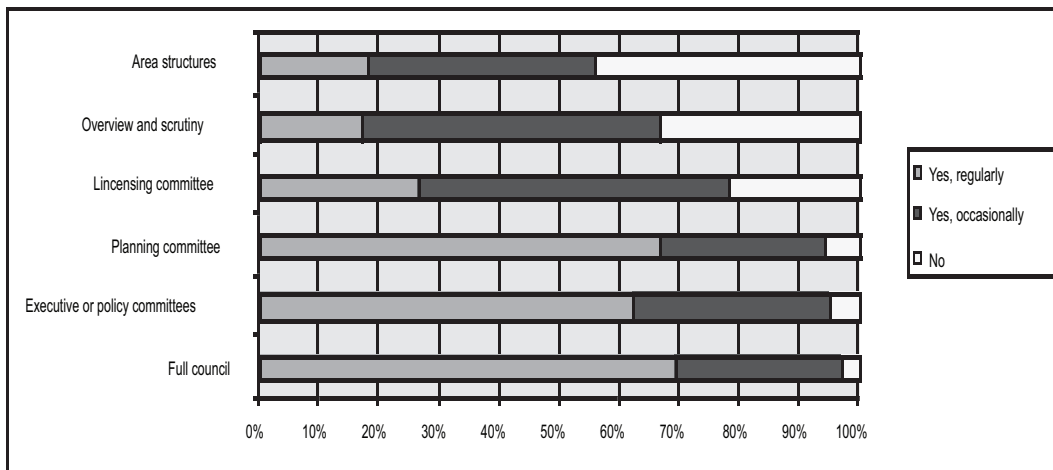
Where an authority has a cabinet its meetings may be used as an avenue for the public to express their views, 41% report they allow public questions at cabinet meetings and 34% that petitions can be presented. Few cabinets hold their meetings away from Town Hall (16%), but under the 'other' category some indicated that they held roadshows or 'meet the cabinet' events.

Overview and scrutiny may also be used as a means of engaging the public: 45% of authorities allow members of the public to ask questions at scrutiny meetings; over half (54%) have held scrutiny meetings away from the Town Hall; the majority invite evidence from the public (74%). However, only a small proportion allows the public a role in call-in procedures (15%). Other methods include co-option of members of the public on to committees, consultation techniques such as questionnaires or focus groups and inviting suggestions for scrutiny topics from the public.

### 3.3 Press attendance at council meetings

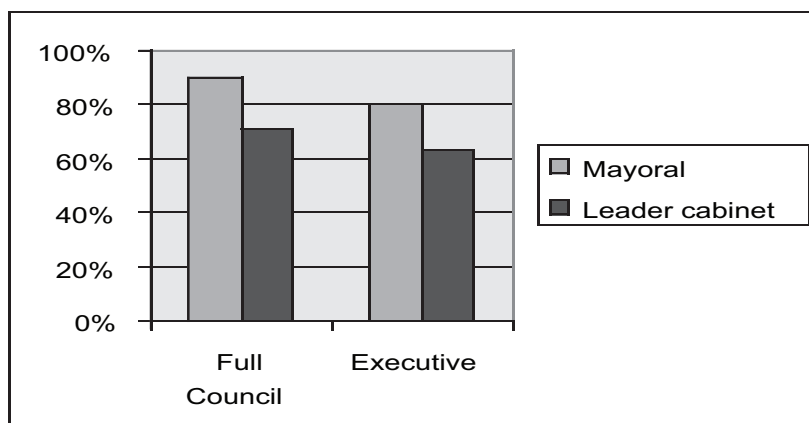
The local press potentially plays an important role in publicising issues related to local democracy. We asked whether there was press attendance at a variety of council meetings (see Figure 3.1 and Table A3.1).

Figure 3.1 Press attendance at council meetings, all authorities



The overall picture is that the policy-making meetings (full council and executive or policy committees) attract the most press attention. Overview and scrutiny and area committees are of less interest to the press. Press attendance at full council is more frequent in mayoral authorities when compared to leader-cabinet and alternative arrangements, press attendance at executive meetings is also more common in mayoral when compared to leader-cabinet (see Figure 3.2, Table A3.2). Nine out of the 10 (90%) mayoral authorities that responded report that press regularly attends full council and eight out of the 10 (80%) report regular press attendance at meetings of the executive. This compares to the 71% of leader-cabinet authorities that report regular press attendance at full council and the 63% that report regular press attendance at executive meetings.

Figure 3.2 Regular press attendance at full council and executive, all mayoral and leader-cabinet authorities



### 3.4 Area structures

One way in which authorities can seek to engage with citizens is through committees at area level, either as consultation mechanisms or as decision-making bodies, overall 52% of authorities have some sort of area based arrangements (Table A3.3). In 42% of those authorities the structures are consultative only, in the remaining 58% they have some decision-making powers functions.

Six out of the ten mayoral responses report having area based arrangements, whilst 54% of leader-cabinet authorities and 39% of the alternative arrangements authorities have some type of area structure. Where there are area arrangements leader-cabinet authorities more commonly allow them decision-making powers (63%) whilst 17% of mayoral authorities and 38% of alternative-arrangements authorities with area structures allow them decision-making powers.

### 3.5 Local strategic partnerships

Local strategic partnerships provide a vehicle by which councils and lead politicians may play a community leadership role. In over half (52%) the authorities that answered the question the chair of the local strategic partnership (LSP) for their area came from outside the council, in just over a third of cases (34%) the LSP was chaired by the leader of the council, in 5% it was the authority's chief executive who chaired it and in around one in ten instances (9%) the LSP was chaired by someone else from the council (Table A3.4). Whilst the majority of LSPs are not chaired by someone from the local authority, in the majority of instances (86%) the authority acts as secretariat. These indicators however do suggest that council leaders are not using the LSPs as part of a community leadership role. The proportion of mayors chairing LSPs (40%) is virtually the same as leaders in leader-cabinet authorities (39%).

### 3.6 External scrutiny

Finally in this chapter, scrutiny committees can choose to focus on community issues that may involve examining the policies and performance of organisations other than the principal local authority<sup>3</sup>. Upper-tier local authority overview and scrutiny committees have a responsibility to scrutinise provision of health services in their area but they may also choose to look at other public services – such as policing – or the policies of other organisations, for example the closure of rural post offices.

As reported in section 4.5 (Figure 4.4) the proportion of authorities whose overview and scrutiny committees investigate non-local authority service providers has increased from 42% to 74% between 2002 and 2006. In 2006 a majority of all the five types of authority report that their scrutiny committees do investigate non-local authority service providers, the lowest proportion is 66% for districts but this still represents nearly two thirds of the districts that answered this question.

<sup>3</sup> The general role of overview and scrutiny is discussed in the following section.

Many district responses report that health scrutiny was the responsibility of the counties. That districts have seen an increase in external scrutiny as well as the upper-tier authorities therefore suggests that the increase is not completely accounted for by the establishment and growth of health scrutiny. Health scrutiny is, however, now fairly well established in the upper-tier authorities, 65% report that they provide a special officer unit in support of health scrutiny and 87% reporting that they have conducted at least one health related scrutiny exercise over the previous year.

### 3.7 Conclusion

Full council appears to be the policy-making meeting most commonly used by local councils to allow residents a voice in council processes. This is reflected also in the higher rates of press attendance at full council when compared to executive and other meetings.

Overall, press attendance at full council and executive meetings is more regular in mayoral authorities than leader-cabinet authorities.

Whilst the proportion of leader-cabinet authorities and mayoral authorities with area committees is similar, it is the former that is more likely to give decision-making power to these committees. The majority of LSPs are not chaired by the council leader and indeed the majority are not chaired by anyone from the council. If, as seems to be implied by the 2000 Act, localities' top politicians ought to be taking a community leadership role beyond their organisation either this is not happening or chairing the LSP is not seen as a central part of community leadership. Mayors are no more likely to chair LSPs than leaders in leader-cabinets.

There is evidence that the proportion of overview and scrutiny committees conducting external scrutiny has increased since 2002, and that this increase is not only due to the establishment of health scrutiny.

# Chapter 4

## Checks and Balances

### 4.1 Introduction

The third aim of the legislation was to ensure that whilst decision-making power was concentrated in the hands of a sub-group of councillors, there were still effective mechanisms for checking that public authority was not inappropriately used. In this chapter three responses to this concern are discussed. First, the legislation required all authorities to establish at least one overview and scrutiny committee. Analogous to parliamentary select committees, overview and scrutiny committees are politically proportionate and are tasked with holding officers and executive members to account for their authority's performance and policy decisions. Second, there were a number of checks written into the process of decision-making which were designed to ensure that decision-making was open and could be challenged. Third, each English principal local authority was required to adopt the statutory members' code of conduct and establish a local standards committee which, along with the national regulatory bodies, would be tasked with supporting and enforcing the code.

### 4.2 Overview and scrutiny committees

The Act allowed authorities significant discretion in how they organise the overview and scrutiny function. In the responses to the 2006 survey the mean number of overview and scrutiny committees reported is 3.3, a drop from a mean of 3.7 in 2002 (Table A4.1). District authorities have the lowest mean number of committees (2.4). Metropolitan boroughs (4.9), counties (5.0) and unitaries (4.9) all have a mean number of committees close to five, whilst London boroughs on average have less than four committees (3.8). Unitary and county councils have seen small rises in the mean number of overview and scrutiny committees since 2002, whilst there have been small falls in the mean number of scrutiny committees in the three other types.

Comparing across political management arrangements, leader-cabinet authorities have the highest mean number of committees (3.6), whilst mayoral authorities have on average fewer (2.6) and alternative-arrangements authorities on average have the fewest overview and scrutiny committees (1.5) (Table A4.1). All three have seen a fall in the mean number of overview and scrutiny committees. The low figure for alternative-arrangements authorities reflects the smaller size of councils and that some have multiple policy committees and hence more of the members are involved in the decision-making aspect of the authorities' operations.

A further indicator that the number of committees has fallen is that the proportion of authorities with five or more committees was 38% in 2002, this proportion has dropped to 29% in 2006. There is also a greater proportion of authorities with only one overview and scrutiny committee in 2006 (30%) when compared to 2002 (19%).

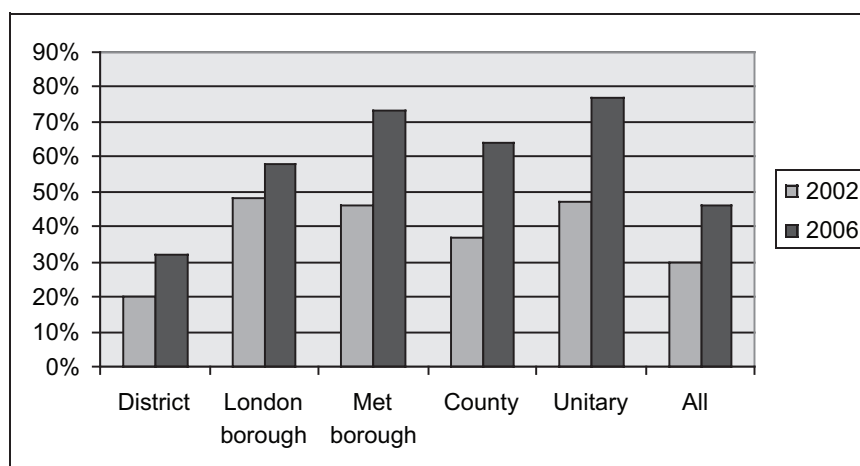
Our first annual report concluded that overview and scrutiny had been slower to develop than the new decision-making structures. Two possible reasons for this early difficulty are that the committees were under-resourced and second that they had been dominated by party political issues which prevented them from actively holding decision-makers in the council to account. Each of those factors is now explored.

### 4.3 Support for overview and scrutiny

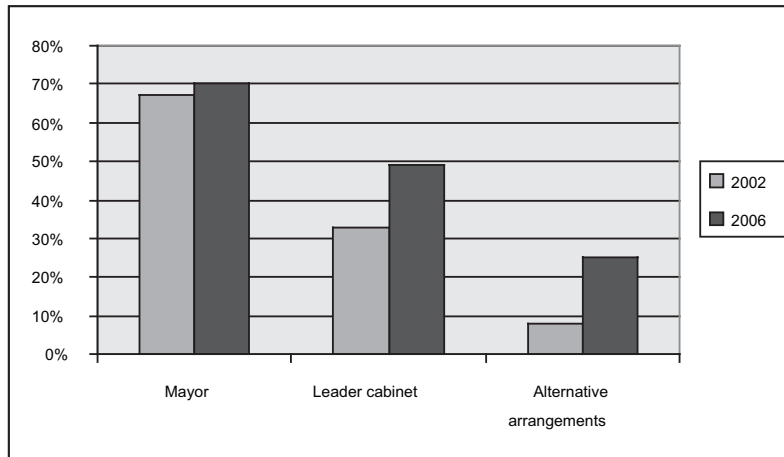
The census in 2006 and 2002 asked a question about the support provided to overview and scrutiny committees. Currently just under half (46%) of the authorities responding to the survey provide a special officer unit to support overview and scrutiny. A quarter of the authorities also report that they provided external advice or support to their overview and scrutiny committees (Table A4.2)

District councils are least likely to provide a special officer unit (32%), in all the other types of authority over 50% provided this form of support, the highest proportion was 77% in unitaries. (Figure 4.1 Table A4.3). Mayoral authorities are more likely to provide separate officer support for overview and scrutiny than leader-cabinet authorities, 70% of mayoral authorities provide a special officer unit for scrutiny compared to 49% of leader-cabinet authorities (Figure 4.2 Table A4.3). Since 2002 there has been an increase in the proportion of authorities that provided a special officer unit from 30% in 2002 to 46% in 2006. The proportion of authorities with special officer units rose across all the types of authority, the largest increases being in unitaries (30 percentage points), counties and metropolitan boroughs (both 27 percentage points).

Figure 4.1 Proportion of authorities providing a special officer unit to overview and scrutiny, 2002 and 2006 (by authority type)



**Figure 4.2** Proportion of authorities providing a special officer unit to overview and scrutiny, 2002 and 2006 (by political management arrangements)



We argued in our first annual report that, whilst authorities adopted quickly to the new decision-making structures there had been a lag in embedding the overview and scrutiny function in authorities. The changes since 2002 found in the data on support for overview and scrutiny suggest that the function has become better established within the administrative structure of authorities.

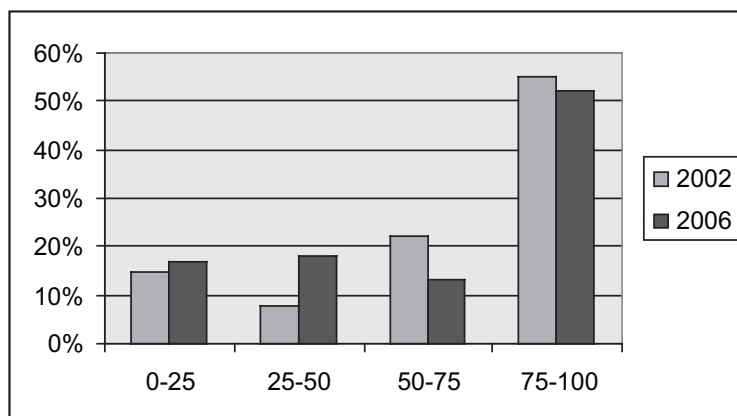
#### 4.4 Party politics and overview and scrutiny

A commonly held view was that overview and scrutiny ought to play the role of critical friend to decision-makers in authorities, avoiding both a reflex opposition to the conduct of authority business and a passive acceptance of how councils operate. The nature of party politics in English local government, however, had the potential to make the critical friend role a difficult balancing act.

We have a number of questions which can shed light on party political influence on overview and scrutiny committees. The first is about the party of the chairs and whether it matches the leadership of the authority. This chapter looks only at majority leader-cabinet authorities. In minority authorities no individual group has the voting power to allocate all the chairs of committees and hence the pattern will reflect complicated bargaining.

Figure 4.3 and Table A4.4 show the proportion of overview and scrutiny chairs held by the majority party in majority leader-cabinet authorities in 2002 and 2006. The vertical axis measures the proportion of authorities. For example, the first two columns show that in 2006 17% of majority authorities allocate no more than a quarter of the chairs of scrutiny committees to majority members, in 2002 the figure was 15%. At the other end of the spectrum, more than half (52%) of majority leader-cabinet authorities in 2006 allocate more than three quarters of overview scrutiny chairs to majority group members, in 2002 the comparable figure was 55%. There has been little change in the likelihood that overview and scrutiny chairs will be allocated to members of majority groups over the period of the survey.

**Figure 4.3** Proportion of overview and scrutiny chairs held by members of the majority group



In 2006 almost half (46%) of these 151 authorities have only majority chairs of overview and scrutiny committees, whilst 16% have only non-majority group chairs of their overview and scrutiny committees. Again, these figures show little change from 2002, 47% of majority leader-cabinet authorities gave all the chairs of scrutiny to members of the majority group and 15% had only non-majority group chairs of their overview and scrutiny committees. It should be kept in mind, however, that as reported earlier 30% of authorities had only one committee and therefore only one chair to allocate and so must score either 100% or 0%. The findings on the allocation of the chairs of overview and scrutiny suggest the constitutional picture shows some congruence with the findings of the sample survey where 46% of members agreed that the chair of overview and scrutiny should not be from the majority group and only 27% disagreed.

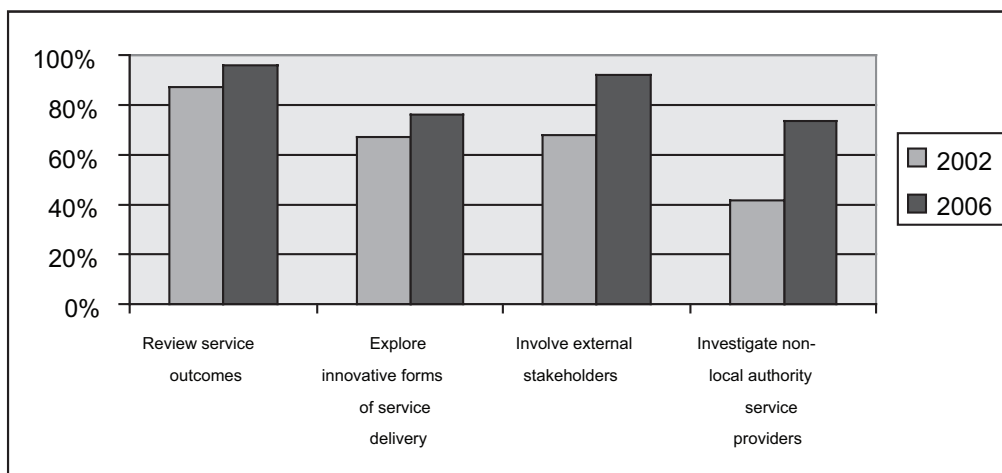
Other indicators of whether party influence on overview and scrutiny committees is strong are whether party pre-meetings are held and whether the party whip is applied to overview and scrutiny committees. Excluding those that answered 'don't know', in 2006 there are party pre-meetings for overview and scrutiny held in 26% of authorities and the party whip is applied in 7%. The comparable figures from 2002 were 47% of authorities having party pre-meetings and 13% where party whips are applied.

The picture on party control is mixed. Majority groups are not keen to share the chairs of scrutiny committees with members from other groups and the pattern we found from the data has shown little change over the period from 2002 to 2006. On the other hand, the more overt mechanisms for party influence, party pre-meetings and the party whip have become less common over the period between the two surveys.

## 4.5 Overview and scrutiny activities

We asked a question in the census about the activities of the overview and scrutiny committees (Figure 4.4 and Table A4.5). Virtually all authorities ‘review service outcomes’ (96%), also a very high proportion ‘involve external stakeholders’ (92%). Less commonly, three-quarters (76%) of those that responded use overview and scrutiny to ‘explore innovative forms of service delivery’ and 74% scrutinise ‘non-local authority service providers’. That final category is the one which had increased the most since 2002 from 42% (a 32 percentage point increase) this may partly reflect the establishment of health scrutiny as a local authority function. All the other categories have also increased since the 2002 census, the proportion of authorities where committees review service outcomes increased 9 percentage points from 87% in 2002, the proportion exploring innovative forms of service delivery increased by 9 percentage points from 67% and the proportion involving external stakeholders increased by 24 percentage points from 68%. This data supports the conclusion that the overview and scrutiny function has become more active across the local authority system in the period since our first census.

Figure 4.4 The work of overview and scrutiny committees, 2002 and 2006



## 4.6 Key decisions and call-in

The concentration of executive decision-making power in the hands of a few councillors was accompanied by a number of mechanisms written into procedures as safeguards against poor decision-making. Here we look at two such mechanisms namely the requirement to give advance notice of key decisions to be made and the call-in procedure.

The requirement to designate decisions with certain characteristics as key and to publicise them in advance is a means of supporting transparent decision-making in authorities with separate executives<sup>4</sup>. Details of the nature of key decisions are required to be published in a document called the *forward plan* at least four months before they are due to be taken. The forward plan is available for public inspection.

<sup>4</sup> This requirement does not apply to ‘alternative arrangements’ authorities but some define key decisions as a matter of choice.

The criteria to be applied in designating a decision as key were left partly to local choice. The guidance that was issued with the Act suggested that a monetary threshold should be used as part of the criteria although this was not a requirement. Of the authorities that are required to define key decisions (i.e. mayoral and leader-cabinet) the vast majority (79%) say that they do use a monetary threshold and virtually all these authorities (98%) publish their forward plan on their website.

The call-in procedure provides a mechanism that allows overview and scrutiny committees to send back for reconsideration decisions that have been made but not implemented. The nature of these mechanisms vary from authority to authority, there is variation in the call-in period, who can call-in a decision, what criteria must be met for a decision to be called-in and what occurs once a decision has been called-in. Some authorities allow one member to call-in a decision, others allow parish councils, petitions from members of the public to call-in decisions. In others it requires the agreement of the chair of overview and scrutiny, or members from more than one political group (the various designs of call-in procedures are discussed in detail in the ELG second annual report available at [www.elgnce.org.uk](http://www.elgnce.org.uk))

According to our survey over the last year 37% of authorities had experienced no call-ins, and 22% only one. Only 9% of the authorities that responded to this question had experienced more than five call-ins. There are however some extreme values, one authority for example reports 106 call-ins over the year, the next highest being 40 call-ins.

#### **4.7 Standards committees**

Each English principal local authority is required to adopt the statutory member's code of conduct and establish a local standards committee. Along with the two national regulatory bodies the local standards committees are tasked with enforcing and supporting the code of conduct within the statutory framework. The local committees may also take on a wider role in supporting ethical governance in their authorities. The remit of the ELG project does not include an evaluation of the national Standards Board for England or the Adjudication Panel for England.

Standards committees are made up of a mix of councillors and independent (non-elected) members and, where appropriate, parish councillors. Three quarters of authorities (75%) report that the chair of their standards committee is an independent (non-elected) member. This shows an increase of 24 percentage points from 51% in 2002. Since 2002, there has also been an increase in the proportion of standards committees where the elected members of the principal local authority are in a minority. In 2002 the elected members were in a minority on 45% of the committees whilst in 2006 the figure is 57%.

Only four authorities (1%) report that standards committee did not meet over the previous year, the average number of meetings over the year is 4.4, 3% of authorities report nine or more meetings of the committee over the year. The guidance issued by the Standards Board for England relating to the role of standards committees suggested that there may be advantages in the committees being proactive in supporting ethical conduct, rather than simply acting as a ‘tribunal in waiting’. In the 2006 census we asked a new question about the non-statutory roles that standards committees play (Table A4.6). The most common function relates to developing and monitoring additional protocols that relate to member conduct (91%) and involvement in the induction and training for members is also fairly common (58%). Overview of the whistleblowing procedure is the only other option that the majority of authorities report as a function of their standards committees (65%). The least common functions are internal audit (12%) and a role relating to ethical governance in partnerships (4%). There may be alternative mechanisms for fulfilling these roles, the internal audit function may be carried out by stand alone committees, overview and scrutiny or sub-committees of the executive, whilst the ethical framework for partnerships may be developed on an ad hoc basis.

## 4.8 Conclusion

The checks and balances that face leaders in local government appear to have strengthened over the previous four years. Scrutiny is better resourced and takes on a wider range of functions than was the case in 2002, virtually all the authorities required to publish a forward plan place it on their website and a majority of authorities have chosen to allocate the chair of their standards committee to a non-elected independent member.

# Chapter 5

## Leader-Cabinet Authorities: A Typology

### 5.1 Introduction

In chapter 2 where decision-making in leader-cabinet systems was explored, we described the pattern of leader freedoms, and in chapter 4 we explored variation in overview and scrutiny functions. By combining these institutional indicators for leadership and scrutiny four models of how leader-cabinet authorities organise their political management can be distinguished. Those authorities which permit their leader two or three freedoms were categorised as high leadership, those that allowed one or no leader freedoms were categorised as low leadership. The three questions used as indicators of strong scrutiny are: whether a special officer unit is provided; whether scrutiny looks at innovative forms of service delivery; and, whether party pre-meetings are held. Those authorities that had positive scores on at least two of the indicators related to the overview and scrutiny function were categorised as high scrutiny, those that had no positive scores or only one were categorised as low scrutiny. The score for leadership and the score for scrutiny can then be combined to create models of political management in English local government:

*Fusion*: includes authorities which scored low on the indicators for both leadership and scrutiny. This category of leader-cabinet authorities has engaged least with the aims of the Act.

*Collective accountability*: includes authorities which scored low on the indicators for leadership but high on the indicators for scrutiny. This category of authorities demonstrated signs of active accountability mechanisms but have not concentrated powers with the leader.

*Executive autonomy*: includes authorities which scored high on the powers given to leaders but low on the scrutiny indicators. This category of authorities have concentrated powers with the leader but did not have strong accountability via overview and scrutiny.

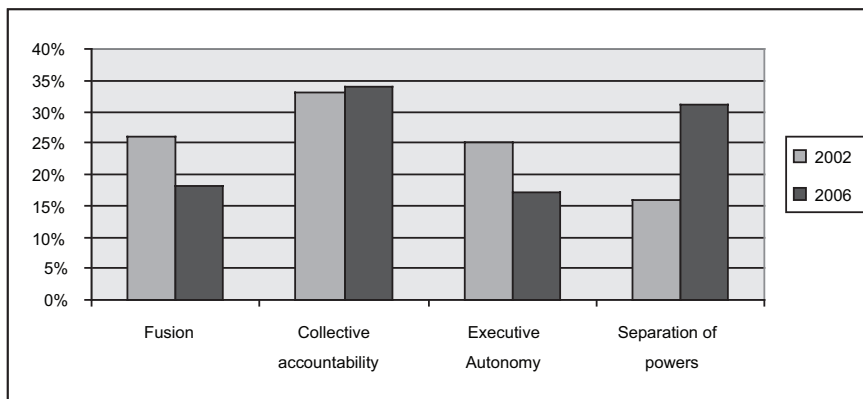
*Separation of powers*: includes authorities which scored high on both the leadership and scrutiny indicators. This category of authorities most closely resembles the legislators ideal of councils with visible and concentrated political leadership being held to account by the non-executive members of the council.

## 5.2 Models of political management

The methodology replicates analysis from the 2002 census conducted in the early years of implementation. In 2002 (see Figure 5.1 and Table A5.1) we found that the ‘separation of powers’ model was the least common with 16% of leader-cabinet authorities in this category, whilst the ‘collective accountability’ model was most common (33%). In the middle the ‘fusion’ and the ‘executive autonomy’ models had similar proportions (26% and 25% respectively).

By 2006 the pattern has seen some marked changes. Most prominent is an increase of 15 percentage points in the proportion of authorities in the ‘separation of powers’ category to 31% in 2006. There are falls in the proportion in ‘executive autonomy’ to 17% in 2006 (minus 8 points) and in fusion to 18% (minus 8 points). This pattern of change reflects the strengthening of scrutiny across local authorities discussed in chapter 4 and the more moderate shift towards giving leaders more freedoms as discussed in chapter 2.

Figure 5.1 Models of political management, 2002 and 2006



Figures 5.2a-e and Table A5.2 show the changes that have occurred in each type of authority. Whilst the picture has remained relatively stable in the district authorities (Figure 5.2a) and to a lesser extent in county councils (Figure 5.2d) there have been more significant changes in the other types. The increased prevalence of the separation of powers model is present for all the types of authority, but most so in the metropolitan boroughs (a 27 percentage point increase since 2002, Figure 5.2c) and unitary authorities which have seen a 20 point increase (Figure 5.2e).

Figure 5.2a Models of political management, district councils 2002 and 2006

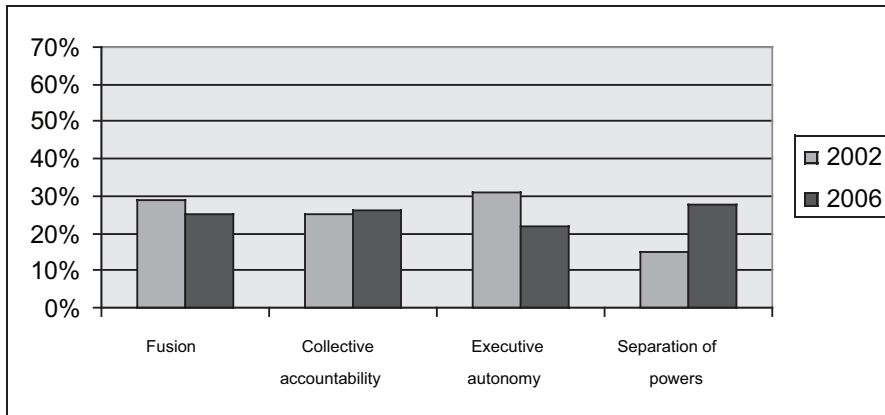


Figure 5.2b Models of political management, London boroughs 2002 and 2006

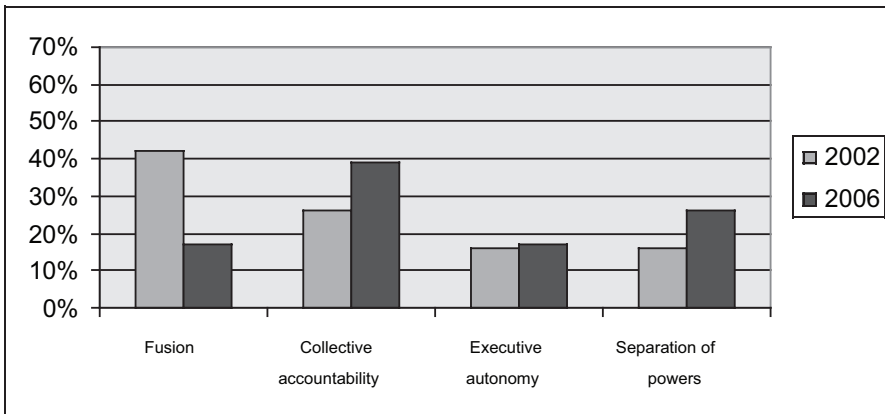


Figure 5.2c Models of political management, metropolitan boroughs 2002 and 2006

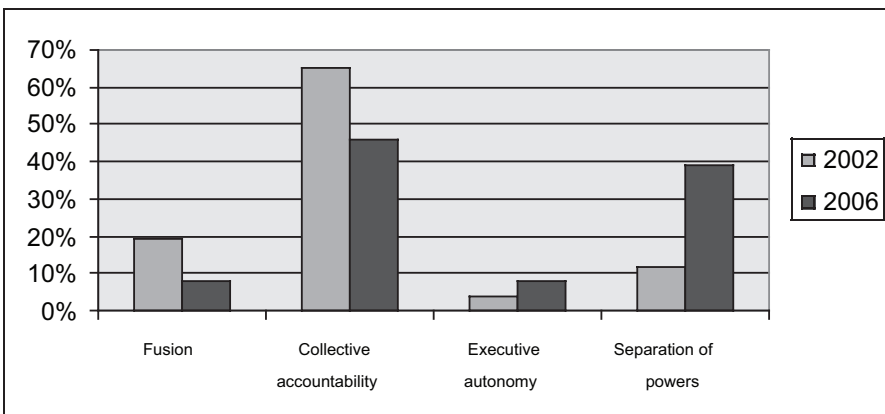


Figure 5.2d Models of political management, county councils 2002 and 2006

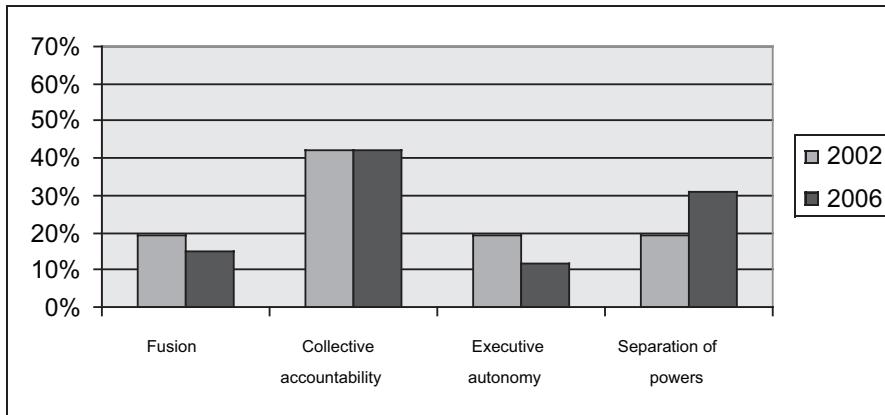


Figure 5.2e Models of political management, unitary authorities 2002 and 2006

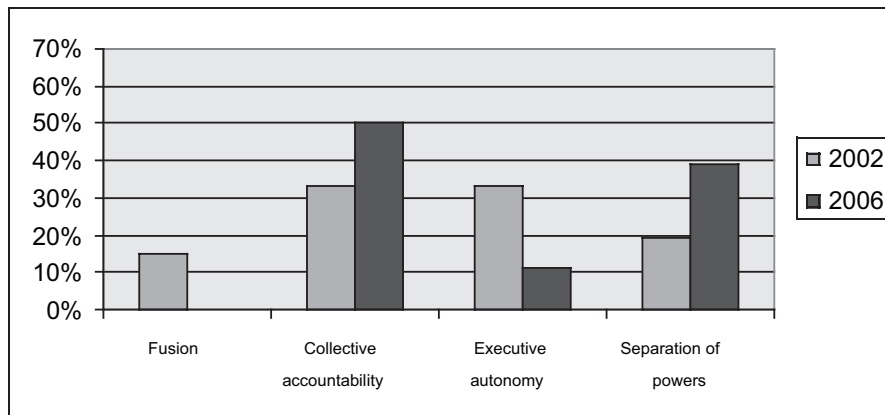


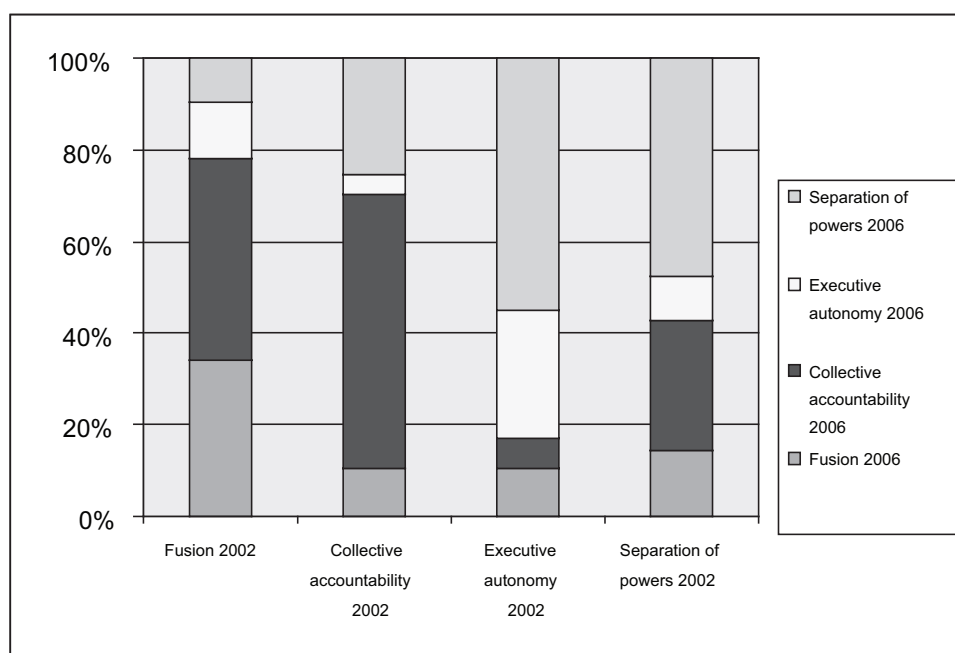
Table A5.3 shows how the political context of an authority is related to the typology. The analysis of the 2002 census found that authorities with Conservative majority control were more likely than others to be in the strong leadership categories. In 2002 60% of Conservative majority authorities were in either ‘executive autonomy’ or ‘separation of powers’ categories, whilst the proportion for Labour majority authorities was 31% and Liberal Democrats majority authorities 40%. In 2006, the proportions for Conservative (62%) and Labour majorities (32%) have changed little whilst there has been a moderate increase in the proportion of Liberal Democrat majority authorities in the executive autonomy and separation of powers models to 47%. Taken together those councils with a majority control are more frequently found in the strong leadership categories than those that have no overall control (52% and 37% respectively).

Labour majority authorities are the most likely to be in the strong scrutiny categories with 82% in collective accountability or separation of powers, next come the Conservative majority authorities with 56% and Liberal Democrat authorities with 47%. Taken together those councils with a majority control are less frequently found in the strong scrutiny categories than those that have no overall control (63% and 71% respectively).

### 5.3 Changes in political management: an authority level analysis

As with the analysis of leader freedoms it is worth tracking changes at authority level. Of 318 leader-cabinet authorities, 138 (43%) responded to both waves of the census with enough information for us to be able to place them in an appropriate category for 2002 and 2006. The data is in Figure 5.3 (Table A5.4). For example, the first column shows the proportion of authorities that were categorised as ‘fusion’ in 2002 that are in each of the four different models in 2006. Approximately a third (34%) had remained in the fusion category, whilst 44% had shifted into ‘collective accountability’, 12% into ‘executive autonomy’ and 10% into ‘separation of powers.’ Figure 5.3 shows that the most stable category was ‘collective accountability’ – 60% of authorities that were in this category in 2002 remained so in 2006. This is followed by the ‘separation of powers’ category – 48% of authorities that were in this category in 2002 remained so in 2006.

Figure 5.3 Models of political management, authorities that responded in 2002 and 2006



Figures 5.4a and 5.4b, respectively, show the data for districts and upper-tier authorities. Care should be taken in interpreting these graphs because the absolute numbers on which they are based are quite small (see Tables A5.5a and A5.5b). However, this data suggests that there is a different pattern of change when districts are compared with upper-tier authorities.

First, the ‘collective accountability’ and ‘separation of powers’ categories are more stable in the upper-tier authorities than the district councils. The embedding of scrutiny in the upper-tier authorities is indicated by the very small

proportion of authorities moving out of the ‘high scrutiny’ models (‘collective accountability’ and ‘separation of powers’) into the ‘low scrutiny’ models (‘fusion’ and ‘executive autonomy’) over the period of the two surveys. Only 2 out of 39 (5%) of the upper-tier authorities which were in a ‘high scrutiny’ model in 2002 have moved to a ‘low scrutiny’ model in 2006, whilst 16 out of the 25 (64%) in a ‘low scrutiny’ model in 2002 have moved into one of the ‘high scrutiny’ models in 2006.

In comparison 10 out of 29 (34%) district authorities moved from a ‘high scrutiny’ model into to a ‘low scrutiny’ model over the period 2002-2006 and 24 of the 45 district authorities that were in a ‘low scrutiny’ model in 2002 have moved into one of the ‘high scrutiny’ models by 2006.

Second, a less marked pattern is found when we compare movement from the ‘high leadership’ (‘executive autonomy’ and ‘separation of powers’) models into the ‘low leadership’ models (‘fusion’ and ‘collective accountability’) and vice versa. Of the 45 upper-tier authorities that were in a ‘low leadership’ model in 2002, 12 (27%) had moved into one of the high leadership models. A move in the opposite direction has occurred in 4 out 19 (21%) upper-tier authorities that were in the ‘high leadership’ models in 2002.

In the district authorities, 11 out of 43 have moved from the ‘low leadership’ models into ‘high leadership’ (26%). A move in the opposite direction was made by 10 out of 31 district authorities (32%).

**Figure 5.4a Models of political management, district authorities that responded in 2002 and 2006**

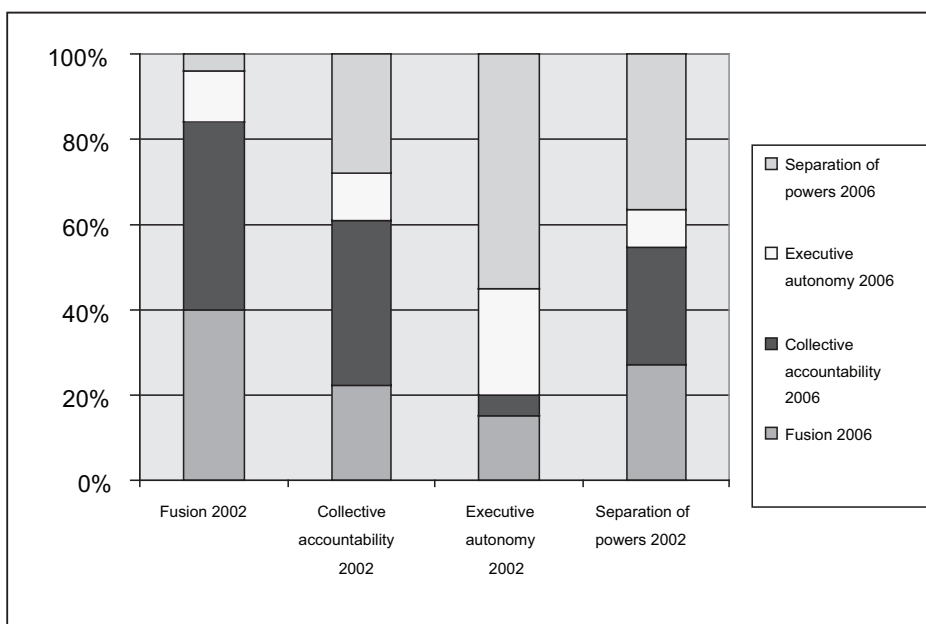
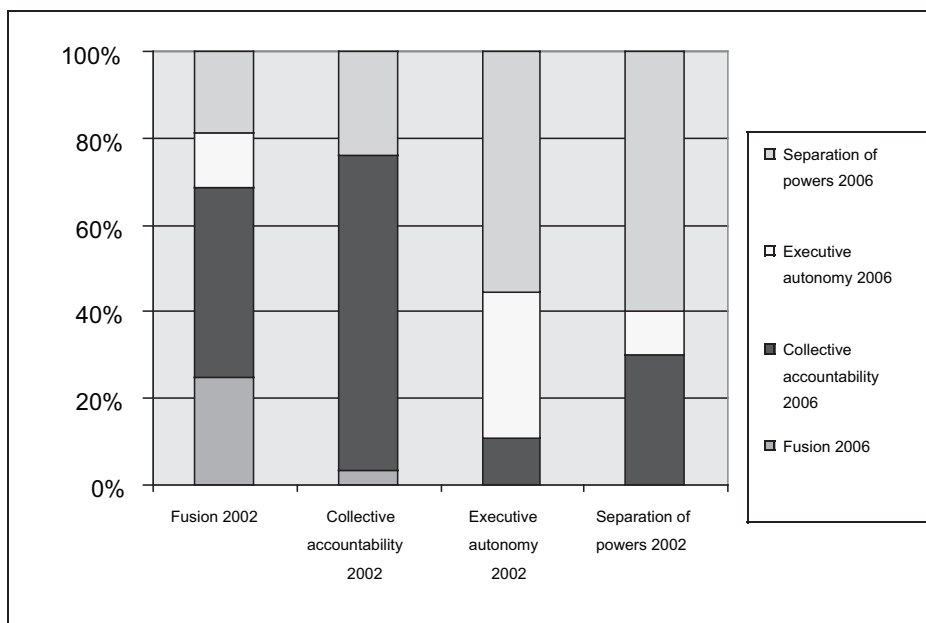


Figure 5.4b Models of political management, upper-tier authorities that responded in 2002 and 2006



### 5.4 The model and CPA

The analysis of the 2002 survey found a positive correlation between the separation of powers model and CPA performance. Authorities which had in 2002 adopted strong scrutiny and strong leadership as described in this chapter were more likely than any of the other three models to receive an excellent rating in CPA. A repeat of this analysis with the 2005 CPA found no moderate or strong statistically significant relationships between the models and CPA. There are a number of ways of accounting for this result. One is that the CPA has become a less effective way of discriminating between councils on performance, the majority of councils are now in the top two categories. A second reason is that our model is no longer an appropriate way of conceptualising variation between leader-cabinet authorities.

We investigate the relationship between constitutions and performance further in an interim report on the impact of leadership on CPA and citizen satisfaction (Gains, Greasley, John and Stoker, 2007)). The final impact report of the project will provide a more comprehensive analysis of the relationship between political management and local authority performance.

### 5.5 Conclusion

Between 2002 and 2006 the way that leader-cabinet authorities are managed politically has changed. A general strengthening of scrutiny and a more moderate enhancement of leader freedoms has led to collective accountability and the separation of powers models becoming most common. In 2002 16% of authorities were in the category most closely approximating the aims of the Act – the separation of powers model – by 2006 this has almost doubled to 31%.

## Chapter 6

# Conclusions

This paper reports on the results of the 2006 census of English principal local authorities and also tracks some of the changes in the political management of local authorities since 2002. The census had a response rate of 78% and therefore presents a comprehensive snapshot of local democracy four years after the implementation of the Act. A complex reform such as the Local Government Act 2000 would be expected to take some time to become embedded in the various situations to which it was applied. Moreover, it is also no surprise that certain elements of the reforms were quickly implemented whereas others have taken longer to develop and are still evolving. Our first annual report found that the structures for executive decision-making were fairly quickly adopted, whilst scrutiny and the standards framework took more time.

The vast majority of authorities have leader-cabinet constitutions, there has been some strengthening of the position of leaders in these authorities with a greater proportion being given the freedoms discussed in chapter 2. However with the exception of the metropolitan boroughs and, to a lesser extent, the London boroughs the story has been one of stability rather than change.

Mayoral authorities receive more press attention than leader-cabinet authorities as measured by press attendance at full council and the executive. On the other hand mayoral authorities are less likely to give decision-making powers to area committees when compared to the leader-cabinet authorities. A minority of council leaders and elected mayors chair the LSP for their area. Mayoral authorities are more likely to provide separate officer support for overview and scrutiny than leader-cabinet authorities.

Scrutiny committees appear to be both better resourced and are involved in a wider range of activities than was the case in 2002. A majority of standards committees are now chaired by an independent member.

The results from this survey, along with findings from our case studies and sample survey, will contribute to our overall account of the implementation of the Local Government Act 2000 which will be completed by Spring 2007.

# Appendix A

## Data Tables

Table A2.1	Leader freedoms, 2002 and 2006
Table A2.2	Individualised executive decision making, 2002 and 2006
Table A2.3	Leader can make decisions alone by type of authority, 2002 and 2006
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Table A2.5	Leader allocates portfolios by type of authority, 2002 and 2006
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Table A4.4	Proportion of overview and scrutiny chairs held by majority group, 2002 and 2006 (majority leader-cabinet authorities)
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Table A5.3	Models of political management, by political control 2002 and 2006
Table A5.4	Models of political management, authorities that responded in 2002 and 2006
Table A5.5a	Models of political management, district authorities that responded in 2002 and 2006
Table A5.5b	Models of political management, upper-tier authorities that responded in 2002 and 2006
Table B1	Characteristics of the census compared with characteristics of English councils

**Table A2.1 Leader freedoms, 2002 and 2006**

	2002%	2006%	2006 Base
Leader can make decision alone	38	41	247
Leader selects cabinet	34	41	240
Leader allocates portfolios	54	63	235

**Table A2.2 Individualised executive decision making, 2002 and 2006**

	2002%	2006%	2006 Base
Leader can make decision alone	38	41	247
Other members of cabinet can make decision	50	60	247
Delegation to officers	84	84	247

**Table A2.3 Leader can make decisions alone by type of authority, 2002 and 2006**

	2002%	2006%	2006 Base
District	37	41	140
London borough	36	42	24
Metropolitan borough	37	44	27
County	44	39	28
Unitary	43	43	28

**Table A2.4 Leader selects cabinet by type of authority, 2002 and 2006**

	2002%	2006%	2006 Base
District	37	42	135
London borough	29	33	24
Metropolitan borough	11	50	26
County	37	37	27
Unitary	40	43	28

**Table A2.5 Leader allocates portfolios by type of authority, 2002 and 2006**

	2002%	2006%	2006 Base
District	59	65	131
London borough	50	57	23
Metropolitan borough	30	54	26
County	52	63	27
Unitary	62	64	28

**Table A2.6 Number of leader freedoms, 2002 and 2006**

	2002%	2006%
No freedoms	28	20
One freedom	32	32
Two freedoms	24	28
Three freedoms	16	19
Base <sup>5</sup>	216	233

<sup>5</sup> Base is lower than total number of leader-cabinet responses because some surveys did not answer all three questions.

**Table A2.7 Number of leader freedoms by authority type, 2002 and 2006**

	District%		London%		Met borough%		County%		Unitary%	
	2002	2006	2002	2006	2002	2006	2002	2006	2002	2006
No freedoms	24	19	24	22	48	15	26	23	28	25
One freedom	30	32	48	35	33	39	33	35	24	25
Two freedoms	28	30	19	30	11	31	22	19	28	25
Three freedoms	19	19	10	13	7	15	19	23	21	25
Base	112	130	21	23	27	26	27	26	29	28

**Table A2.8 Change in leadership freedoms, leader-cabinet authorities that responded in 2002 and 2006**

Since 2002 the number of leadership freedoms has:	All authorities%	District %	Upper-tier%
Increased	31	26	38
Stayed same	50	52	48
Decreased	19	23	14
Base	170	93	77

**Table A3.1 Press attendance at council meetings, all authorities**

	Yes, % regularly	Yes, occasionally %	No %	Base
Full council	70	28	3	300
Executive or policy committee	63	33	5	280
Planning committee	67	27	6	286
Licensing committee	27	52	22	265
Overview and scrutiny	17	50	33	282
Area structures	18	38	44	162

**Table A3.2 Regular press attendance at council meetings, by political management arrangements**

	Mayor %	Leader-cabinet %	Alternative arrangements %
Full council	90	71	57
Executive or policy committee	80	63	54 <sup>6</sup>
Planning committee	70	65	77
Licensing committee	40	26	26
Overview and scrutiny	20	19	7
Area structures <sup>7</sup>	50	21	5
Base	10	247	44

<sup>6</sup> The initial survey sent to alternative arrangements authorities mistakenly asked about attendance at executive meetings. When reminders were sent out this was replaced with 'policy committees', the reported percentage is based on the 26 authorities who responded to that question.

<sup>7</sup> This question was only answered by those that have area committees. So for example the figure of 50% for mayoral authorities is 3 out of 6

**Table A3.3 Area based arrangements, by political management arrangements**

	Mayor % cabinet %	Leader- arrangements %	Alternative	All %	Base
Does the authority have area based arrangements?	60	54	39	52	299
Where area arrangements exist, do they have decision making powers?	17	63	38	58	148

**Table A3.4 Chair of the Local Strategic Partnership**

	All %	Mayoral%	Leader- cabinet%	Alternative arrangements%
Council leader	34	40	39	7
Chief executive	5	0	5	2
Other from council	9	0	9	11
Other	52	60	47	80
Base	288	10	234	44

**Table A4.1 Mean number of overview and scrutiny committees, 2002 and 2006**

	2002%	2006%
2006 Base		
Overall	3.7	3.3
District	3.1	2.4
London borough	4.3	3.8
Metropolitan borough	5.2	4.9
County	4.4	5.0
Unitary	4.5	4.9
Leader-cabinet	4.0	3.6
Mayoral	4.5	2.6
Alternative-arrangement	1.9	1.5

**Table A4.2 Support for overview and scrutiny, 2002 and 2006**

	2002%	2006%	2006 Base
Special officer unit	30	46	301
External sources of support	26	25	301
Ad hoc advice	73	74	301
Committee specific officer support	64	71	301
Servicing meetings only	30	27	301
Other	12	4	301

**Table A4.3 Provision of a special officer unit for overview and scrutiny, 2002 and 2006**

	2002%	2006%	2006 Base
Overall	30	46	301
District	20	32	186
London borough	48	58	26
Metropolitan borough	46	73	30
County	37	64	28
Unitary	47	77	31
Leader-cabinet	33	49	247
Mayoral	67	70	10
Alternative-arrangement	8	25	44

**Table A4.4 Proportion of overview and scrutiny chairs held by majority group, 2002 and 2006 (majority leader-cabinet authorities)**

	2002%	2006%
0-25%	15	17
25%-50%	8	18
50%-75%	22	13
75%-100%	55	52
Base	144	151

**Table A4.5 The work of overview and scrutiny committees, 2002 and 2006**

	2002%	2006%
2006 Base		
Review service outcomes	87	96
Explore innovative forms of service delivery	67	76
Involve external stakeholders	68	92
Investigate non-local authority service providers	42	74

**Table A4.6 The additional roles of local standards committees**

	%
Developing / monitoring additional protocols	91
Induction and training for members	58
Whistleblowing procedures	65
Anti-corruption and anti-fraud policies	42
Internal audit	12
Reviewing constitution	35
Ethical audits	39
Role in response to ombudsmen or external audit reports	29
Role relating to partnership bodies	4

**Table A5.1 Models of political management, 2002 and 2006**

Model	2002%	2006%
Fusion (low scrutiny/ low leadership)	26	18
Collective accountability (high scrutiny/ low leadership)	33	34
Executive autonomy (low scrutiny/ high leadership)	25	17
Separation of powers (high scrutiny/ high leadership)	16	31
Base	204	233

**Table A5.2 Models of political management, by authority type 2002 and 2006**

	District%		London%		Met borough%		County%		Unitary%	
	2002	2006	2002	2006	2002	2006	2002	2006	2002	2006
Fusion	29	25	42	17	19	8	19	15	15	0
Collective accountability	25	26	26	39	65	46	42	42	33	50
Executive autonomy	31	22	16	17	4	8	19	12	33	11
Separation of powers	15	28	16	26	12	39	19	31	19	39
Base <sup>8</sup>	106	130	19	23	26	26	26	26	27	28

**Table A5.3 Models of political management, by political control 2002 and 2006**

	Labour %		Conservative %		Lib. Dem. %		All majority %		No majority %	
	2002	2006	2002	2006	2002	2006	2002	2006	2002	2006
Fusion	26	9	22	20	20	26	23	18	35	19
Collective accountability	44	60	19	18	40	26	32	30	35	45
Executive autonomy	21	9	35	23	27	26	28	20	17	11
Separation of powers	10	22	25	39	13	21	17	32	14	26
Base	62	45	65	103	15	19	144	168	52	65

<sup>8</sup> Base is lower than total number of leader-cabinet responses because some surveys did not answer all three questions.

**Table A5.4 Models of political management, authorities that responded in 2002 and 2006**

	Fusion 2002 accountability	Collective autonomy 2002	Executive powers 2002 2002	Separation of
Fusion 2006	34%	11%	10%	14%
Collective accountability 2006	44%	60%	7%	29%
Executive autonomy 2006	12%	4%	28%	10%
Separation of powers 2006	10%	26%	55%	48%
<i>Base</i>	<i>41</i>	<i>29</i>	<i>47</i>	<i>21</i>

**Note:** Table A5.4 shows the change in the model adopted by authorities between 2002 and 2006. Column 1, for example, shows that 34% of authorities that were in the 'fusion' category in 2002 remained so in 2006, whilst 44% of authorities that were in the 'fusion' category in 2002 had shifted into the 'collective accountability' category in 2006.

**Table A5.5a Models of political management, district authorities that responded in 2002 and 2006**

	Fusion 2002	Collective accountability 2002	Executive autonomy 2002	Separation of powers 2002
Fusion 2006	40%	22%	15%	27%
Collective accountability 2006	44%	39%	5%	27%
Executive autonomy 2006	12%	11%	25%	9%
Separation of of powers 2006	4%	28%	55%	36%
<i>Base</i>	<i>25</i>	<i>18</i>	<i>20</i>	<i>11</i>

**Table A5.5b Models of political management, upper-tier authorities that responded in 2002 and 2006**

	Fusion 2002	Collective accountability 2002	Executive autonomy 2002	Separation of powers 2002
Fusion 2006	25%	3%	0%	0
Collective accountability 2006	44%	72%	11%	30%
Executive autonomy 2006 autonomy 2006	13%	0	33%	10%
Separation of powers 2006	19%	24%	56%	60%
<i>Base</i>	<i>16</i>	<i>29</i>	<i>9</i>	<i>10</i>

## Appendix B

### Response Rates

The survey was sent to 386 principal local authorities in England. Two English principal local authorities – the City of London and the Isles of Scilly – were exempt from the political management reforms and were not included in the survey.

In all 301 responses were received in time to use for the survey analysis, a response rate of 78%. A further two were received too late to be included. The survey was initially distributed in March 2006 prior to the local elections in May. Table B1 breaks down responses by authority type, region, political control and constitution.

**Table B1** Characteristics of the census compared with characteristics of English councils

Local authority type	Census		All councils	
	N	%	N	%
District	186	61.7	238	61.7
London	26	8.6	32	8.3
Metropolitan	30	10.0	36	9.3
County	28	9.3	34	8.8
Unitary	31	10.3	46	11.9
Total	301		386	

Region	Census		All councils	
	N	%	N	%
Eastern	41	13.6	54	13.9
East Midlands	39	13.0	45	11.7
London	26	8.6	32	8.3
South East	58	19.3	74	19.2
North East	21	7.0	25	6.5
North West	35	11.6	46	11.9
South West	35	11.6	50	13.0
West Midlands	31	10.3	38	9.8
Yorkshire and Humberside	15	5.0	22	5.7
Total	301		386	

**Table B1** Characteristics of the census compared with characteristics of English councils *continued*

Political control	Census		All councils	
	N	%	N	%
Conservative	126	41.9	163	42.2
Independent	7	2.3	7	1.8
Labour	57	18.9	65	16.8
Liberal Democrat	23	7.6	31	8.0
No overall control	88	29.2	120	31.1
Total	301		386	

Constitution	Census		All councils	
	N	%	N	%
Alternative-arrangements	44	14.6	56	14.5
Leader-cabinet	247	82.1	318	82.4
Mayor and cabinet	9	3.0	11	2.8
Mayor and council manager	1	0.3	1	0.2
Total	301		386	