



The New Council Constitutions: The Outcomes and Impacts of the Local Government Act 2000

[Link to publication record in Manchester Research Explorer](#)

Citation for published version (APA):

Gains, F., Greasley, S., John, P., & Stoker, G. (2007). *The New Council Constitutions: The Outcomes and Impacts of the Local Government Act 2000*. (DCLG). DCLG.

Citing this paper

Please note that where the full-text provided on Manchester Research Explorer is the Author Accepted Manuscript or Proof version this may differ from the final Published version. If citing, it is advised that you check and use the publisher's definitive version.

General rights

Copyright and moral rights for the publications made accessible in the Research Explorer are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

Takedown policy

If you believe that this document breaches copyright please refer to the University of Manchester's Takedown Procedures [<http://man.ac.uk/04Y6Bo>] or contact uml.scholarlycommunications@manchester.ac.uk providing relevant details, so we can investigate your claim.





The New Council Constitutions

*The Outcomes and Impact of the Local
Government Act 2000*



The New Council Constitutions

*The Outcomes and Impact of the Local
Government Act 2000*

ELG Research Team
Gerry Stoker, Francesca Gains, Stephen Greasley, Peter John and Nirmala Rao
October 2007
Department for Communities and Local Government: London

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 involved 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

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

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 020 7944 4400
Website: www.communities.gov.uk

© *Crown Copyright, 2007*

Copyright in the typographical arrangement rests with the Crown.

This publication, excluding logos, may be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to it being reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the publication specified.

Any other use of the contents of this publication would require a copyright licence. Please apply for a Click-Use Licence for core material at www.opsi.gov.uk/click-use/system/online/pLogin.asp, or by writing to the Office of Public Sector Information, Information Policy Team, St Clements House, 2-16 Colegate, Norwich, NR3 1BQ. Fax: 01603 723000 or email: HMSOlicensing@cabinet-office.x.gsi.gov.uk

If you require this publication in an alternative format please email alternativeformats@communities.gsi.gov.uk

Communities and Local Government Publications
PO Box 236
Wetherby
West Yorkshire
LS23 7NB
Tel: 08701 226 236
Fax: 08701 226 237
Textphone: 08701 207 405
Email: communities@twoten.com
or online via the Communities and Local Government website: www.communities.gov.uk

October 2007

Product Code: 07 LGSR 04726/A

CONTENTS

KEY FINDINGS	7
EXECUTIVE SUMMARY	8
CHAPTER 1	18
Introduction	
1.1 Evaluating the Local Government Act 2000	18
1.2 Decision-making before the Local Government Act 2000	19
1.3 Decision making after the Local Government 2000	20
1.4 Implementing the new structures	22
1.5 Views on reform	23
1.6 Assessing the outcomes of the Act	25
CHAPTER 2	27
Embedding Effective Leadership	
2.1 New decision making structures to provide stronger leadership	27
2.2 The exercise of leadership	31
2.3 Conclusion	37
CHAPTER 3	38
Enhancing Democratic Legitimacy	
3.1 Visible leadership	38
3.2 Community leadership	40
3.3 Public involvement	43
3.4 Area committees	44
3.5 Full council	45
3.6 The role of non executive councillors	46
3.7 Diversity	50
3.8 Conclusion	51
CHAPTER 4	53
Introducing Appropriate Checks and Balances	
4.1 Transparency of executive decisions	53
4.2 Scrutiny	55
4.3 Standards	59
4.4 Conclusions	60
CHAPTER 5	61
The Impact of Reform	
5.1 Constitutional context in leader-cabinet authorities	61
5.2 Leadership freedoms and council performance	62
5.3 Political context	72
5.4 Indicators of democratic legitimacy: trust and turnout	78

CHAPTER 6		86
Conclusions		
REFERENCES		90
APPENDIX A		93
APPENDIX B		94
APPENDIX C		95
TABLES		
Table 1	Views of current arrangement by non-mayoral and mayoral authorities, combined sample 2005	24
Table 2	Views of current arrangement by majority and no overall control authorities, combined sample 2005	25
Table 3	Leadership changes in political management over the previous two years, councillors, officers and stakeholders 2005	30
Table 4	Average hours per month spent on council activities by executive members, 2005	30
Table 5	Duties undertaken as an executive councillor, 2003 and 2005	31
Table 6	Speed of decision making over the previous two years, councillors, officers and stakeholders views 2005	32
Table 7	Councillors' and officers' views on the effectiveness of the executive (or equivalent) on strategic management tasks 2005	33
Table 8	Views on dealing with cross cutting issues over the previous two years, councillors, officers and stakeholders 2005	33
Table 9	Councillors' and officers' views on the effectiveness of the executive (or equivalent) 2005	36
Table 10	Changes in internal relationships over the previous two years, councillors, officers and stakeholders 2005	36
Table 11	Councillors' and officers' views on the effectiveness of the executive (or equivalent) 2005	36
Table 12	Changes in visibility of decision makers over the previous two years, councillors, officers and stakeholders, 2005	39
Table 13	Other stakeholder activities, 2003 and 2005	41
Table 14	Changes in external relations, partnership and community leadership over the previous two years, councillors, officers and stakeholders, 2005	42
Table 15	Councillors' and officers' views on the effectiveness of the executive (or equivalent), 2005	42
Table 16	Changes in public involvement over the previous two years, councillors, officers and stakeholders, 2005	44
Table 17	Councillors' and officers' views on the effectiveness of the arrangements for area based decision-making, 2003 and 2005	45
Table 18	Councillors' and officers' views on the effectiveness of full council, 2005	46
Table 19	Average hours per month spent on council activities by non-executive members, 2003 and 2005	47
Table 20	Duties undertaken as a non-executive member, 2003 and 2005	47
Table 21	Councillors' means of communication with constituents, 2005	48

Table 22	Responses to representations from constituents, 2005	49
Table 23	Changes in backbench engagement over the previous two years, councillors, officers and stakeholders, 2005	49
Table 24	Councillors' and officers' views on the effectiveness of the executive (or equivalent), 2005	49
Table 25	Changes in diversity of councillors over the previous two years, councillors, officers and stakeholders, 2005	51
Table 26	Changes in the transparency of decision making over the previous two years, councillors, officers and stakeholders, 2005	54
Table 27	Officer support for overview and scrutiny, 2003 and 2005	56
Table 28	Policy change in the area of the respondent's portfolio as a result of O & S committees, 2003 and 2005	57
Table 29	Councillors and officers' views on the effectiveness of overview and scrutiny committees, 2005	58
Table 30a	Ordinary least squares regression average proportion of citizens satisfied with council services 2003-04 (all leader-cabinet)	65
Table 30b	Ordinary least squares regression average proportion of citizens satisfied with council services 2003-04 (upper-tier leader-cabinet)	65
Table 30c	Ordinary least squares regression average proportion of citizens satisfied with council services 2006-07 (upper-tier leader-cabinet)	65
Table 31	2006-07 average proportion of citizens satisfied with council services (upper-tier leader-cabinet)	66
Table 32a	Proportionate trust in local council by number of leadership freedoms, 2002 (all leader-cabinet authorities)	78
Table 32b	Proportionate trust in local council by number of leadership freedoms, 2006 (all leader-cabinet authorities)	79
Table 33	Proportionate trust in local council by number of leadership freedoms, 2002 (top-tier leader-cabinet authorities)	79
Table 34	Average turnout in London boroughs 2006 and percentage change since 2002, by number of leadership freedoms 2002	81
Table 35	Average turnout in county councils 2005 and percentage change since 2001, by number of leadership freedoms 2002	81
Table 36	Average turnout in metropolitan district authorities 2006 and percentage change since 2002, by leader freedoms 2002	82
Table 37a	Average turnout in unitary authorities in most recent election	82
Table 37b	Average turnout in unitary authorities 2003 or 2006, by number of leadership freedoms 2002	83
Table 38	Mayoral elections 2002 to 2007	84
Table 39	Electoral pilots in mayoral elections 2002 – 2007	85

FIGURES

Figure 1	Views on the current arrangements: councillors, officers and stakeholders, 2005	24
Figure 2	Leader-cabinet authorities giving leaders each of three freedoms, 2002 and 2006	28
Figure 3	Number of leader freedoms, all leader-cabinet authorities, 2002 and 2006	29
Figure 4	Press attendance at council meetings, all authorities, 2006	39
Figure 5	Leadership freedoms 2002 and average citizen satisfaction 2003-04	63
Figure 6	Leadership freedoms 2002 and average citizen satisfaction 2003-04 (upper-tier authorities only)	63
Figure 7	Leadership freedoms 2006 and average citizen satisfaction 2006-07 (upper-tier authorities only)	64

Figure 8	Leadership freedoms 2002 and CPA performance 2003 (upper-tier authorities only)	67
Figure 9	Leadership freedoms 2002 and CPA performance 2004 (upper-tier authorities only)	67
Figure 10	Leadership freedoms 2002 and CPA performance 2005 (upper-tier authorities only)	68
Figure 11	Direction of travel 2005 and leadership freedoms 2002 (upper-tier authorities only)	69
Figure 12a	Leadership freedoms 2002 and CPA performance 2006 (upper-tier authorities only)	69
Figure 12b	Leadership freedoms 2006 and CPA performance 2006 (upper-tier authorities only)	70
Figure 12c	Consolidated leadership score 2002&2006 and CPA performance 2006 (upper-tier authorities only)	70
Figure 13a	Direction of travel 2006 and leadership freedoms 2002 (upper-tier authorities only)	71
Figure 13b	Direction of travel 2006 and leadership freedoms 2006 (upper-tier authorities only)	71
Figure 13c	Direction of travel 2006 and consolidated leadership score 2002&2006 (upper-tier authorities only)	72
Figure 14	Majority control 2002 and average citizen satisfaction 2003-04	73
Figure 15	Majority control 2006 and average citizen satisfaction 2006-07 (upper-tier authorities only)	73
Figure 16	Majority control 2002 and CPA performance 2003 (upper-tier authorities only)	74
Figure 17	Majority control 2006 and CPA performance 2006 (upper-tier authorities only)	74
Figure 18	Political stability 1998-2002 and average citizen satisfaction 2003-04	75
Figure 19	Political stability 2002-2006 and average citizen satisfaction 2006-07 (upper-tier authorities only)	75
Figure 20	Political stability 1998-2002 and CPA performance 2003 (upper-tier authorities only)	76
Figure 21	Political stability 2002-2006 and CPA performance 2006 (upper-tier authorities only)	76
Figure 22	Leader tenure and average citizen satisfaction 2006-07 (upper-tier authorities only)	77
Figure 23	Leader tenure and CPA performance 2006 (upper-tier authorities only)	77

KEY FINDINGS

The Local Government Act 2000 introduced a major change in the organisation of, and decision-making in, local government. It introduced new roles and relationships between executive and non-executive councillors, councillors and officers and the authority and its stakeholders and the public. The qualitative and quantitative evidence gathered by ELG to date provides a consistent picture of change with regard to the numerous outcomes of the Act.

There is general agreement that the aim of enhancing effective leadership has been met and that the new executive arrangements have bedded down well, thus providing more visible and effective leadership and quicker decision-making which is in turn associated with better service delivery. Taken together our findings show a consistent relationship between, on the one hand, authorities with stable political leadership and authorities that have over a period of time given the full range of powers to their leaders and, on the other hand, better service performance and greater citizen satisfaction.

The 2000 Act has made some positive contributions towards democratic renewal, for example through better visibility of portfolio holders (especially mayors). Although there are examples of innovative practice regarding community leadership and public involvement, there is less agreement that these features have been successfully developed. The diversity of elected representatives has not significantly altered and the role of non-executives has not bedded down. Respondents in mayoral authorities are more positive than other respondents about outcomes relating to community leadership, public involvement and diversity and more optimistic about the impact on public confidence. Our findings suggest that the impact of changes on citizens' sense of trust in local government or electoral turnout have been limited.

The checks and balances introduced by the Act are working, although a variable picture has emerged. Officers are typically more positive than councillors about the transparency of decision-making. The scrutiny function, although underdeveloped, is improving from a low base. It is the case that scrutiny works best and is most robust where resources are committed. The standards arrangements are also working and are seen as an effective mechanism for providing the appropriate checks and balances.

EXECUTIVE SUMMARY

The Local Government Act 2000 was a central plank of the Government's local government modernisation agenda set out in the local government White Paper 1998. It marked the end, in all but the smallest authorities, of the long established committee system in local government. Authorities with populations over 85,000 had to adopt either a mayoral system or a leader and cabinet to enhance executive decision-making. Non-executive councillors were expected to develop a stronger role in community representation and a role in scrutinising executive decision-making. A new ethical framework was also put in place. The Government's aims were threefold:

- 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.
- To provide sufficient **checks and balances** in the construction of new council constitutions to ensure that other objectives such as transparency and accountability were not undermined by the drive to stronger executive leadership.

This independent research report summarises the research evidence on how far the Government have been successful in achieving these aims. It draws on long term research commissioned by the Department for Communities and Local Government and undertaken by the Evaluating Local Governance (ELG) research team to examine how the new council constitutions and ethical framework were implemented in local authorities. Specifically, the report brings together findings from:

- Two census surveys of English principal local authorities undertaken in 2002 and 2006 to gather information on constitutional organisation (see Stoker et al. 2002 and Greasley 2007).
- Two sample surveys of councillors, officers and stakeholders in a representative sample of 40 local authorities to provide information on attitudes towards the changes and the new roles and relationships which have subsequently developed (see Rao 2005; John 2005 and Stoker et al. 2006).
- A wide range of visits, documentary evidence, interviews and observations in over 40 longitudinal case-study local authorities from 2002 to 2006 (see Stoker et al. 2003a, 2004 and Gains 2006).

Together this comprehensive set of data provides constitutional, behavioural and attitudinal indicators on the implementation, operation and outcomes of the 2000 Act. The research team would like to acknowledge the assistance of local authorities, local stakeholders, and those in the wider local government community who have helped with the ELG research since 2002.

Embedding Effective Leadership

The 2000 Act placed great emphasis on the emergence of visible and effective leadership in systems that allowed for ‘a clearly identified executive to give strong leadership to communities and clarity to decision taking’ (DETR 1999: 19). There is widespread agreement within the local government community and beyond that this aim has been achieved.

- The 2002 census survey found no problems in implementing the new structures. Most authorities opted for the leader cabinet system (316 or 81%). Eleven authorities (3%) adopted mayoral systems (10 mayor cabinet and one mayor council manager¹). The remaining 59 smaller authorities (15%) chose to maintain streamlined committee systems in alternative arrangements authorities (Stoker et al. 2002: 13)². Chief Officers reported few costs arising from adoption of the new system (Stoker et al. 2004: 73; section 1.4).
- Officers and stakeholders are more positive about the reforms than councillors, with well over half viewing the new arrangements as an improvement. Executive councillors are more positive than non-executive councillors and Labour councillors more positive than councillors from other parties. Taking councillors, officers and stakeholders together, respondents from mayoral authorities are more favourable than from non-mayoral and from majority authorities than from no overall control authorities (section 1.5).
- The extent to which leaders select cabinet members and allocate portfolios has increased, suggesting growing acceptance of leader freedoms in these areas. A distinct role of executive councillor is also developing. The scope of individualised decision-making for cabinet members has also increased with nearly half (47%) of executive councillors taking decisions alone. Executive councillor’s report spending on average 112 hours per month in their role. Leaders report spending 150 hours per month (section 2.1).
- Across all types of authority there is strong agreement that the 2000 Act changes has delivered stronger leadership with a majority of councillor, officer and stakeholder respondents agreeing that ‘the role of the leader is stronger’, and ‘the leader has a higher profile’. The majority of officers agree that ‘decision-making is quicker’ (section 2.1 and 2.2).

1 A twelfth authority has subsequently joined the mayor-cabinet authorities

2 This group includes one larger authority which adopted alternative arrangements as a fall back following a ‘no’ vote in a mayoral referendum. Subsequently a further four authorities have changed from Alternative Arrangements to Leader and Cabinet systems.

- Councillors and officers also felt that the new executives were effective in providing a vision for the area, leading a drive to service improvement, setting the policy direction, ensuring delivery, dealing with the budget process and lobbying for resources (Table 7 section 2.2).
- There are variations in the way in which leadership is exercised. In some authorities, decision-making flows through the leader or bilaterally between a portfolio holder and leader, in others decisions are taken collectively in cabinet. (section 2.2).
- The case studies also suggest variation across authorities with respect to the ability to move resources, join up policy making and manage party groups. Strategic management is perceived to be easier in authorities with concentrated leadership and party management plays a more important role in authorities with de-concentrated leadership forms (section 2.2).
- Overall councillor, officer and stakeholder survey respondents strongly agreed that the new political management arrangements support visible and effective political leadership. In the sample survey, respondents from mayoral authorities were more likely than other respondents to indicate that leadership aims had been met. In-depth interviews with chief officers and leaders in 10 authorities with varying constitutional forms also revealed widespread agreement that the new arrangements had had a beneficial impact on service delivery (section 2.3; Appendix A and B).

Enhancing Democratic Legitimacy

The 2000 Act was designed to enhance the democratic legitimacy of local government, to enable it to gain public respect and trust so that it could provide a sustainable and viable forum for local collective choice. There is evidence of achievements against this aim especially in respect to the visibility of decision-making. A more mixed picture emerges when examining community leadership, public involvement and the diversity of councillors. In particular, the role of non-executive councillors appears less well developed than the executive councillor role.

VISIBILITY

- Both survey and qualitative evidence suggests that leaders and executive councillors are more *visible* to local communities with named portfolio holders more clearly identifiable as decision-makers. This enhanced visibility of leadership is particularly notable in mayoral authorities (section 3.1).

COMMUNITY LEADERSHIP

- The Act also envisaged a more outward facing approach with a clear *community leadership* role for leaders and executive councillors. To this end, a third of leaders (including four of the ten mayoral authorities which responded) now chair their local strategic partnership. The time given by

officers to partnership working has doubled since our 2003 sample survey and leaders spend on average as much time with partners as with their party groups. Half of stakeholders responding to the sample survey (50%) had also contributed to developing a policy plan (section 3.2).

- Over half of respondents thought the executive had been effective in setting a vision for the area. On this point, officers are overwhelmingly more positive than councillors. Responses to questions about executive effectiveness in relation to leading partnership bodies, working with stakeholders in the community and promoting good external relations were less positive, with approximately half of officers, and councillors agreeing executive effectiveness in these areas (Section 3.2).
- Again the mayoral option appears to provide a clearer structure for the exercise of community leadership with respondents from mayoral authorities more likely to indicate that the new arrangements enable better relations with partners. This may be attributable to electoral legitimacy, as one mayor explained about the partnership role 'I have no power just influence, [partners] take the calls because I have the mandate' (Gains 2006; Appendix B).

PUBLIC INVOLVEMENT

- The extent to which the Act has facilitated *public involvement* in decision-making is less clear. The census survey and case study visits indicate that, under the new constitutional arrangements, many local authorities have introduced new ways of including the public in decision-making. Innovations such as state of the borough debates; oral, written and web-based questioning of portfolio holders; and the co-option of non-councillors on scrutiny groups were reported. However the sample survey found that less than one in five respondents agreed that the public was more involved in decision-making than previously although rates of agreement with this statement in the mayoral authorities were higher (section 3.3, Appendix B).
- The Act also facilitated decision-making to be delegated to area committees and these have been established in just over half of authorities. So far, approximately six out of ten of these committees have decision-making powers (section 3.4).

NON-EXECUTIVE ROLE

- Non executive councillors spend 75 hours a month on their role (section 3.6). On average the greatest proportion of their time is spent communicating with constituents (18 hours per month) followed by reading and preparation for meetings (17 hours per month). Councillors are more likely to approach officers than portfolio holders with constituency matters. On average 6 hours per month are taken up with scrutiny meetings and half of non executives report they have pushed for an item to go on an overview and scrutiny agenda, worked with members of the public to investigate community concerns or visited outside organisations. Only a quarter report

calling in an executive decision or achieved publicity for a scrutiny activity (section 3.6).

- Interviews with leaders and chief officers suggest that one of the most problematic features of the new council constitutions is embedding the changing role of non-executives. The survey data confirm this: there was little agreement with the statement that 'backbenchers are more engaged' under the new arrangements (only 12% councillors, 9% officers and 12% stakeholders agreed); and only one in four respondents (28% of councillors and 24% of officers) agreed that the executive effectively responds to the concerns of non-executives (section 3.6).

DIVERSITY

- The 2005 ELG sample survey of councillors suggests there has been little significant change in the diversity of councillors. Only 26% of councillors are female, just over a third of councillors are in paid employment, very few councillors are under 35 years of age and almost all respondents (92%) describe themselves as white. Over a quarter of cabinet members (26%) are women (this rises to over a third (34%) in mayoral authorities), but nearly one in ten authorities (8%) have no cabinet positions held by women. Comparing these findings with previous national surveys of councillors (for example, Young and Rao 1993) reveals that the demographic composition of councillors has been largely unchanged since the early 1990s (section 3.7). The results of *National Census of Local Authority Councillors in England 1997-2006* suggested that there had been some slight increase in the representation of women and non-white ethnic groups since 1997. The diversity of elected representatives is likely to be slow to change and subject to fluctuation.
- Overall, respondents to the sample survey were pessimistic about the extent to which the new arrangements made it easier for women and ethnic minorities to become involved with less than one in five respondents agreeing with these statements. Respondents from mayoral authorities were more positive than respondents from other arrangements about the link between the new constitutions and encouraging diversity but still only approximately a third agreed (section 3.7).
- A more mixed picture of success is suggested in relation to the aim of promoting democratic legitimacy than was found in relation to strengthening leadership. Whilst new constitutional forms of engaging with the public and stakeholders have been introduced, their uptake is uneven. Leaders are more visible and partnership working with stakeholders is clearly embedded but the extent of public involvement is low, the role of non-executives uncertain and diversity has not improved since the introduction of the Act. Over half of officer and stakeholder respondents and just under half of councillors agreed that the political management arrangements under the 2000 Act promoted democratic legitimacy and public trust in local government with mayoral respondents more positive about the impact of this political management arrangement on public confidence. In interviews, leaders and chief officers felt the impact of the new structures on public confidence was hard to gauge and will take longer to be visible (section 3.8).

Introducing Appropriate Checks and Balances

As well as encouraging effective leadership and enhancing democratic legitimacy, the 2000 Act sought to introduce checks and balances to the operation of executive decision-making under the new constitutions through the introduction of procedures to make decision-making transparent, the introduction of a scrutiny system and a new ethical framework. In respect to this aim, the evidence points to a mixed picture with arrangements associated with the operation of the executive and standards more embedded than the scrutiny arrangements.

TRANSPARENCY OF EXECUTIVE DECISIONS

- As well as the greater visibility of named decision-makers, the 2000 Act introduced new procedures relating to the *transparency* of decision-making. In all leader-cabinet and mayoral authorities a forward plan is published showing a schedule of forthcoming executive decisions. However the extent to which this is made accessible varies and the plans are more often used by officers than councillors and the public. Some alternative arrangement authorities also produce a forward plan although they are not required to do so (section 4.1).
- More than half of officers responding to the sample survey agreed with the statements ‘it is easy to find out who has made a specific decision’ and ‘it is easier to find out about council policy’ although councillors were less likely to agree. When asked about the overall impact, over half of respondents agreed that the current political management arrangements provide checks and balances to guarantee transparency of decision-making (section 4.1).

SCRUTINY

- The introduction of *scrutiny* arrangements was designed to be the principal check on the working of the executive. The evidence on scrutiny arrangements is mixed partly due to the introduction of an entirely new role, partly due to the reluctance of councillors in power to challenge their parties’ executive decision-making, and partly due to a structural imbalance in the level of officer support for scrutiny compared to executive functions (section 4.2).
- There are signs of improvements in the organisation of scrutiny. Three quarters of scrutiny committees (76%) report using scrutiny to explore innovative forms of service delivery (up from 67% in 2002). Two thirds (64%) of authorities are not aware of party pre-meetings being held before scrutiny committees (up from 53% in 2002) and the proportion of authorities offering dedicated officer support has risen from one in three (30%) in 2002 to one in two (45%) currently. However fewer than three in ten (27%) authorities report having all three indicators (exploring innovative service delivery, no pre-party meetings, and a special officer unit) of strong scrutiny. In 2002 only 13% of authorities reported having all three indicators (section 4.2).

- In discussing the operation of the scrutiny system, some leaders and chief officer interviewees raised doubts about the robustness of scrutiny. However, there is good evidence that scrutiny makes a valid contribution to executive decision-making especially in relation to policy development and performance review. There has been a 13 point increase in the proportion of executive councillors reporting changes in their policy area as a result of scrutiny activity (section 4.2).
- Over half of sample survey respondents agreed that scrutiny committees are effective at reviewing service outcomes. The effectiveness of scrutiny was, however, thought to be weaker when used for exploring innovation, reconciling community opinion and acting as a forum for community debate. A little over a third of councillors (37%) and officers (35%) thought scrutiny was effective in holding decision-makers to account. The number of call-ins of executive decisions is generally very low, with a third of councils experiencing no call-ins at all. However six out of ten (60%) executive councillors reported changing a decision as a result of a scrutiny review (section 4.2).

STANDARDS

- The Act also introduced a new ethical framework and all authorities had to publish a code of conduct and set up a local *standards* committee. Since 2003 these committees have been able to deal with local adjudications referred back to the authority from the Standards Board. Standards committees meet on average five times a year; three out of four committees are chaired by independent members; and the committees have taken on a range of roles beyond adjudication involving a more active promotion of good ethical standards through training and developing protocols. Less than one in ten (8%) of councillors expressed dissatisfaction with the conduct of their standards committee and more than half (55%) felt the committee was effective in promoting an ethical organisation (section 4.3).
- Overall, as with the outcomes relating to around democratic legitimacy discussed above, in relation to the checks and balances introduced by the 2000 Act, respondents were more certain about seeing positive outcomes in relation to executive processes such as transparency of decision-making. There was a more mixed picture in relation to the balance of activity, effectiveness and outcomes of scrutiny. It is clear that this role has taken some time to embed and that scrutiny arrangements are not as robust as executive arrangements. However there are improvements in the degree of institutional support for scrutiny and a reduction in reported party involvement in scrutiny. Case study evidence and data from the sample survey on policy change in response to scrutiny from portfolio holders suggests scrutiny is having an impact but that this impact is very variable. The standards arrangements in authorities appear to have been successfully embedded and are thought to be effective.

The Impact of Reform

- Examining the link of constitutional arrangements with performance data, our major focus is on leader-cabinet authorities as the most dominant current constitutional form experienced by citizens in England. There was a positive, statistically significant relationship between the proportion of citizens satisfied with council performance in 2003/4 and the number of executive freedoms, (taking executive decisions, selecting members of the cabinet or allocating portfolios) a leader enjoyed in 2002. The relationship is stronger if we focus only on the top tier authorities. When controlling for deprivation and population, the link between leader freedoms and satisfaction scores is still in evidence in 2006/07 when looking at upper tier authorities (section 5.2).
- Cautiously, and while stressing the limitations of the data, there also appears to be a link between leadership powers in 2002 and a relationship to the CPA performance. The top tier authorities that made constitutional choices providing greater freedoms to their leaders in 2002 have gained higher CPA scores in 2003, 2004, 2005 and 2006, they also performed better with the 2005 and 2006 direction of travel analysis. The relationship between 2002 leader freedoms and 2006 CPA scores is significant at the 95% level³. Looking at more recent data, the number of leader freedoms in 2006 is not positively associated with CPA performance. The overall balance of evidence presented here suggests that having stronger leadership powers within the leader-cabinet model, such as those proposed in the Local Government White Paper – Strong and Prosperous Communities – is linked to better performance (section 5.2).
- In addition, there is evidence that other indicators of leadership stability have a positive and statistically significant link to impacts at the 95% level. Satisfaction levels are higher in councils that have a majority party in office and these relationships are statistically significant in both 2002 and 2006. There is also a statistically significant link between majority party control and 2006 CPA. Councils with political stability from 2002 to 2006 have higher CPA scores in 2006 and this is statistically significant. Having a leader who has been in post for at least four years is also positively associated with citizen satisfaction, this relationship is statistically significant. This evidence could be seen as supportive of the White Paper's case for greater stability of tenure for leaders (section 5.3).
- Taken together our findings show a consistent relationship between on the one hand, authorities with stable political leadership and authorities that have over a period of time given the full range of powers to their leaders and, on the other hand, better service performance and greater citizen satisfaction. Whilst acknowledging the complexity of the relationship between performance and leadership, our evidence overall is supportive of the White Paper's case for greater powers and stability of tenure for leaders (section 5.3).

³ Statistical significance is used to judge whether relationships found in the data are likely to have happened by chance. Significance at the 5% level ($p < .05$) means that a relationship would only be expected to happen by chance one time out of twenty. An outline of our use of statistical tests can be found in Appendix C.

- The impact of the reforms on wider citizens' attitudes and propensity to vote in local elections is less clearly established than the link between leadership form and performance. 2002 and the level of public trust expressed in the BVPI data in 2006 in upper tier authorities but this relationship is not found when looking at the 2006 data on leadership strength or when considering all authorities. There appears to have been a small general increase in local election turnout over the first half of the decade in general and this is more pronounced in the mayoral authorities. However it is difficult to draw firm conclusions about the effect of leadership form on turnout. The public appears to hold levels of trust in local government politicians which are comparably higher than levels of trust in politicians overall but turnout has only changed relatively little in local elections (section 5.4).

Conclusions

The Local Government Act 2000 introduced a major change in the organisation of, and decision-making in, local government. It introduced new roles and relationships between executive and non-executive councillors, councillors and officers and the authority and its stakeholders and the public. The qualitative and quantitative evidence gathered by ELG to date provides a consistent picture of change with regard to the numerous outcomes of the Act.

- There is general agreement that the aim of enhancing effective leadership has been met and that the new executive arrangements have bedded down well, thus providing more visible and effective leadership and quicker decision-making which is in turn associated with better service delivery (chapter 2).
- The 2000 Act has made some positive contributions towards democratic renewal, for example through better visibility of portfolio holders (especially mayors). Although there are examples of innovative practice regarding community leadership and public involvement, there is less agreement that these features have been successfully developed. The diversity of elected representatives has not significantly altered and the role of non-executives has not bedded down. That said respondents in mayoral authorities are more positive than other respondents about outcomes relating to community leadership, public involvement and diversity and more optimistic about the impact on public confidence (chapter 3).
- The checks and balances introduced by the Act are working, although a variable picture has emerged. Officers are typically more positive than councillors about the transparency of decision-making. The scrutiny function, although underdeveloped, is improving from a low base. The standards arrangements are also working and are seen as an effective mechanism for providing the appropriate checks and balances (chapter 4).
- Taken together our findings show a consistent relationship between on the one hand, authorities with stable political leadership and authorities that have over a period of time given the full range of powers to their leaders and, on the other hand, better service performance and greater citizen

satisfaction. However our findings suggest that the impact of the changes introduced by the Act on citizen's sense of trust in local government or electoral turnout have been limited.

- Further changes to council constitutions have been proposed by the Government. The 2006 White Paper on 'Strong and Prosperous Communities' addresses many of the strengths and limitations of the current decision making structures identified in our research. The evidence presented here on the outcomes and impacts of the 2000 Act provides a sound basis for proceeding with the proposals around council constitutions subsequently embodied in *The Local Government and Public Involvement in Health Bill* going through Parliament this session.

CHAPTER 1

Introduction

1.1 Evaluating the Local Government Act 2000

The Local Government Act 2000 was a central plank of the Government's local government modernisation agenda. It marked the end, in all but the smallest authorities, of the long established committee system in local government. Authorities with populations over 85,000 had to adopt either a mayoral system or a leader and cabinet to enhance executive decision-making. Non-executive councillors were expected 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 Government's aims and objectives were threefold:

- 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.
- To provide sufficient **checks and balances** in the construction of new council constitutions to ensure that other objectives such as transparency and accountability were not undermined by the drive to stronger executive leadership.

This report sets out findings on the outcomes and impacts of Parts II and III of the Local Government Act 2000 and summarises research evidence on how far the Government have been successful in achieving these aims and objectives. The outcomes of the Act reflect the way in which local authorities have significantly changed their approach to conducting their business in line with the intentions of the policy makers. The impacts of these changes in constitutional and political processes will be on the performance of authorities and on public confidence. In this chapter we set out how the report is structured and what evidence we draw on. Initially however we describe decision-making before the Act and review the introduction and aims of the Local Government Act 2000.

1.2 Decision-making before the Local Government Act 2000

Until the implementation of the Local Government Act 2000 decision making in English local government was formally through a committee system. This meant that, in principle, decision making was open to all councillors although decisions about specific services were delegated to functional committees and sub committees which then put forward recommendations to be approved at full council. Decision making had a decentralised character and committee chairs were powerful policy brokers (Gyford, Leach and Game, 1989). Since the 1970s the formal committee system was increasingly underpinned by the mediation of party groups and party organisation (Copus, 2004). Leadership of the council fell to the leadership of the largest party group or who could broker a coalition. Committees including powerful central policy and resources committees were politically proportionate so that in approximately two thirds of councils where one party had an overall majority, decision making took place along party lines.

The benefit of the committee system was that it was inclusive and open to participation. However, it had major weaknesses including the duplication of decision making, drawing councillors into becoming involved in detailed administration more properly the concern of officers and the strong system of party control underpinning the committee structure also meant that committee activity did not reflect the locus of decision making power in many authorities. Several previous reform initiatives had sought to address these issues and reduce the size and frequency of committee meetings.

THE MAUD COMMITTEE

The Maud committee argued for the creation a management board of five to nine members whose task was to set policy, while committees were relegated to advisory and representative roles but these proposals were not adopted by authorities (Maud, 1967).

THE WIDDICOMBE COMMITTEE

In the 1980s the Widdicombe Committee once again considered the feasibility of introducing a Maud-style management board seeing advantages in improving accountability and permitting speedier and more effective decision-taking, but found against the scheme on grounds of the split loyalties that it would require from officers. Traditionally the servants of the council as a whole, officers would be required to work to the management board, thus isolating the 'backbench' councillors. Widdicombe concluded that the traditional council and committee system was the most appropriate, as it gave a significant role to every councillor (Widdicombe, 1986).

THE HESELTINE REFORMS

By the early 1990s, concerns about the inefficiency of the committee system re-surfaced, (Department of the Environment, 1991). Secretary of State Michael Heseltine's argued for a 'cabinet' system of decision making and raised the option of having a directly elected executive mayor. In 1993 a joint working party (Department of the Environment 1993) of government and local authority officials produced a set of suggestions about how incremental and evolutionary changes in the established system could be encouraged by allowing for experiments that stepped outside the existing legislative framework but the Government was unwilling to impose legislative change and no change was realised (Stoker et al, 2003a).

COMMISSION FOR LOCAL DEMOCRACY

In 1995 the question of reform was highlighted again by the Commission for Local Democracy, an independent review of the state of local democracy in Britain, (Commission for Local Democracy 1995, Pratchett and Wilson 1996). This highlighted not only efficiency concerns but also the lack of accountability in the committee system about where decisions were made and where the leaders remained 'informal' and impossible to hold to account. The Commission proposed the introduction of separately elected executive mayors who could be matched by a strong and challenging assembly of a wider body of councillors. Their report attracted the attention of the then opposition Labour Party. The idea of an elected mayor for Greater London was canvassed by Blair from 1996 onwards and the assembly with an elected mayor was established in 2000 (Pimlott and Rao, 2002). Blair set out the case for wider reform in a pamphlet this was followed by two white papers (Blair, 1998; DETR, 1998, 1999; Stoker, 2004a).

1.3 Decision making after the Local Government 2000

The rationale for change to political management arrangements and move away from a committee based decision making structure was set out in two Government white papers after the election of the New Labour Government in 1997 (DETR, 1998, 1999). The White Papers rehearsed the arguments about the need for better accountability, transparency and great efficiency of decision making. The failing of political management were also linked to weaknesses in public perceptions of local government and the need for democratic renewal.

In short, the traditional committee system, designed to provide an open and public framework for decision-making, has grown into an opaque system with the real action off-stage. People lose confidence in their council's decisions, individual councillors become disillusioned with their ability to influence local decisions, and local people are discouraged from standing for election... unclear decision-making weakens the links between local people and their democratically elected representatives (DETR,1999:8-9).

Reform of the political management arrangements of local authorities was suggested to permit ‘a clearly identified executive to give strong leadership to communities and clarity to decision taking; and powerful roles for all councillors to ensure transparency and local accountability’ (DETR, 1999:19). The aim was to encourage strong leadership from a small group of politicians held to account by strong overview and scrutiny practised by a wider group of councillors. The need for a separation of roles was felt to be important.

It was also hoped that the creation of the community champion role for non-executive councillors able to spend more time working in their communities and less time sitting in committees would encourage a greater diversity of elected representation.

The Government believes that the combination of the new rewarding roles envisaged for councillors and... steps to address some potential financial and other disincentives to serve will encourage a wider cross section of the community – more employed people, more women, more people from ethnic minorities, more young people and people with young families – to serve their communities in future (DETR, 1998:3.61).

The Minister for Local Government expressed the hope that ‘people from all groups in our communities to come forward and offer their services as councillors. We need to break free from the pattern so often found today where many councillors are relatively old, few are women, and even fewer are drawn from ethnic minorities’ (Armstrong, 1999, p. 21).

The White Papers argued for change on the grounds of efficiency, transparency and accountability suggesting local government required a stronger, more visible and accountable decision making and leadership. The proposal was for the introduction of a separation of powers between a small group of executive councillors. The remaining non-executive councillors now freed up from committee decision making were expected to spend more time in their local communities acting as ‘community champions and to adopt a new scrutiny role holding the executive to account for decision making in the authority.

The resulting legislation, the Local Government Act 2000 permitted four options for change:

- *a directly elected mayor with a cabinet* – where a directly elected mayor serves as the political leader for that community, supported by a cabinet drawn from among the council members chosen and directed by the mayor. Depending on local political circumstances and choices, the cabinet may be formed from a single party or from a coalition of parties. Cabinet members, endowed with their own portfolios, could be empowered to take executive decisions.
- *a directly elected mayor and council manager* – with the mayor’s role being primarily one of influence, guidance and leadership, defining strategic policy and delegating day-to-day decision-making to the council manager.
- *a cabinet with a leader* – which represents the model which is closest to the pre-existing practice in partisan authorities. Under this form the leader

is decided by the council, while the cabinet is made up of councillors, either appointed by the leader, or elected by the council. As with a directly elected mayor form, the cabinet could be drawn from a single party or a coalition. The leader might define the portfolios of the cabinet. The cabinet can take decisions collectively but decision-making power could also be given to individual cabinet members or the leader.

- *a streamlined committee system*: In a late amendment to the Act, in response to pressures from opposition parties the Government allowed smaller authorities a wider set of choices. The key argument was that these authorities would have perhaps neither the political or administrative resources to implement one of the three main executive models under the Act. Therefore a further fourth option was offered, of adopting 'alternative arrangements' based on adaptations of the existing committee system. This is available only to districts in two tier areas with a population under 85,000.

As well as changes in the nature of political executive decision making all authorities were expected to introduce a scrutiny function and all four types of arrangement allowed considerable scope, as under the previous system, for decisions to be delegated to officers.

Part III of the Act also introduced a new ethical framework establishing a Standards Board for England. In addition every local authority was required to publish a code of conduct and establish a local standards committee to promote high ethical standards and adjudicate in cases of breach of the code of conduct. The Standards Board for England had responsibility to provide advice to local authorities on standards matters and investigate alleged breaches of a council's code of conduct. If following investigation it is decided that there is a case to answer, the case can then be routed to either the national Adjudications Panel of England or it can be referred back to local authorities to convene a tribunal to consider if the code has been breached and to impose penalties where appropriate⁴.

1.4 Implementing the new structures

The 2002 census survey found no problems in implementing the new structures (Stoker et al, 2003) and chief officers reported few costs arising from adoption of the new system (Stoker et al. 2004: 73).

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

⁴ The ELG evaluation focuses on the operation of Part III of the Act in local authorities and does not evaluate the work of the Standards Board.

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, (3% in all) 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. Most authorities opted for the leader cabinet system (316 or 81%) and currently 319 authorities operate as leader cabinet authorities.⁵ 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 ‘fall-back’ if there was a failed mayoral referendum. There is one authority which adopted alternative-arrangements as a result of a failed mayoral referendum. Most but not all of these smaller authorities 59 (15% of all authorities) chose to maintain streamlined committee systems in alternative arrangements authorities (Gains, 2003; Stoker et al. 2002: 13).⁶ Since 2002 four authorities have shifted from alternative-arrangements to the leader-cabinet model. 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.

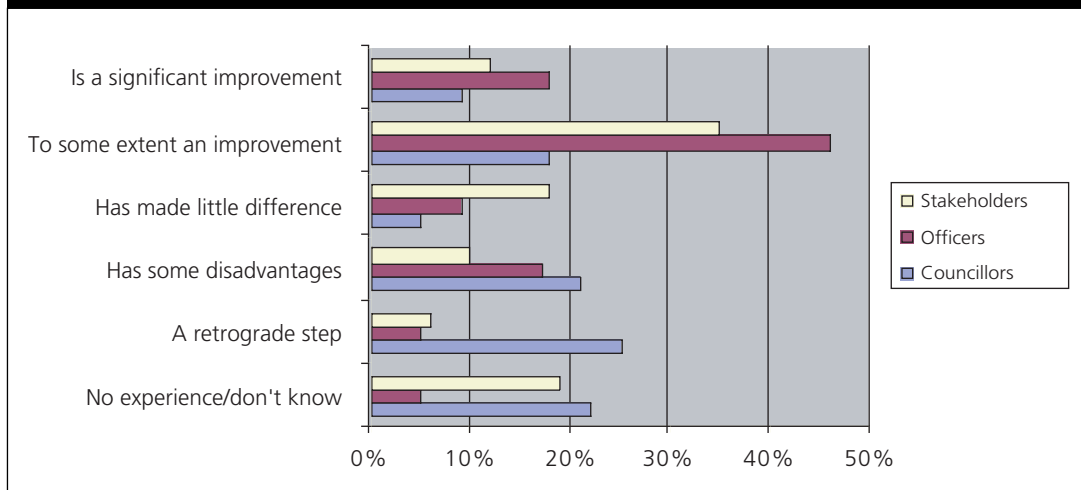
1.5 Views on reform

Figure 1 compares the councillor, officer and stakeholder data on whether the new system has delivered improvements to local authorities. As shown, twice the proportion of stakeholders as councillors consider the new system an improvement, while the majority of officers find merit in the changes. The only serious opposition to the new system comes from councillors: nearly half believe that the new system has negative features however; councillor negativity with the new system disguises significant differences between executive and non-executive councillors and councillors from different parties (Stoker, et al, 2006b).

⁵ Of this group of 316 one subsequently moved to a mayoral system and these authorities have been joined by another four authorities who began by operating under alternative arrangements.

⁶ This group includes one larger authority which adopted alternative arrangements as a fall back following a ‘no’ vote in a mayoral referendum.

Figure 1 Views on the current arrangements: councillors, officers and stakeholders, 2005



We use the combined datasets to examine the difference between mayoral systems and other arrangements. Table 1 shows satisfaction with the new council constitutions by mayoral and non-mayoral authority. As shown, officers, councillors and stakeholders in mayoral authorities are much more satisfied with the new system than their counterparts in other authorities.

Table 1 Views of current arrangement by non-mayoral and mayoral authorities, combined sample 2005

	Non-Mayor %	Mayor %
The new system is a significant improvement	11	24
The new system is to some extent an improvement	29	34
The new system has made little difference	10	3
The new system has some disadvantages	18	12
Introducing the new system was a retrograde step	15	13
No experience of the past system/don't know	16	14
(base)	(1600)	(145)

$p < .001^7$

Similarly, Table 2 shows that satisfaction with the Act is significantly higher in majority councils.

7 Please see Appendix C for a note on the statistical tests used in this report

Table 2 Views of current arrangement by majority and no overall control authorities, combined sample 2005

	Majority %	No overall control %
The new system is a significant improvement	15	12
The new system is to some extent an improvement	37	33
The new system has made little difference	10	15
The new system has some disadvantages	20	22
Introducing the new system was a retrograde step	19	18
(base)	(936)	(443)

$p < .05$

1.6 Assessing the outcomes of the Act

As set out in section 1.1 the aims and objectives of the Act were three fold: to create visible and effective leadership; enhance democratic legitimacy and provide sufficient checks and balances on decision making. This report examines how successful the 2000 Act has been in meeting these aims and looks at the way in which decision making in local government has changed. The next section explains how the report is structured and how we set about assessing the outcomes of the Local Government Act 2000.

The outcomes of policy change are *embedded institutional processes* which relate to the objectives of the policy. The outcomes of the 2000 Act will relate to changes in the formal and informal organisational rules, roles and resource allocations that alter the balance of ‘constrained choices’ within local government. By embedded we mean changes that are robust and sustainable.

The report draws on long term research commissioned by Communities and Local Government and undertaken by the Evaluating Local Governance (ELG) research team to examine how the new council constitutions and ethical framework have resulted in embedded institutional processes and have achieved the objectives of the Act. Specifically, the report brings together findings from:

- Two census surveys of English principal local authorities undertaken in 2002 and 2006 to gather information on constitutional organisation (see Stoker et al. 2002 and Greasley 2006b).
- Two sample surveys of councillors, officers and stakeholders in a representative sample of 40 local authorities to provide information on attitudes towards the changes and the new roles and relationships which have subsequently developed (see Rao 2005; John 2005 and Stoker et al. 2006).
- Visits, documentary evidence, interviews and observations in over 40 local authorities from 2002 to 2006 (see Stoker et al. 2003a, 2004 and Gains 2006).

These sources of evidence give us information on

- constitutional and procedural data (for example, the rules governing call-in, the powers of leaders and mayors);
- behavioural data (how councillors spend their time, executive responses to scrutiny activity);
- attitudinal data (role satisfaction, views on the effectiveness of elements of political management).

Case study work assists in ensuring that we have an understanding of organisational development over time and how that links to the achievement of outcome measures. In the final two years of the evaluation we followed the budget and policy process from before the 2005 budget to the setting of the 2006 budget in ten authorities. The ten areas are chosen to reflect the three different types of political management arrangements and include three mayoral, six leader cabinet and one alternative arrangement authority.⁸ We also ensured that the case studies drew on a mix of majority control and hung authorities. At the start of our period of fieldwork three authorities were hung or balanced. Following the local elections in May 2005 one of these authorities moved to majority control. The authorities also are drawn from a range of types of authorities representing rural and urban, single and two-tier.

Our research design is predicated on our expectation to see a pattern of difference reflecting in part the different constitutional arrangements. In our first report we characterised authorities as having leadership powers which ranged along a continuum. At one of the spectrum were authorities with concentrated powers, where there were few decision-making points, for example, the mayoral model or in leader cabinet authorities where leaders and portfolio holders could take decisions alone. At the other end of the spectrum were authorities with a more diffuse or de-concentrated leadership style where decision-making took place in cabinet meetings or in streamlined committees and there was more consultation and discussion built into to the decision-making process. We also noted that there were emergent differences between majority controlled and hung or balanced authorities. We expect to see differences in the experiences of authorities after three years which reflect these institutional and electoral factors.

The research team would like to acknowledge the assistance of local authorities and those in the wider local government community who have helped with the ELG research through responding to surveys and allowing us to spend time interviewing and observing decision making since 2002.

⁸ The choice of authorities was designed to test analytically the policy framers theory of change and is grounded by our earlier survey analysis as set out in our final evaluation framework (Stoker et al, 2006a).

CHAPTER 2

Embedding Effective Leadership

The 2000 Act placed great emphasis on the emergence of visible and effective leadership in systems that allowed for ‘a clearly identified executive to give strong leadership to communities and clarity to decision taking’ (DETR 1999: 19). There is widespread agreement within the local government community and beyond that this aim has been achieved. This chapter firstly details some of the constitutional and behavioural changes that have taken place in the decision making structures and in the roles of decision makers in local authorities since 2002. We then move on to examine the exercise of leadership and the embedded processes of decision making drawing on our case study observations and exploring the views of those most closely involved, local councillors, officers and stakeholders on the outcomes and effectiveness of these changes. We review the impact of change, in terms of the wider public and performance data, in chapter 5.

2.1 New decision making structures to provide stronger leadership

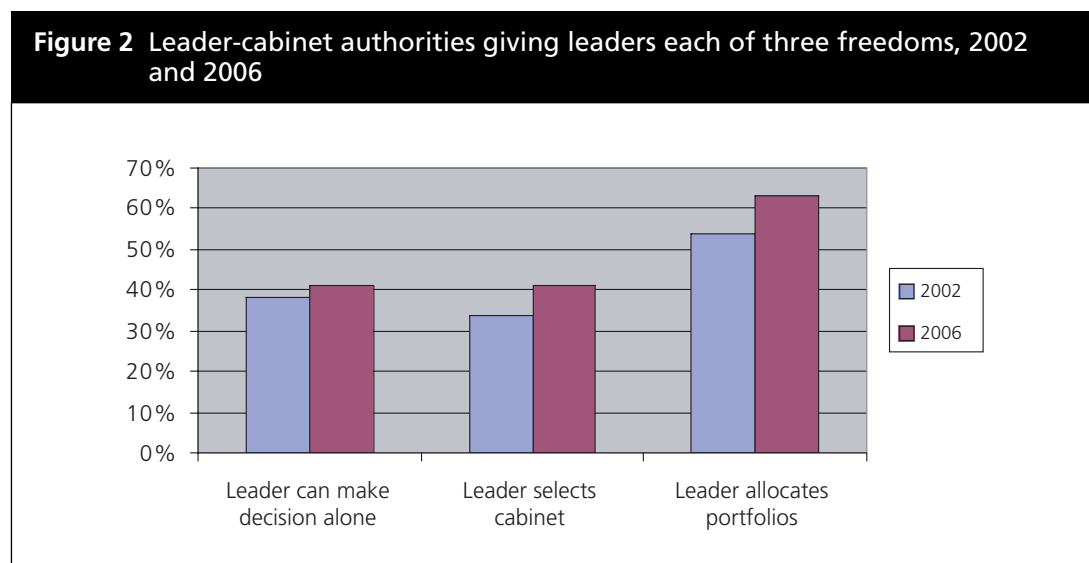
As set out in chapter 1.4, the majority of authorities operate as leader cabinet authorities (81%). In these authorities the average size of cabinets is 8 with over half of top tier authorities filling all 10 possible places (in the authorities operating a streamlined committee system the average number of committees is 2.6) (Greasley, 2006b). Variation is also found when examining the powers and role of leaders in the leader cabinet authorities.

THE ROLE OF THE LEADER

The leaders in our survey reported on average spending 150 hours per month on their role (Stoker et al, 2006b). 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; each of the freedoms is discussed separately below.



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 gave leaders the power to make executive decisions alone (Figure 2). However, a greater proportion of authorities (60%) gave individual decision-making powers to other members of the cabinet. 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.

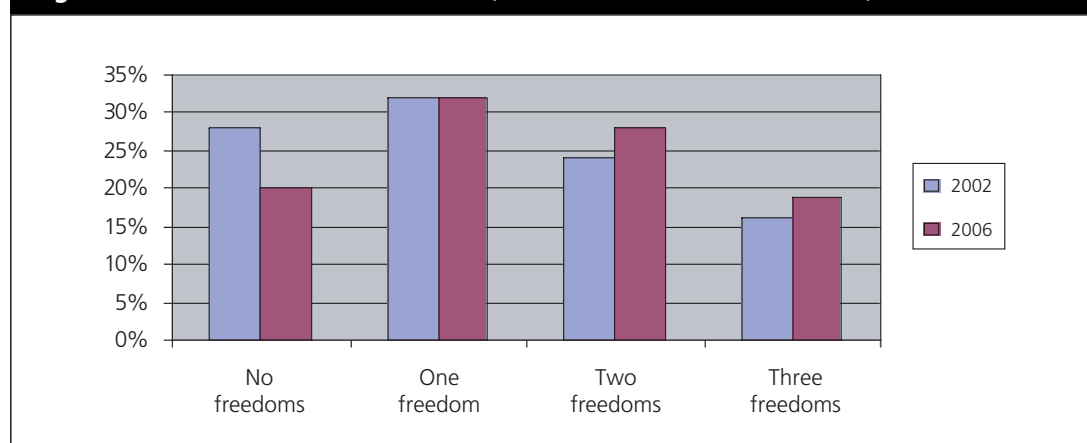
Executive functions can also be delegated to individual officers and this is more common than either delegations to leaders or to other individual members of the executive. However, there has been no change since 2002 in the proportion of authorities allowing officers to make executive decisions (84%). 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 also 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 shows, in 2006 41% of authorities give this freedom to leaders, this is an increase of 7 percentage points since 2002.

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 shows, in 2006 63% of authorities that answered this question allowed 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.

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 3). In 2006 one in five (20%) authorities gave their leader none of the freedoms we have discussed, just under a third (32%) gave leaders one freedom only, 28% allowed two freedoms and just under one in five (19%) gave 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). The most noticeable change has been in the metropolitan district authorities. The proportion of these authorities giving no leader freedoms has dropped by 33 percentage points (from 48% in 2002), the proportion giving two freedoms increased by 20 percentage points (from 11% in 2002) and the proportion giving all three freedoms increased by 8 percentage points (from 7% in 2002) (Greasley, 2007).

Figure 3 Number of leader freedoms, all leader-cabinet authorities, 2002 and 2006



PERCEPTIONS OF LEADERSHIP

Across all types of authority there is strong agreement that the 2000 Act changes has delivered stronger leadership with a majority of councillor, officer and stakeholder respondents agreeing that ‘the role of the leader is stronger’, and ‘the leader has a higher profile’ (see Table 3 and Appendix A for full table). Mayoral respondents were more likely to indicate agreement with these statements with 79% of respondents in mayoral authorities agreeing the role of the leader has become stronger and 82% agreeing the leader has a higher public profile compared to 69% and 59% respectively from non mayoral authorities (see Appendix B).

Table 3 Leadership changes in political management over the previous two years, councillors, officers and stakeholders 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
The role of leader has become stronger	69	76	59
The leader of the council has a higher public profile	63	67	50

THE NEW EXECUTIVE COUNCILLOR ROLE

A distinct role of executive councillor is also developing with executive councillors reporting spending on average 112 hours per month in their role. The survey asked executive councillors for a more detailed breakdown of how they spend their time. These findings are presented in Table 4.

Table 4 Average hours per month spent on council activities by executive members, 2005

	2005
Formal cabinet meetings	5
Informal cabinet meeting	6
Preparing for cabinet meetings	5
Liaising with overview and scrutiny committee	4
Liaising with partners	6
Writing reports	4
Reading reports	14
Meeting with non-executive members	6
Meeting with party group	5
Representing constituents	14
Meeting with senior managers	8
Area committees	3
Dealing with media	3
Other	28

As Table 4 shows, executive councillors report spending as much time reading reports as representing constituents and more time with partners than with their party group. In addition to their portfolio responsibilities, executive members spend a considerable amount of time on constituency matters. The importance of ward and constituency work for executive members also comes out in their responses to the 'other' category for example parish council and resident association meetings, correspondence and training (Stoker et al, 2006 page 11).

Executive members also provided details of the kinds of activities they undertake and Table 5 shows how the executive councillor role has required the

adoption of new duties such as writing reports and taking decisions alone which would not have been undertaken by committee chairs under the old system. A third of executive councillors have written a report, and half (47%) have taken a decision alone. There is very little change between 2003 and 2005 which suggests that changing roles are settled but differentially adopted.

Table 5 Duties undertaken as an executive councillor, 2003 and 2005

	2003 %	2005 %	Statistical significance
Written an executive report	33	34	n/s
Talked to a report at cabinet meeting	77	77	n/s
Talked to a report at full council	72	70	n/s
Initiated a significant policy review	64	63	n/s
Taken a decision alone	53	47	n/s
(base)	(211)	(197)	

n/s = non significant difference; * = $p < .05$; ** = $p < .01$ and *** = $p < .001$

This spread in practices was seen in our case study visits also. It is clear that portfolio holders vary in their desire and capability to be involved in policy detail. In one authority portfolio holders were reported to be much more ‘hands on’ by the chief executive and that this had the effect of ensuring ‘officers can’t pull the wool over members eyes’. In another, the monitoring officer reported portfolio holders were less ‘hands on and more strategic’ and in a similar vein one scrutiny officer expressed the view that in his authority ‘portfolio holders are not like managers but policy owners’.

The combination of constitutional differences in leader freedoms, decision making structures and the delegation of decision making, and differential adoption of new leadership and executive councillor roles has led to differences in how leadership is exercised and this is discussed below.

2.2 The exercise of leadership

In this section we examine the ways in which executive decision making processes have become embedded in authorities and the range of practices we found. We draw on observations from our case study visits and on the views of our survey respondents, councillors, officers and stakeholders about change and the effectiveness of executive structures. The data suggests some agreement on the overall picture of change and some patterning in the degree of change experienced in different authorities.

DECISION MAKING IN CABINET

There are variations in the way in which leadership is exercised. As we reported in our earlier process evaluation in some authorities decision-making flows through the leader or bilaterally between a portfolio holder and leader in others decisions are taken collectively in cabinet (Stoker et al. 2004: 41). In still other

authorities a range of informal mechanisms have been developed to provide policy advice to portfolio holders or shadow decision making which re-create collective forums for individual decision makers to operate.

THE SPEED OF DECISION MAKING

Table 6 shows the majority of officers agreed that decision making was quicker (62%). The level of agreement is less for councillors and stakeholders (but in both cases there were high numbers of respondents who neither agreed nor disagreed, 30% for councillors and 56% for stakeholders, (Stoker et al, 2006b Tables, 2.15, 4.9). Mayoral respondents were more likely to agree that decision making was quicker with 61% of respondents agreeing compared to 46% in non mayoral authorities (see Appendix B). As discussed in the paragraph above, the range of procedures adopted to support decision making such as individual decision making, officer delegation, or the operation of informal policy committees will lead to variation and will affect the degree to which change is perceived.

Table 6 Speed of decision making over the previous two years, councillors, officers and stakeholders views 2005

Agree/strongly agree that...	Councillors %	Officers %	Stakeholders %
Decision-making is quicker	49	62	31

On our case study visits interviewees in our 10 authorities almost uniformly shared the view that decision-making was quicker due to the smaller number of actors involved and delegated decision-making powers to portfolio holders and officers. One chief executive in a large county reported ‘the leader is assertive and effective and the cabinet a smaller group of people who trust each other – the Act makes it easier to get things done rather than get lost in committees’. A monitoring officer in another large county suggested there is much greater clarity aided by the forward plan and the new structures help the prioritisation of corporate objectives better. The leader of a unitary authority reported that the arrangements enabled the cabinet to ‘work as a team, be more focussed and get across our message to key officers’. A scrutiny officer in a rural county felt portfolio holders ‘have purpose and a profile’. Unsurprisingly, the mayoral authorities all reported speedier decision-making with variations in the extent to which the Mayor delegated or used their decision-making powers. In an alternative arrangement authority respondents reported that the streamlined committee system had enabled the formation of an administration and that the authority has more direction than in the past.

In two areas, respondents expressed some caution about the degree to which streamlined decision-making had developed. In one hung authority only a marginal reduction in meetings was reported once scrutiny meetings were taken into account. Even here however, the monitoring officer felt there was a ‘focus and profile to leadership’. In a second authority the constitution made provision for the establishment of advisory panels to support a portfolio holder which added a tier of consultation and discussion to the decision-making process. Additionally, this authority has not currently permitted delegated decision-making and so more business is channelled through cabinet.

In most cases the attribution of speedier decision-making was to the new constitutional arrangements. However, other policy initiatives and outside electoral factors were also seen as drivers of change. In two authorities a strengthening of one party's electoral lead was also seen to have led to a strengthening of political direction. The CPA process was also mentioned in one authority as being significant. But as the leader explained the new constitution was significant as 'we needed the legislation to produce leadership'.

STRATEGIC MANAGEMENT

There was strong agreement from all survey respondents to questions about how effective executives had been in undertaking the strategic management of authorities. As Table 7 shows the majority of councillors and officers believe their council's executive was effective in articulating a vision, driving service improvement, setting policy direction, ensuring delivery, dealing with the budget and lobbying for resources for the area.

Table 7 Councillors' and officers' views on the effectiveness of the executive (or equivalent) on strategic management tasks 2005		
<i>Agree executive has been effective in...</i>	Councillors %	Officers %
Articulating a vision for the area	52	72
Leading the drive to service performance	53	62
Setting policy direction	51	76
Ensuring the delivery of council policy	54	62
Dealing with the budget process	58	67
Lobbying for resources in the area	51	55
(base)	(879)	(456)

JOINING UP POLICY

Table 8 shows there was less strong agreement from councillors and stakeholders that authorities were better at dealing with cross cutting issues although again a high number of stakeholders neither agreed nor disagreed (44% Stoker *et al* 2006, Table 4). Again mayoral respondents were more likely to agree with this statement with 48% agreeing compared with 40% in the non mayoral authorities (Appendix B).

Table 8 Views on dealing with cross cutting issues over the previous two years, councillors, officers and stakeholders 2005			
<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
The council is better at dealing with cross-cutting issues	36	53	36

This issue was explored in case study interviews. Across all authorities the responses were affirmative with respondents reporting ‘the administration are getting more corporate – less siloed’ and that the arrangements are ‘good for doing joined up work and with less danger of a siloed approach’. One chief executive thought ‘decisions are more considered and more coherent’. Different explanations are offered for this. Some see coherence as being linked to clearer ownership and identification of agreed corporate priorities, one leader reporting ‘strong bonding around corporate priorities’. Some point to the way in which a cabinet structure enables easier decision-making suggesting the executive can take ‘a more holistic approach with a better decision-making process where policies are no longer made in isolation – there is no scope for incoherence’ and pointing out that ‘our portfolios are linked to our corporate priorities’. Finally, some respondents point to leadership power as the reason for coherence. One leader in a leader-cabinet authority felt that because they had no service responsibilities they could act more corporately. In one mayoral authority the chief executive reported ‘the Mayor has the authority to get [policy] coherence’.

Only two respondents mentioned occasions where the ability for policy coherence was less easy to achieve. One officer in an authority with a strong party grouping and low majority suggested ‘the Group causes compromise and incoherence’. In another authority a scrutiny officer observed that officers were still ‘fighting their corner’ but felt that the executive structure assisted in overcoming this potential for policy ‘chimneys’.

ABILITY TO MOVE RESOURCES

As reported in Table 7 above the majority of respondents both officer and councillors agreed that executives were effective at dealing with the budget process. We asked respondents in our case study areas (including chief finance officers in this case) about the ability of decision makers to move resources to meet political priorities seeing this as an example of the exercise of leadership powers. Here there were clear differences between authorities reflecting the degree of concentrated leadership power. Those authorities where a streamlined committee system operated or where the authority was hung reported more need for consultation with party groups before resources could be switched. One senior officer explained ‘if push comes to shove the majority ... would get the shift in resources through’. In another authority, where decision-making is not delegated and party cohesiveness important, officers reported that the leader needed to consult the group. In a third where the authority is hung, officers report ‘a degree of horse trading’.

In contrast in the remaining authorities with more concentrated leadership forms – all reported that the system for moving resources was straightforward. Systems for agreeing such moves varied but usually involved the portfolio holder or mayor and chief finance officer with the outcome being later ratified by full council. It is particularly noticeable that in the mayoral authorities respondents readily described examples where this had occurred to meet stated priorities, for example support for an arts venue, and extra funding for a transport issue.

POLICY MONITORING

Officers and leaders were asked about policy monitoring in their authority and this raises the issue of how far portfolio holders and leaders are involved in a routine part of the management process. Responses were very varied with responsibility for monitoring situated differentially between members and officers and between executives and non-executive members through scrutiny. In three authorities – all with more de-concentrated leadership powers – scrutiny has primary responsibility for monitoring although scrutiny reports are then passed on to managers and the executive. In two authorities monitoring is mainly the responsibility of officers, one of which is de-concentrated and one mayoral. In four authorities – three leader cabinets with majority party control and one mayoral – the responsibility is shared between chief officers and portfolio holders. In the mayoral authority the monitoring officer reported that portfolio holders see themselves ‘as responsible unlike chairs’. Finally in one mayoral authority the mayor holds each portfolio holder to account in a bi-annual budget and performance clinic. In terms of monitoring then there was some patterning relating to political management arrangements type with authorities with more concentrated forms of leadership more likely to draw in the executive to monitor policy.

EXTERNAL AND INTERNAL RELATIONS

We will discuss the community leadership and partnership role of executives and non executives further in chapter 3 but before concluding this review of executive activity under the new council constitutions it is useful to discuss views on the effectiveness of executives in managing external and internal relations.

When asked about the effectiveness of the executive in respect of external relations, community leadership and partnership work. Table 9 shows a majority of councillors and officers felt that the new executives were effective in providing a vision for the area, and lobbying for resources. The majority of officers also agreed that the executive was effective in working with stakeholders in the community and promoting good external relations. In contrast, slightly less than half of councillors agreed with these statements and less than half of officers and councillors agreed that the executive was effective at leading partnership bodies. Although agreement with these effectiveness measures is not as high as when looking at strategic management activities, there is an overall consensus of views and the level is reduced by the large numbers of respondents who neither agreed nor disagreed.

Table 9 Councillors' and officers' views on the effectiveness of the executive (or equivalent) 2005

Agree executive has been effective in...	Councillors %	Officers %
Articulating a vision for the area	52	72
Leading partnership bodies	46	45
Working with stakeholders in the community	48	52
Promoting good external relations	49	57
Lobbying for resources in the area	51	55
(base)	(879)	(456)

However, the internally focussed relationships which executives have with non executives and party groups were not seen to be as successful as the external focused relationships. Table 10 shows all respondents strongly disagreed that backbench members were more engaged and this was true in both mayoral and non mayoral authorities. A majority of councillors agreed that political parties dominated decision making more although fewer officers agreed with this statement and mayoral respondents were less likely to agree (Appendix B).

Table 10 Changes in internal relationships over the previous two years, councillors, officers and stakeholders 2005

Agree/strongly agree that...	Councillors %	Officers %	Stakeholders %
Backbench members are more engaged	12	9	12
Political parties dominate decision-making more	54	35	40

These views were also reflected when asked about the effectiveness of the executive with fewer than three out of ten councillors and only one in four officers agreeing executive effectiveness in either responding to the concerns of non executives or managing relations in party groups (Table 11).

Table 11 Councillors' and officers' views on the effectiveness of the executive (or equivalent) 2005

Agree executive has been effective in...	Councillors %	Officers %
Responding to concerns of non-executives	28	24
Managing relations in the party groups	29	24
(base)	(879)	(456)

We asked about the importance of party management to the leadership during our case study visits. Responses were related to the type of political management control. In the alternative arrangement authority, the hung leader cabinet authority and two leader cabinet authorities where the majority is small, all respondents reported that party management was an important and sometimes problematic part of the leadership role. One leader ruefully described his group as 'his biggest critic', a chief executive thought the leader was ' beholden' to his

group due to the small majority which has to be managed. Another leader reported that the new council constitutions ‘created a them and us and they [non-executive councillors] need reminding that policy is made in the group’. Another leader reported dealing with ‘bush fires’ saying ‘it is easy to get separated from the group’. In this authority the political assistants played a key role in maintaining communication and protecting the leader from party distractions.

In the remaining leader cabinet majority control and mayoral authorities, although party management was acknowledged as necessary these relationships were not reported as either difficult or time consuming. In a large rural county with majority control the chief executive reported the party is easy to manage and the monitoring officer suggested the leader is good at getting the opposition on board. In one mayoral authority the chief executive explained the mayor still needed ‘buy-in from the group’ but that it was less influential, however. According to another officer the group could at times be openly rebellious on controversial decisions. In another mayoral authority the chief executive felt ‘the mayor is the single person running the show’ and that because of the party majority there is less need for party management taking only 10% of the mayor’s time. In the third mayoral authority the mayor spent no time on party management but delegates this to a deputy.

We return to discuss perceptions of the relationships between executives and partners, executives and non executives in the next chapter when looking at the adoption of community leadership and the role of non executives.

2.3 Conclusion

The 2000 Act sought to strengthen the executive function in authorities creating more efficient, transparent and accountable decision making. The evidence on constitutional form, changing roles and views on reform shows a picture of overall change. Within that differences which relate to the degree of concentrated leadership are discernable. The reforms have changed the decision making structures and roles played by leaders, portfolio and officers although this does vary according to constitutional arrangements and the capabilities and interests of portfolio holders. In the authorities where we visited no problems were reported and what united all was a desire to achieve the very best for the locality.

Overall, councillor, officer and stakeholder survey respondents strongly agreed that the new political management arrangements support visible and effective political leadership (Stoker et al, 2006b table Tables 5.9 and 5.10). Respondents saw differences in and thought executives were effective at, strategic management and external relations although there is less agreement that executives are effective at managing their relationships with non executives and party groups. There are differences with responses from the mayoral authorities being more positive on a range of indicators. Interviews with chief officers and leaders in 10 authorities with varying constitutional forms also revealed widespread agreement that the new arrangements had achieved the aim of enhancing leadership and also pointed to a picture of differentiated change (Gains 2006). In the following chapter we turn to examining outcomes in relation to the objective of enhancing democratic engagement.

CHAPTER 3

Enhancing Democratic Legitimacy

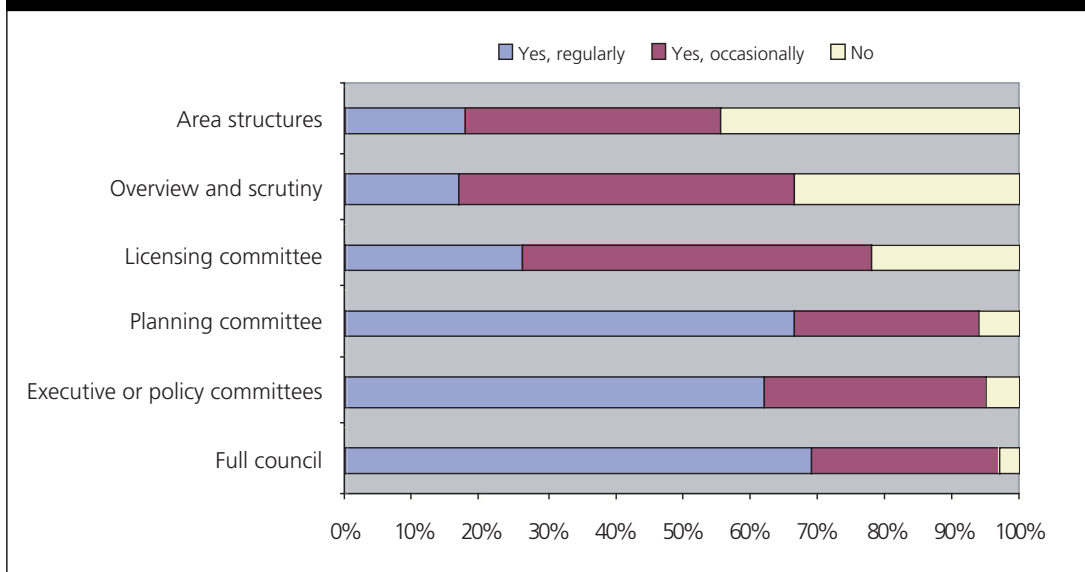
The 2000 Act was designed to enhance the democratic legitimacy of local government, to enable it to gain public respect and trust so that it could provide a sustainable and viable forum for local collective choice. This entailed the creation of new forums for community engagement and new roles for executive and non executive councillors. There is evidence of achievements against this aim especially in respect to the visibility of decision-making. A more mixed picture emerges when examining community leadership and partnership working, public involvement and the diversity of councillors. In particular the role of non-executive councillors appears less well developed than the executive councillor role.

We examine in turn in this chapter evidence against the following objectives of the Act, enabling visible leadership; promoting community leadership, public involvement and area decision making and promoting diversity among representatives; and at the role of full council and non executives. In each we draw together the constitutional changes embedded in local authorities followed by behavioural and opinion data and our longitudinal case studies.

3.1 Visible leadership

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. As we reported in Chapter 2 there is widespread agreement that leaders have a higher public profile and this is particularly so in the case of mayors.

Of course the visibility of leaders – enabling the public to locate the source of decision making is dependent upon many factors only some of which may be under the control of the decision maker or their authority. 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 4).

Figure 4 Press attendance at council meetings, all authorities, 2006

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 and executive meetings is more frequent in mayoral authorities when compared to leader-cabinet and alternative arrangements, nine out of the ten (90%) mayoral authorities that responded report that press regularly attends full council and eight out of the ten (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.

Both our sample survey and qualitative evidence suggests that leaders and executive councillors are perceived as being more visible to local communities with named portfolio holders more clearly identifiable as decision-makers. As we reported in section 2.1 and in Table 3 over 63% of councillors, 67% of officers and 50% of stakeholders agreed that the leader of the council has a higher public profile (Table 12). This enhanced visibility of leadership is particularly notable in mayoral authorities (Appendix B). The majority of officers agree it is easier to find out who has made specific decisions. This view is more likely to be held in mayoral authorities (Appendix B).

Table 12 Changes in visibility of decision makers over the previous two years, councillors, officers and stakeholders, 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
The leader of the council has a higher public profile	63	67	50
It is easier to find out who has made specific decisions	39	56	30

On our case studies we found that enquiries about the visibility of the leader (or mayor) received unequivocal and positive agreement. In the alternative arrangement authority chief officers stated the leader was well known and senior

councillors were quoted in the local media. In a hung authority the leader reported they spoke to the local paper twice a day. The leader of a unitary authority suggested the constitutional arrangements had helped to give executive councillors a higher profile with stakeholders. A chief executive in a large county – with a dispersed local media – felt the leader was well known with the press and stakeholders and the leader agreed they were more ‘visible and had more clout’. In another large rural county the leader stated they were on radio and television all the time although the monitoring officer agreed but argued that portfolio holders were less well known in this area. In the mayoral authorities all respondents agreed that the mayor had high visibility. One chief executive stated 31% of residents could name the mayor. In two authorities the mayors were aware of their value economically in attracting inward investment with one suggesting ‘I have to sell the place’. Overall responses to this question did appear to suggest a qualitative difference to the visibility of mayors but that unanimously all respondents agreed that the new arrangements had improved leader visibility.

3.2 Community leadership

The Act also envisaged a more outward facing approach with a clear community leadership role for leaders, executive and non executive councillors. To this end, a third of leaders (including four of the ten mayoral authorities which responded) now chair their local strategic partnership (Greasley 2006b). 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. Despite this, the focus on a community leadership role is shown in the behavioural indicators gathered in our sample survey. The time given by officers to partnership working has doubled since our 2003 sample survey (Stoker et al, 2006) and executive councillors spend on average as much time with partners as with their party groups (Table 4).

As well as the activities of leaders and executive councillors, policy makers hoped that non-executives would develop a community leadership role. One of the ways this can take place is through external scrutiny. Scrutiny committees can choose to focus on community issues that may involve examining the policies and performance of organisations other than the principal local authority⁹. Top-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.

The 2006 census survey showed that 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 (Greasley, 2006a). In 2006 a majority of all the five types of authority reported that their scrutiny committees do investigate non-local authority service providers, the lowest proportion is 66% for districts, but this still represents two thirds of the districts that answered this question. Many district responses reported that

9 The general role of overview and scrutiny is discussed in the following section

health scrutiny was the responsibility of the counties. That districts have seen an increase in external scrutiny as well as the top-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 top-tier authorities, 65% reported that they provide a special officer unit in support of health scrutiny and 87% reported that they have conducted at least one health related scrutiny exercise over the previous year.

STAKEHOLDER INVOLVEMENT IN DECISION MAKING

It is clear that stakeholders are involved in decision making in a variety of ways. As Table 13 shows half of stakeholders responding to the sample survey (50%) had contributed to developing a policy plan. Over a quarter had attended an overview and scrutiny committee (28%) and slightly less than half an area committee (23%).

<i>Respondent has...</i>	2003 %	2005 %	Statistical Significance 2003-2005
Given evidence to an O & S committee	22	28	*
Contributed to the development of a policy plan	53	50	n/s
Attended an area committee	18	23	*
(base)	(462)	(493)	

n/s = non significant difference; * = $p < .05$; ** = $p < .01$ and *** = $p < .001$

Stakeholders were asked whether they had been able to liaise with the key decision-makers (leaders, portfolio-holders and council officers) in the council. The majority of stakeholders attend meetings with decision-makers: nearly eight in ten (79%) have met with officers, and just over half (51%) have met with the mayor or leader of the council and six out of ten have met with an executive councillors (60%) (Stoker et al, 2006 Table 4.8).

THE EFFECTIVENESS OF COMMUNITY LEADERSHIP AND PARTNERSHIP WORKING

Our survey evidence also provided perceptions of improved and effective community leadership and partnership working by executives. Table 14 shows the majority of officers agreed that the council's relations with partners has improved (53%) whilst slightly less than half of councillors and stakeholders agreed with this statement (42% and 47% respectively). Mayoral responses are more positive (Appendix B). Table 15 shows the majority of officers agree executives have been effective at articulating a vision and working with stakeholders. They are less likely to agree that executives are effective at leading partnership bodies and councillors are also less likely to agree with all three statements, however these responses do show a strong level of agreement if those responding don't know are not included (see Stoker et al, Table 2.21 and 3.16).

Table 14 Changes in external relations, partnership and community leadership over the previous two years, councillors, officers and stakeholders, 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
The council's relations with partners has improved	42	53	47

Table 15 Councillors' and officers' views on the effectiveness of the executive (or equivalent), 2005

<i>Agree executive has been effective in...</i>	Councillors %	Officers %
Articulating a vision for the area	52	72
Leading partnership bodies	46	45
Working with stakeholders in the community	48	52
Promoting good external relations	49	57
(base)	(879)	(456)

We also explored this aspect of executive working in our case studies. The way in which these relationships were organised was very varied across the authorities. In one authority with relatively diffuse leadership arrangements the LSP was not chaired by the leader and the shared view in the authority was that the LSP was not aligned to the authority's goals. The leader here felt he attended the LSP 'because unless you are there you can't say no'. In another mayoral authority the Mayor did not chair the LSP either although had in the past. However, this was a strategic decision to create an overview role which could use the electoral mandate of the mayoralty to hold the LSP partner members to account, with the Mayor explaining 'I have no power just influence – they take the calls because I have the mandate'. In this authority the LSP had recently aligned its priorities to match the authorities and these in turn matched the portfolios of the executive.

Between these two extremes the remaining authorities all reported that the leader chaired the LSP seeing it as a key part of their remit. Other leaders also cited their electoral mandate and the importance they felt this lent to their perspective on LSPs as the only democratically elected representatives. One leader reported 'we need to manage it due to our mandate'. In a mayoral authority a senior officer reported 'the Mayor chairs to give it more legitimacy'. In the third mayoral authority the Mayor felt that they 'represent the town'. In a large leader cabinet authority a senior officer felt 'the leader is very good at figure-heading'. One leader in a large majority controlled leader cabinet council directly linked the new constitution to an improved relationship saying 'in a two-tier area, I can talk to leaders of the other authorities even if they are from a different party'. Two authorities, which were piloting Local Area Agreements (LAAs), reported that they felt it was crucial for the political leader to chair because it is an area of development and because of the mandate.

Respondents reported difficulties with what one monitoring officer called a 'complex web of vested interests which is hard to reconcile'. For one leader in an authority with relatively de-concentrated powers there is a 'difficulty in

committing to decisions whilst sitting on an external body'. Another leader also in an authority with de-concentrated powers felt the local LSP was too big and wanted 'a board of cheque book holders'. However, half the authorities reported relationships which were improving and developing. Clearly the nature of an authority's partnership relations is driven by the LSP initiative more so with the establishment of local area agreements. However it is clear that the creation of executives has provided in most cases a perception that political leaders have a platform upon which to place an emphasis on partnership work. What is also notable is that this varies across our case study authorities with a clear relationship between those authorities with concentrated leadership powers and interviewees perception of successful partnership work.

3.3 Public involvement

The census survey and case study visits indicate that, under the new constitutional arrangements, many local authorities have introduced new ways of including the public in decision-making. Innovations such as state of the borough debates; oral, written and web-based questioning of portfolio holders; and the co-option of non-councillors on scrutiny groups were reported (Stoker et al. 2004: 64; Greasley 2007 forthcoming; Gains 2006).

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, web-casting 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 the Town Hall or main council building (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.

The extent to which the Act has facilitated *public involvement* in decision-making is less clear. Table 16 shows there was very little agreement from all groups with the statement that the public was more involved with decision making with less than one in five respondents agreeing that the public was

involved in decision-making although there was less despondency in the mayoral authorities (Appendix B).

Table 16 Changes in public involvement over the previous two years, councillors, officers and stakeholders, 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
The public is more involved in decision-making	15	17	22

3.4 Area committees

The option to devolve decision-making for specific functions to area committees was included as part of the 2000 Act to bolster the link between a ward member and the locality and to encourage local community leadership and public involvement at the local ward level. The Act facilitated decision-making to be delegated to area committees and these have been established in just over half of authorities. So far, around six out of ten of these committees have decision-making powers (Greasley 2006b/forthcoming).

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.

Councillors and officers were also asked for their views on the effectiveness of area-based decision-making. Table 17 gives the overall pattern of responses, which show modest increases in the extent to which councillors are satisfied. Excluding councillors who report that they do not have area based decision-making in their council, two-thirds (66%) of the relevant respondents report that they consider their area committees to be at least partially effective, a five point increase on the previous survey result. The change in officers views are less apparent but still positive. This may be because whilst the majority of councillors will come into contact with area structures if they exist but some officers may have little or no contact with area committees.

Table 17 Councillors' and officers' views on the effectiveness of the arrangements for area based decision-making, 2003 and 2005

<i>Area based decision-making arrangements are...</i>	Councillors 2003 %	Councillors 2005 %	Officers 2003 %	Officers 2005 %
Effective	11	16	9	11
Partially effective	27	35	32	38
Ineffective	14	12	8	8
Area committees are consultative only	16	14	16	12
No such arrangements	23	19	34	31
(base)	(889)	(853)	(506)	(403)

In our authorities a very mixed picture was reported on how authorities had responded to area decision making. In three rural authorities, area committees had not been established due to the existing parish structure or the two-tier structure which already offered a form of more localised discussion and or decision-making. In two areas plans for area committees are underway despite both being county authorities. In one the leader suggested it was a good role for backbenchers but expressed concern about competing with districts. In the remaining authorities area committees were established with small budgets for services like traffic calming.

The area committees were used extensively for consultation, for example, prioritisation for services like youth provision, budget consultation, and for consultation with the mayors. Only one area had devolved decision-making powers. The size of area committees varied with one area having 90 neighbourhood forums organised into six parliamentary constituencies, another having six made up of three wards each and a third having one in each ward. The two areas with area committees covering more than one ward both mentioned the concern that the governing party had with succeeding power to areas where a different party would effectively control resources.

3.5 Full council

In our case studies we asked how the role of full council had changed and a very varied picture was reported showing the difference in type of political management arrangement. Unsurprisingly the alternative arrangements authority reported no difference: according to the monitoring officer full council 'still makes all main policy decisions'. In one hung leader-cabinet authority officers report that non-executives 'want to see it as a decision-making body but can't come to terms with the fact it has changed' and the leader reported that 'full council has lost its occasion' but that nevertheless this is where 'cross party negotiation happens'. Whereas in the majority control leader cabinet and mayoral authorities a changed role for full council is in evidence. In some cases this is reported negatively for example 'a waste of time', a 'circus', 'rubber stamps decisions', 'simply a theatre where things are acted out', and 'awful meetings'. These views are reported in authorities where no or little change to procedures has been attempted, or change is only just being

considered. For example in one county the authority is bringing in questions to the leader and portfolio holders to reflect decision-making procedures. Table 18 shows the views of councillors and officers on the effectiveness of full council in carrying out the duties assigned to it, (the 'don't know' responses are removed).

<i>Full council is...</i>	Councillors 2005 %	Officers 2005 %
Effective	39	45
Partially effective	42	48
Ineffective	19	7
(base)	(838)	(408)

In authorities where innovations have been introduced more positive views are expressed. In one the first half of the meeting is set aside for challenge to executive members and the second to debate motions. In a mayoral authority the scrutiny committee recently recommended substantial revision and recommended the council should become a debating forum – a move agreed by the mayor and chief executive. In another mayoral authority the mayor presents a report and takes questions from members. The chief executive described full council as 'A public forum for holding the Mayor to account but a waste of time as a decision-making forum'.

3.6 The role of non executive councillors

Policy makers envisaged that the change in role of non-executives and a reduction of time spent on committees would lead to new opportunities for working in wards as 'community champions' possibly through area committees and in taking up the new role of scrutinising the work of executives. Changing the role of non executive councillors was also hoped to lead to a greater diversity in representation.

Our sample survey data provides some information about the time non executive councillors give to their role and the kinds of activity they undertake (Table 19). Non executive councillors responding to our sample survey in 2005 report spending on average 75 hours per month on their duties. Perhaps not surprisingly like executive members, non-executive members spend a greater proportion of their time on communicating with their constituents (18 hours per month) than any other function, although reading and preparation (17 hours) for meetings runs at a close second. An average of 7 hours per month is reported to be spent on scrutiny task and finish groups, a similar amount of 7 hours on regulatory committees, 6 hours on average per month on party meetings and contact with stakeholders, 4 hours per month on area committees and 3 hours per month on meeting executive councillors. The other activities identified by non-executive members did not vary a great deal from those of executive councillors with ward issues – for example case work, attending parish council meetings, writing and delivering newsletters – being very commonly mentioned. Administrative tasks were also frequently cited.

Table 19 Average hours per month spent on council activities by non-executive members, 2003 and 2005

	2003	2005
Working groups (task and finish groups)	8	7
Party meetings	6	6
Discussion with executive members	4	3
Communication with constituents	14	18
Area committee	5	4
Reading/preparation	–	17
Regulatory committees	–	7
Contact with stakeholders	–	6
Others	–	21

NON EXECUTIVE ROLE ON SCRUTINY COMMITTEES

The 2005 survey data reveal that the tasks non-executive members in scrutiny committees undertake have remained relatively unchanged since 2003 (Table 20). Councillors are still less likely to achieve publicity for scrutiny activities or to call-in decisions than undertake the other activities shown on Table 20. Two new items were introduced to this question this year: work with members of the public and investigation of best practice in other organisations.

Table 20 Duties undertaken as a non-executive member, 2003 and 2005

	2003 %	2005 %	(base)	Statistical significance
Pushed for an item to go on an O & S agenda	58	50	(1518)	**
Joined a task and finish group	63	59	(1518)	n/s
Achieved significant publicity for a scrutiny activity	25	26	(1518)	n/s
Visited outside organisations in relation to a scrutiny activity	46	47	(1518)	n/s
Called-in a decision from the executive	28	26	(1518)	n/s
Been involved in policy development through O & S	47	42	(1518)	n/s
Worked with members of the public to investigate community concerns	–	53		
Investigated best practice in other organisations	–	30		

n/s = non significant difference; * = $p < .05$; ** = $p < .01$ and *** = $p < .001$

NON EXECUTIVE ROLE WITH CONSTITUENTS

Additional questions were added to the 2005 survey to investigate the types of contacts that councillors have with their constituents. Table 21 details the

various ways in which councillors communicate with their constituents. Most modes of communication are the traditional methods used by councillors. In addition, new technology is now commonly used as a means of communication. Some 75% of councillors use e-mail to communicate with their constituents and more than one in ten reports offering interactive websites.

Table 21 Councillors' means of communication with constituents, 2005	
	%
Telephone	90
Local meetings	90
Meeting people in the street	80
Post	79
Local community or voluntary groups	78
Email	75
Meeting people at social events	73
Holding surgeries	60
Holding street surgeries	23
Other	20
Interactive website	11
(base)	(914)

Another new question asked what avenues councillors have used since 2002 to address issues raised by their constituents (Table 22). Officers are more likely to be approached than authority leaders or portfolio-holders (88% compared with 65% and 76% respectively).

Table 22 Responses to representations from constituents, 2005

<i>Councillor raised issues with:</i>	%
Officer	88
Portfolio-holder	76
Leader/mayor	65
Party	61
Executive	59
Full council	59
Person from another organisation	57
Person from the media	52
O & S committee	52
Chair of O & S committee	46
Area committee	45
Chair of area committee	37
Party whip	18
Other	10
(base)	(915)

As mentioned in chapter 1, non executive councillors are the group least likely to be favourable in their overall view of the reforms. The survey data shows that there is little agreement with the statement that ‘backbenchers are more engaged’ under the new arrangements (only 12% councillors, 9% officers and 12% stakeholders agreed) (see Table 23); and only one in four respondents (28% of councillors and 24% of officers) agreed that the executive effectively responds to the concerns of non-executives (see Table 24).

Table 23 Changes in backbench engagement over the previous two years, councillors, officers and stakeholders, 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
Backbench members are more engaged	12	9	12

Table 24 Councillors’ and officers’ views on the effectiveness of the executive (or equivalent), 2005

<i>Agree executive has been effective in...</i>	Councillors %	Officers %
Responding to concerns of non-executives	28	24
(base)	(879)	(456)

Interviews with leaders and chief officers suggest that one of the most problematic features of the new council constitutions is embedding the changing role of non-executives (Gains 2006). We asked our respondents how the representative role of their non-executive councillors had changed. In

contrast to the responses about the visibility of leaders, in our case study authorities there were similar views across all authorities that this aspect of the legislation had had mixed results and had not worked out as envisaged.

In terms of the community champion role a range of views was expressed, from observing 'no change', for example suggesting that councillors always had acted as community representatives, to patchy adoption of new roles, for example indicating that members are not happy with community engagement 'harking back to the old system', 'some confident and some not'. Several authorities mentioned that the authority has had to pay attention to supporting councillors in getting involved in their wards. One council mentioned it was encouraging its non-executive members to develop 'ward action plans' to support the community champion role. A leader of a large metropolitan authority argued the visibility of ward councillors was higher as they all had websites. Another chief executive in a mayoral authority reported 'most people don't know who their councillors are'.

A similar varied picture emerges in terms of respondents perceptions about non-executives' scrutiny role. In one large metropolitan authority the scrutiny officer observed that some councillors liked scrutiny whereas some wanted their committee role back. In a county authority the scrutiny officer felt new members were enthusiastic. In another the scrutiny officer reported that the chairs were happy with their role. In two mayoral authorities the scrutiny officers were more positive. In one the officer reported that non-executive role was 'enhanced' and the Mayor argued the system created opportunities to which some non-executives had responded. In another the officer reported that members write and present their own reports and the monitoring officer suggested that it had taken until now before members had begun to appreciate their new role with new members adapting earlier.

In terms of the role of non-executives overall several respondents raised concerns about the way in which non-executives felt disconnected from the work of executive councillors. One leader of a county authority described the role of non-executives as 'the downside of the new council constitutions' arguing 'non-executives were still cannon fodder under the old system – but not as overtly'. A chief executive who had worked in three authorities since 2002 stated the role of non-executives was an 'issue' in all of them.

3.7 Diversity

As part of the democratic renewal agenda, policy makers hoped the 2000 Act would create the kind of non executive role which would attract a wider diversity of representatives (Armstrong, 1999). Since 2002 there has been little significant change in the diversity councillors. Only 26% of councillors are female, just over a third of councillors are in paid employment, very few councillors are under 35 years of age and almost all respondents (92%) describe themselves as white (Stoker et al. 2006b). Over a quarter of cabinet members (26%) are women (this rises to over a third (34%) in mayoral authorities), but nearly one in ten authorities (8%) have no cabinet positions held by women (Greasley 2007). Comparing these findings with previous national surveys of

councillors (for example, Young and Rao 1993) reveals that the demographic composition of councillors has not seen radical change since the early 1990s.

The diversity of cabinets has also not improved with the number of female leaders dropping from 17% in 2002 to 13% in 2006 (Greasley, 2007). There has been an increase in the proportion of female councillors in 2006 (26% compared to 23% in 2002 (Greasley, 2007) but still in over half the leader cabinet authorities three quarters of cabinet positions are held by men. The average proportion of female cabinet members is higher in the mayoral authorities at 34% and fewer than a quarter of mayoral authorities have cabinets where three quarters of cabinet positions are held by men. These figures for cabinet representation suggest some collaboration for survey evidence that mayoral authorities facilitate greater diversity in representation (see below).

The *National Census of Local Authority Councillors in England 2006* paints a slightly different picture. The most recent census was conducted across all authorities and received responses from 44% of all councillors. In comparison to the 1997 version of the census, the proportion of women councillors was slightly higher 28% compared to 29% and the proportion from a non-white ethnic background increased from 3% to 4%. The census of councillors found 2% of leaders or deputy-leaders were from non-white ethnic groups and 18% were women. Women held 28% of cabinet positions and members of ethnic minority groups held 3% of the cabinet positions. These differences can be explained by a different sampling design in our work focusing on 40 local authorities rather than the whole country as well as natural differences between surveys, such as in response rates.

Overall, respondents to the sample survey were pessimistic about the extent to which the new arrangements made it easier for women and ethnic minorities to become involved with fewer than one in five respondents agreeing with these statements (Table 25). Respondents from mayoral authorities were more positive than respondents from other arrangements about the link between the new constitutions and encouraging diversity but still only approximately a third agreed (Appendix B).

Table 25 Changes in diversity of councillors over the previous two years, councillors, officers and stakeholders, 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
It is easier for women to become involved in council business	29	15	19
It is easier for ethnic minorities to become involved in council business	23	14	22

3.8 Conclusion

A more mixed picture of success is suggested in relation to the aim of promoting democratic legitimacy than was found in relation to strengthening leadership. Whilst new constitutional forms of engaging with the public and stakeholders have been introduced, their update is uneven. Since the 2000 Act,

leaders are more visible, and local authority work in partnership and with stakeholders is more embedded. However the extent of public involvement is poor, the role of non executives uncertain and diversity has not improved since the introduction of the Act. Over half of officer and stakeholder respondents and just under half of councillors agreed that the political management arrangements under the 2000 Act promoted democratic legitimacy and public trust in local government with mayoral respondents more positive about the impact of this political management arrangement on public confidence (Stoker et al 2006b, Tables 5.9 and 5.10). In interviews, leaders and chief officers felt the impact of the new structures on public confidence was hard to gauge and will take longer to be visible (Gains 2006).

CHAPTER 4

Introducing Appropriate Checks and Balances

As well as encouraging effective leadership and enhancing democratic legitimacy, the 2000 Act sought to introduce checks and balances to the operation of executive decision-making under the new constitutions through the introduction of procedures to make decision-making transparent, the introduction of a scrutiny system and a new ethical framework. We look at each in turn drawing on our survey and case study evidence. In respect to this aim, this evidence points to a mixed picture with arrangements associated with the operation of the executive and standards more embedded than the scrutiny arrangements.

4.1 Transparency of executive decisions

As well as the greater visibility of named decision-makers, the 2000 Act introduced new procedures relating to the *transparency* of decision-making. During the passage of the Bill a late amendment introduced the requirement for all authorities except alternative arrangement authorities to publish a list of forthcoming executive decisions for a four month period in advance. The forward plan should show clearly which decisions are key decisions. Campaigners at the time saw this as an essential feature to ensure the transparency of executive decision-making permitting non-executive councillors, scrutiny committees, stakeholders and the public to be aware of when and where the most important policy and resource decisions would be made. In all leader-cabinet and mayoral authorities a forward plan is published showing a schedule of forthcoming executive decisions. In interpreting these results, it is important to realise that alternative arrangements authorities are not required to have a forward plan or to identify key decisions. Some alternative arrangement authorities also produced a forward plan although they are not required to do so (Gains 2004: 18).

What criteria should 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. Our survey responses revealed that the extent to which this is made accessible varies and the plans are more often used by officers than councillors and the public (Stoker et al, 2006b, Tables 2.23, and 3.17). Councillors and officers were asked if they were clear as to what

constituted a ‘key decision’ in their authority, and whether they regularly consulted their authority’s forward plan. Only a third of councillors (32%) regularly consult the forward plan. Almost one in five councillors (17%) has never consulted the forward plan, and one in ten (12%) report being unsure as to what qualifies as a key decision. This suggests that a number of councillors are not using the transparency processes in undertaking their roles.

We asked if respondents thought there was clarity about the use of the forward plan and identification of key decisions in the authority on our case study visits. There were a spread of responses ranging from one officer who wryly observed ‘If we had it transparent people would know what was going on!’ to at the other end of the scale an authority who seek permission from the appropriate scrutiny chair if they want to get a key decision made which has not appeared on the forward plan. Most respondents, however, felt that the forward plan was clear and that its usage had made decision taking more transparent. There were caveats. Two officers described it as overly ‘bureaucratic’ arguing that flexibility was needed. Others felt that the plan was clearer for those in the council or activists than for the public.

Perceptions about the extent of transparency reflected this mixed picture with patterning across type of political management arrangement and between officers and councillors. More than half of officers responding to the sample survey agreed with the statements ‘it is easy to find out who has made a specific decision’ and ‘it is easier to find out about council policy’ although councillors were less likely to agree (Table 26 over). The responses from mayoral authorities were stronger (Appendix B). Overall half of respondents agreed that the current political management arrangements provide checks and balances to guarantee transparency of decision-making and again the mayoral responses were stronger (Appendix B).

Table 26 Changes in the transparency of decision making over the previous two years, councillors, officers and stakeholders, 2005

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
It is easier to find out who has made specific decisions	39	56	30
It is easier to find out about council policy	46	66	50

We explored this aspect of the provision of checks and balances in our case studies. Most respondents felt that decision-making was transparent. In seven authorities there was agreement within the authority on this matter, with views expressed like ‘it is easier to look from outside and see who is in charge’ and a chief executive in a mayoral authority explained ‘decisions used to be made on privileged officer advice and at party meetings, now policy change is made with consultation and without the involvement of the party group’. It is clear some authorities have made innovations in their procedures to open up decision-making to the public. For example, one county authority with a leader cabinet arrangement web casts its cabinet meetings and the leader runs ‘cabinet in the community’ sessions. Another mayoral authority permits the public to attend executive member decision-making and all reports are public so the monitoring

officer here feels that the public can appreciate why decisions are being made. The deputy mayor in this authority was confident 'the community is aware of what the mayor is doing'. In another authority visitors to consultation websites can click a link through the relevant part of the forward plan (also on the web) so they can see when the decision will be taken and by whom.

Respondents did express caveats however. In one large leader cabinet county the leader argued 'there needs to be some secrecy or else it is hard to make decisions'. In another leader cabinet county, the leader pointed out that party decision-making is still private. In a mayoral authority the scrutiny officer explained 'the intent is there but there are limits due to timescales and [commercial sensitivities]'. One mayor commented 'people are much more aware that I have taken a decision but not always why'.

In two of our authorities responses were different. In one hung authority all respondents were less positive reporting difficulties with the identification of decision-making and that the media does not understand the new structures. Finally the alternative arrangement authority does not operate a forward plan and the chief executive argued that decision-making could not be predicted in advance in the policy and resources committee.

4.2 Scrutiny

The introduction of *scrutiny* arrangements was designed to be the principal check on the working of the executive. The evidence on how scrutiny arrangements are embedded is mixed partly due to constitutional features such as the way in which scrutiny is organised and supported; partly due to the impact of scrutiny on roles and activities of councillors. Scrutiny involves the introduction of an entirely new role, and one which requires non executive councillors in power to challenge their parties' executive decision-making. Scrutiny requires a different and sometimes challenging relationship between executives and non executive councillors and non executive councillors and stakeholders and communities (Stoker et al. 2004: 58). This variable picture is reflected in the perceptions of respondents on the effectiveness and robustness of scrutiny. However, there is good evidence that scrutiny makes a valid contribution to executive decision-making especially in relation to policy development and performance review (Stoker et al. 2004: 60).

THE ORGANISATION OF SCRUTINY

The mean number of overview and scrutiny committees in 2006 was 3.3 – slightly fewer than the 3.8 average reported in 2002. Variations in the number of committees are apparent across types of authority with districts having the fewest and counties the highest (Greasley, 2007 forthcoming) and mayors having fewer than leader cabinet authorities. Just under half of authorities (46%) responding to the survey reported provision of a special officer unit to support overview and scrutiny, an increase from 30% in 2002. A quarter also report that they provided external advice or support to their overview and scrutiny committees (Greasley, 2007 forthcoming). Districts find it hardest to provide dedicated support. Mayoral authorities are more likely to provide support than

leader cabinet authorities. These figures on institutional structures to support overview and scrutiny suggest that support for this function is better established with authorities. This is reflected in responses from officers on the adequacy of officer support in Table 27 below.

Level of officer support is...	2003 %	2005 %
Adequate	51	64
Inadequate	39	26
Don't know	10	11
(base)	(487)	(397)

$p < .001$

Some 64% of officers consider the level of support they receive is adequate. This is a significant increase from 51% in the 2003 survey. There are no significant differences between democratic services officers and other groups.

SCRUTINY AGENDAS

We asked a question about the activities of the overview and scrutiny committees in the census survey. Virtually all authorities 'review service outcomes' (96%), also very high proportions '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.

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)

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.

THE ROBUSTNESS OF SCRUTINY

Two thirds (64%) of authorities are not aware of party pre-meetings being held before scrutiny committees. Looking at the most recent census survey there is evidence of improvements in the organisation and activities of scrutiny. Three quarters of scrutiny committees (76%) report using scrutiny to explore innovative forms of service delivery. Two thirds (64%) of authorities are not aware of party pre-meetings being held before scrutiny committees and the proportion of authorities offering dedicated officer support has risen from one in three (30%) in 2002 to one in two (45%) currently. However fewer than three in ten (27%) authorities report having all three indicators (exploring innovative service delivery, no pre-party meetings, and a special officer unit) of strong scrutiny (Greasley 2007 forthcoming). Variability in the robustness of scrutiny organisation and operation is reflected in perceptions of effectiveness and in the views on scrutiny expressed on case study visits.

THE EFFECTIVENESS OF SCRUTINY

An important measure of the effectiveness of overview and scrutiny committees is whether or not they succeed in bringing about policy change. Executive councillors were asked whether they had experienced such changes in their own portfolios. Excluding those non-portfolio-holders, the data reveal a modest increase in the reported instances of policy change as a consequence of an overview and scrutiny committee's action. In Table 28 data are presented to demonstrate the degree of these changes over the two survey years. As indicated, there has been a 13 point increase in the proportion of executive councillors reporting changes in the area of their portfolio as a result of overview and scrutiny committees. However, portfolio-holders are only a small proportion of survey respondents.

Table 28 Policy change in the area of the respondent's portfolio as a result of O & S committees, 2003 and 2005

	2003	2005
Sometimes	15	19
Occasionally	32	41
Never	52	41
(base)	(141)	(148)
n/s		

We asked councillors and officers to evaluate the effectiveness of overview and scrutiny committees. There is striking agreement between councillors and

officers on which aspects of overview and scrutiny are perceived as working effectively (reviewing service outcomes) and least effectively (reconciling differences of opinion in the community and providing a forum for community debate). These similarities are detailed in Table 29.

Table 29 Councillors and officers' views on the effectiveness of overview and scrutiny committees, 2005		
<i>Agree O & S committees have been effective in...</i>	Councillors %	Officers %
Holding decision-makers to account	37	35
Reviewing service outcomes	51	51
Providing clear lines of accountability	31	18
Ensuring local views are taken into account	39	36
Exploring innovative forms of service delivery	27	20
Involving external stakeholders in their deliberations	47	46
Investigating non local authority service providers	36	30
Influencing council policy	37	42
Providing a forum for community debate	28	21
Reconciling differences of opinion in the community	14	8
(base)	(885)	(456)

In discussing the operation of the scrutiny system, some leaders and chief officer interviewees raised doubts about the robustness of scrutiny (Gains 2006). In five authorities real doubts were expressed about the added value of scrutiny either because of the calibre of members, the impact of party loyalties, the reluctance of executives to engage with scrutiny or the processes. In three other authorities – two leader cabinet and one mayoral, respondents reported strengthening scrutiny activity and mentioned examples where scrutiny had ‘made a difference’, for example in scrutinising health, taking a broader community leadership role in looking at the risk of flooding, and a special needs review. In only one authority – a mayoral authority – was there a shared sense of optimism and satisfaction with the operation of scrutiny. Only this authority talked of processes to link the activities of scrutiny and executive together routinely and talked of outside involvement in the scrutiny process.

Concerns were expressed about how well members could cope with the procedures, for example in one authority the leader felt proper procedures were not followed and members sought to revert to committee style discussions. The monitoring officer here thought that scrutiny was used to look at performance information but that there was no proper feedback on their views ‘scrutiny activity doesn’t go anywhere’. In another authority the monitoring officer felt that scrutiny chairs didn’t use the forward plan. Another talked of members being locked in old routines. The quality of the chairing was mentioned in a third as being a factor in why scrutiny was not doing well there. One monitoring officer talked of scrutiny procedures being ‘too elaborate, too un-wielding and ineffective’. Finally in a mayoral authority the chief executive felt that councillors struggled with ‘what to scrutinise’.

Poor relationships between executive and non-executive members were another issue raised in an authority with a very narrow majority the scrutiny officer reported executive members 'were not confident and don't want issues discussed'. The chief executive here thought there was lots of distrust with committees chaired by the opposition who use the media as an opposition tool. The leader here described overview and scrutiny as 'a weapon'.

Party loyalties were explicitly raised as an issue in two authorities with party seen by many as coming into conflict with the assumed impartiality associated with the scrutiny role. One chief executive reported a perception of whipping prior to meetings saying the ruling group 'won't shoot themselves in the foot publicly'. The leader here explained 'members can't scrutinise policies they have helped to bring in they [scrutiny members of the ruling party] cannot be independent...its unrealistic to expect members to be critical of cabinet'. In another the leader explained 'majority members can't be critical or it appears in opposition leaflets'. The scrutiny officer confirmed that here 'there is a party line and the group will have been consulted before and will have to pretend to look again'.

It is clear that many authorities have found it difficult to find the right balance between policy development, scrutiny and overview. In one authority there is no policy development work going on and most of the scrutiny time is used for examining performance data. The chair of scrutiny here wants to focus on scrutiny only. All except two authorities mentioned that they were trying to get scrutiny members more involved in doing policy development work. Of the two that didn't, one authority already does so much of this type of work there is no challenge occurring and in the other a balance between the types of activity is reported. One chief executive reported that non-executives 'put their energy into challenge but the agenda is directed more to focus on policy development'.

4.3 Standards

The Act also introduced a new ethical framework and all authorities had to publish a code of conduct and set up a local standards committee. Since 2003 these committees have been able to deal with local adjudications referred back to the authority from the Standards Board. Standards committees meet on average five times a year; three out of four committees are chaired by independent members; and the committees have taken on a range of roles beyond adjudication involving a more active promotion of good ethical standards through training and developing protocols (Greasley 2006 and Greasley 2007 forthcoming).

Less than one in ten (8%) of councillors expressed dissatisfaction with the conduct of their standards committee and more than half (55%) felt the committee was effective in promoting an ethical organisation (Stoker et al. 2006, Figures 2.1 and 2.2).

In the case studies we asked about the function of the standards committee and how it fitted into the governance of the authority. None of our authorities had had significant standards issues or local adjudications to deal with during the time of our visit, though they reported on those that had occurred before then

(Greasley, 2006). The activities covered the issuing and review of guidance for members, and member officer protocols and providing training on standards issues. Three authorities reported that their standards committees were doing a good job. Three authorities reported that the business of making declarations was problematic in terms of the time it took at the beginning of meetings, the complexity and in the confusion with the community leadership role which non-executive councillors adopt in representing their wards. One issue raised by a couple of monitoring officers was the possible conflict of the monitoring officer role in acting as representative of the authority, adjudicator of the issue and manager of the process.

4.4 Conclusions

Overall as with democratic legitimacy above, respondents were more certain about seeing positive outcomes in relation to executive processes such as transparency of decision-making. There was a more mixed picture in relation to the balance of activity, effectiveness and outcomes of scrutiny. It is clear that this role has taken some time to embed and that scrutiny arrangements are not as robust as executive arrangements. However there are improvements in the degree of institutional support for scrutiny and a reduction in reported party involvement in scrutiny. Case study evidence and data from the sample survey on policy change in response to scrutiny from portfolio holders suggests scrutiny is having an impact but that this impact is very variable. The standards arrangements in authorities appear to have been successfully embedded and are thought to be effective.

CHAPTER 5

The Impact of Reform

In this chapter we examine the key issue of what impact local political leadership has on service delivery and public confidence. We explore what forms of leadership are more likely to deliver for local citizens and the communities they live in? This section analyses whether there is a relationship between constitutional processes and political context associated with the exercise of leadership, the performance of authorities and indicators re democratic engagement.

Our data allows us to assess the impact of the constitutional and political context of leadership on the performance of councils (as judged by the comprehensive performance assessment scores and best value performance indicator on citizen satisfaction). The ELG surveys upon which these figures are based had a response rate of 75% (2002) and 78% (2006) and offer a representative picture of the constitutional situation in the two years.

The analysis in this chapter focuses on leader-cabinet authorities as their greater number allows for statistical comparison and by focusing on them, we are examining variations in the dominant current constitutional form of local government as experienced by citizens of England with over 8 out of 10 councils run under this form of constitution. The small number of mayoral authorities makes it difficult to draw reliable conclusions about comparative performance.

5.1 Constitutional context in leader-cabinet authorities

Turning now to the dominant leader-cabinet model in English local government we measure the impact of constitutional context through three indicators of leader freedoms in leader-cabinet authorities:

- Whether the leader can make executive decisions;
- Whether the leader selects members of the cabinet; and
- Whether the leader allocates portfolios

These indicators are appropriate in that they reflect constitutional variations available since the 2000 Act and are the focus of attention in the 2006 White Paper. Figure 2 in Chapter 2 showed the change in these indicators since the 2002 survey. To create a measure of a leader's position, we give an authority a score of '1' if its leader has a particular freedom and '0' if not. Adding these together produces a measure where leaders with all three freedoms score '3'

and at the other end of the spectrum those that have none of the freedoms score '0'. The results were shown earlier in Figure 3 and suggests that, over the four years since the implementation of the 2000 Act, there has been a slight shift towards stronger constitutional positions for leaders in local government.

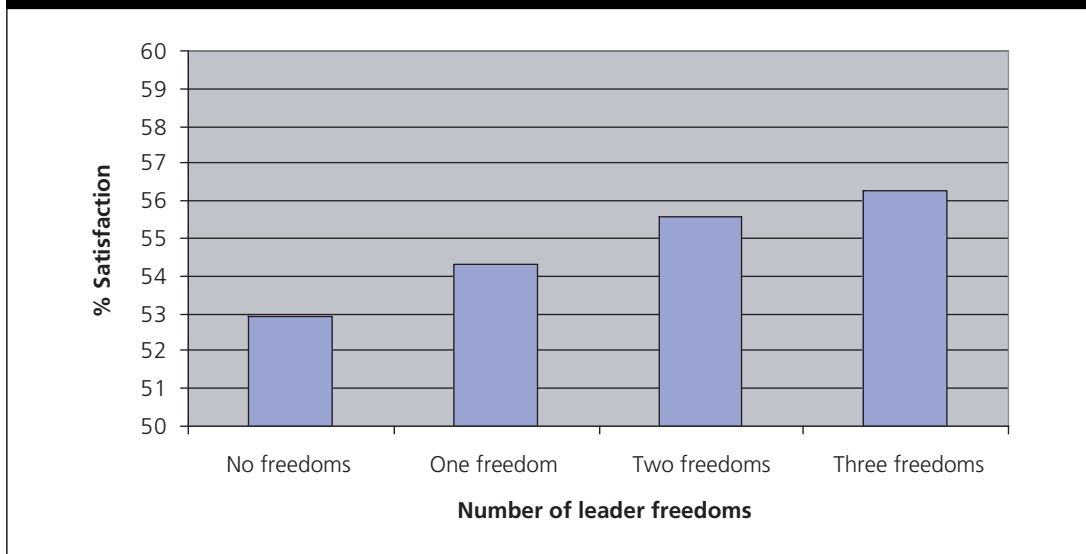
5.2 Leadership freedoms and council performance

Does the constitutional context in which a leader operates have any influence on council performance? There are various ways of trying to measure council performance, but here we use two measures. First, we assess whether citizens' satisfaction with the overall performance of the council is associated with the constitutional strength of leaders. We do this using Best Value Performance Indicator (BVPI) 3, which was measured for all authorities in 2003-04 and in 2006-07 and is a key performance indicator for local government. Is there a positive relationship between leaders' constitutional freedoms in 2002 and the proportion of citizens expressing satisfaction with the overall performance of the council in 2003-04? Is the constitutional position of a leader in 2006 associated with satisfaction in 2006-07? We also use both surveys to construct an indicator of whether the leader freedoms have been 'high' for the whole 2002-2006 period and assess whether this influences satisfaction in 2006.

Second, we assess whether CPA scores in 2003, 2004, and 2005 are associated with leadership freedoms in 2002 and 2006. The 2006 CPA scores have recently been published and are the first since the second wave of the ELG census in 2006. These are analysed both in comparison to the leadership freedoms in 2002 and 2006.

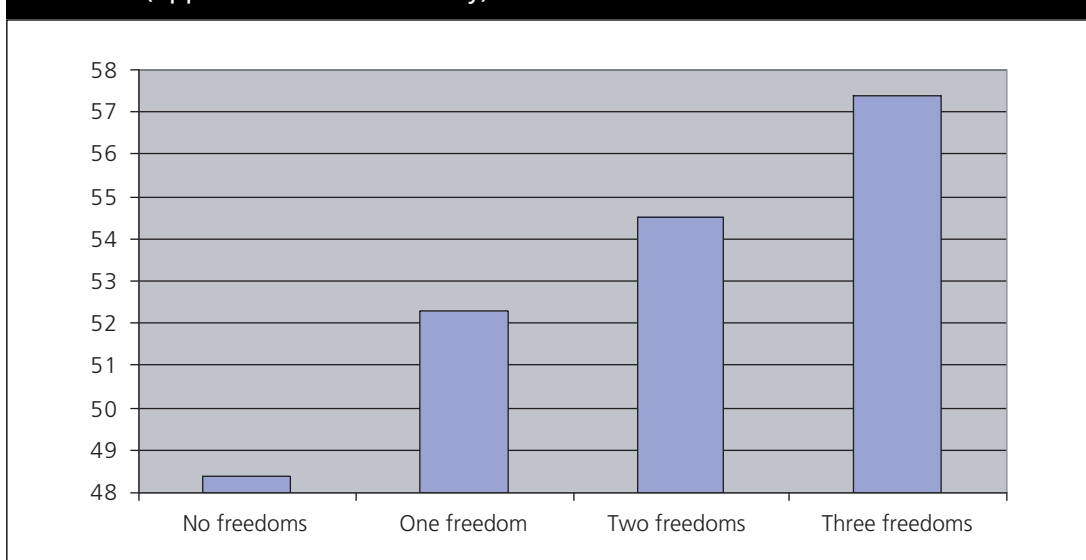
LEADERSHIP FREEDOMS AND CITIZEN SATISFACTION

Figure 5 shows the relationship between the constitutional context of the councils' leaders in the first wave of our survey and the average proportion of citizens who were satisfied with council's overall performance in 2003-04 (BVPI 3).

Figure 5 Leadership freedoms 2002 and average citizen satisfaction 2003-04¹⁰

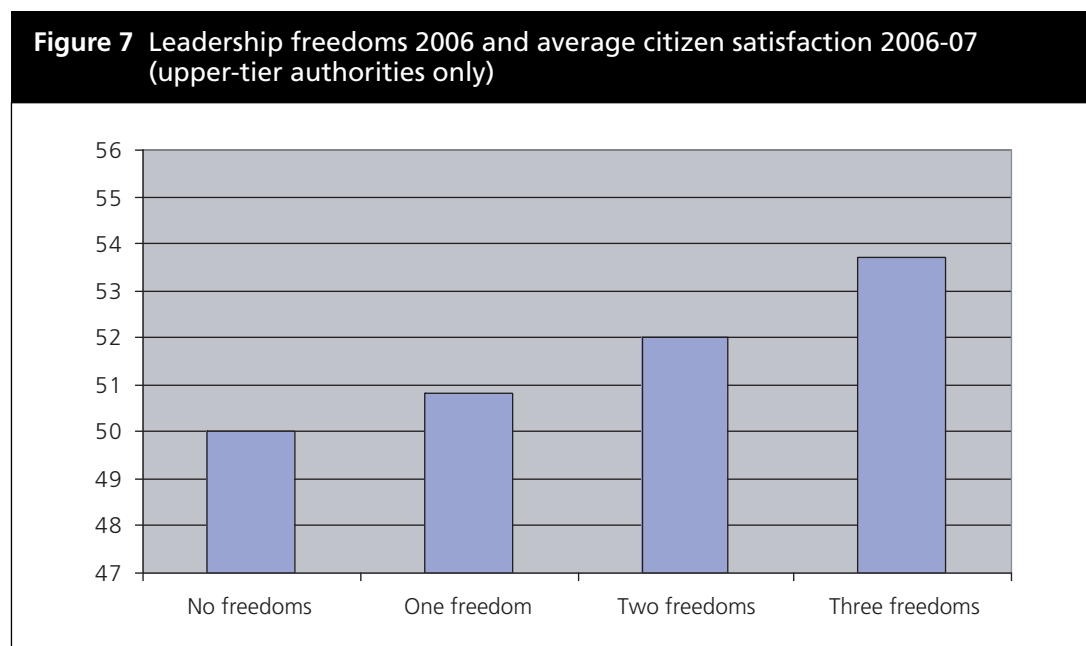
The data show a slight upward trend, authorities that give their leader more freedoms have greater citizen satisfaction, on average, than those with fewer freedoms. In order to test whether there was a positive relationship between the proportion of citizens satisfied with council performance and the number of freedoms a leader enjoyed in 2002, a rank correlation coefficient was calculated and was tested for statistical significance. The correlation is statistically significant at the 5% level but does not show a large effect.

The relationship is stronger if we focus only on the upper-tier authorities (Figure 4). Here the correlation between leader freedoms and citizen satisfaction is stronger than when analysing all authorities and is statistically significant at the 1% level. Figure 6 shows the average proportion of citizens satisfied with council services

Figure 6 Leadership freedoms 2002 and average citizen satisfaction 2003-04 (upper-tier authorities only)

¹⁰ The lower and upper bounds of the y-axis are the lower and upper quartile values for citizen satisfaction in the leader-cabinet authorities. The other graphs of citizen satisfaction in this section also use the quartile values of the relevant distribution to define the y-axis.

As yet, we only have access to the upper-tier authorities' 2006-07 BVPI 3 data. Figure 7 shows the relationship between leadership freedoms in 2006 and the average citizen satisfaction score for 2006-07. The upward trend is still in evidence but the correlation is less strong than it was in 2003-04 and is only significant at the 10% level.



Ordinary least squares regression was used to control for the effects of deprivation and population size on citizen satisfaction. We conducted a similar analysis for all authorities in 2002 and for upper-tier authorities alone in both waves of the survey. In order to do this the measure of leadership freedoms was split into two categories, 'low' (no freedoms or one freedom) and 'high' (two or three freedoms). The results are present in Table 30 a.-c.

Table 30 a. shows the results for the analysis of the relationship between leadership in 2002 and the proportion of citizens satisfied with council services in 2003-04. In this case, when population size and index of multiple deprivation are controlled for, 'leader freedom' is not a statistically significant predictor (at the 10% level) of the proportion of citizens satisfied with council performance.

When the analysis focuses only on upper-tier authorities in the same period (Table 30b) 'leader freedom' is a statistically significant predictor of citizen satisfaction at the 1% level. This relationship continues to hold when leader freedoms in 2006 and citizen satisfaction 2006-07 are considered (Table 30c), the relationship is statistically significant at the 5% level. The co-efficients of the leadership score in Tables 30a-c give estimates of the difference between authorities scoring 'low' leadership and those scoring 'high' whilst holding population and deprivation constant.¹¹

¹¹ All coefficients reported in this paper are unstandardised.

Table 30a Ordinary least squares regression average proportion of citizens satisfied with council services 2003-04 (all leader-cabinet)

	Co-efficient	Standard error
Constant	58.631	1.484
Leadership dichotomy 2002 (all authorities)	1.307	1.091
Index of Multiple Deprivation	-0.229**	0.06
Population size	-9.33x10 ⁻⁷	0.000
R ² /Adjusted R ²	.086/.073	

Table 30b Ordinary least squares regression average proportion of citizens satisfied with council services 2003-04 (upper-tier leader-cabinet)

	Co-efficient	Standard error
Constant	48.012	2.833
Leadership dichotomy 2002 (upper-tier only)	5.700**	1.734
Index of Multiple Deprivation	0.044	0.092
Population size	3.93x10 ⁻⁶	0.000
R ² /Adjusted R ²	.123/.096	

Table 30c Ordinary least squares regression average proportion of citizens satisfied with council services 2006-07 (upper-tier leader-cabinet)

	Co-efficient	Standard error
Constant	53.132	1.971
Leadership dichotomy 2006 (upper-tier only)	2.250*	1.121
Index of Multiple Deprivation	-0.055	0.061
Population size	-3.85x10 ⁻⁶	0.000
R ² /Adjusted R ²	.065/.037	

* p. < .05; **p. < .01; ***p.< .001

In this analysis the measure of high leadership emerges as a statistically significant influence on the proportion citizens satisfied with council performance in the upper-tier authorities, and this relationship holds when measures of deprivation and the number of residents in an authority are controlled for. The relationship appears to have become less important over time (comparing Table 30b with Table 30c).

The analysis above is 'cross sectional' measuring leadership strength at a particular point in time. However, our two surveys suggest that 48% of upper-tier authorities have changed the number of freedoms given to leaders¹²

12 77 of the 139 leader-cabinet top-tier authorities responded to both surveys

between 2002 and 2006. To analyse whether the position of the leader over time influences the proportion of citizens satisfied with council performance, we added together the number of leadership freedoms in 2002 to the number in 2006 to give a range from '0' to '6'. Authorities that scored '3' or less were categorised as 'low' and those that scored '4' or more as 'high'. Does scoring high on this measure of consolidated leadership influence the level of citizen satisfaction?

The correlation between this measure and the proportion of citizens satisfied with council performance in 2006-07 is statistically significant at the 10% level. Controlling again for population size and multiple deprivation, Table 31 shows that the measure of leadership has a positive effect on citizen satisfaction (the relationship is statistically significant at the 10% level).

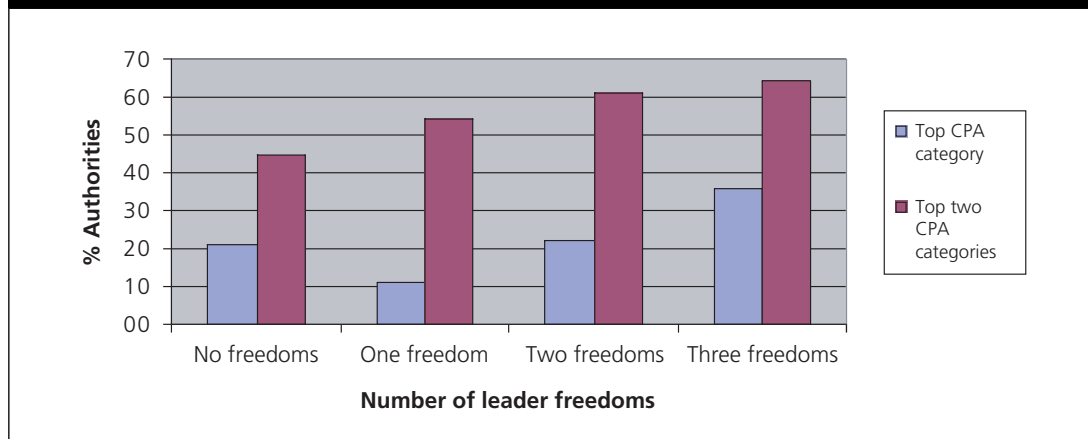
Table 31 2006-07 average proportion of citizens satisfied with council services (upper-tier leader-cabinet)		
	Co-efficient	Standard error
Constant	52.409	2.362
Leadership consolidated 2002-2006 (upper-tier only)	2.755	1.433
Index of Multiple Deprivation	-0.001	0.073
Population size	-3.67x10 ⁻⁶	0.000
R ² /Adjusted R ²	.077/.039	

* p. < .05; ** p. < .01; ***p.<.001

LEADERSHIP FREEDOMS AND CPA

The second measure used to assess performance is the Comprehensive Performance assessment (CPA). First, we use the CPA category scores in 2003 for the upper-tier authorities (2003 is the first year of scores after the first wave of our survey). Figure 8 shows the proportion of authorities at each number of leader freedoms receiving the highest possible CPA and the proportion receiving the two highest CPA scores. The figure suggests that a year after the implementation of the Act those authorities that had constitutions that offered leaders more freedoms were performing better than others. The pattern is fairly clear and consistent with that found with the satisfaction data and the correlation between leadership freedoms and CPA 2003 scores is statistically significant at the 10% level.

Figure 8 Leadership freedoms 2002 and CPA performance 2003 (upper-tier authorities only)



The effects of leadership on council performance may take some time to work through the system. Figures 9 and 10 show the relationship between leader freedoms in 2002 and CPA performance in 2004 and 2005. The correlation between leader freedoms and CPA score is significant at the 10% level for the 2005 data but not the 2004 CPA score.

Figure 9 Leadership freedoms 2002 and CPA performance 2004 (upper-tier authorities only)

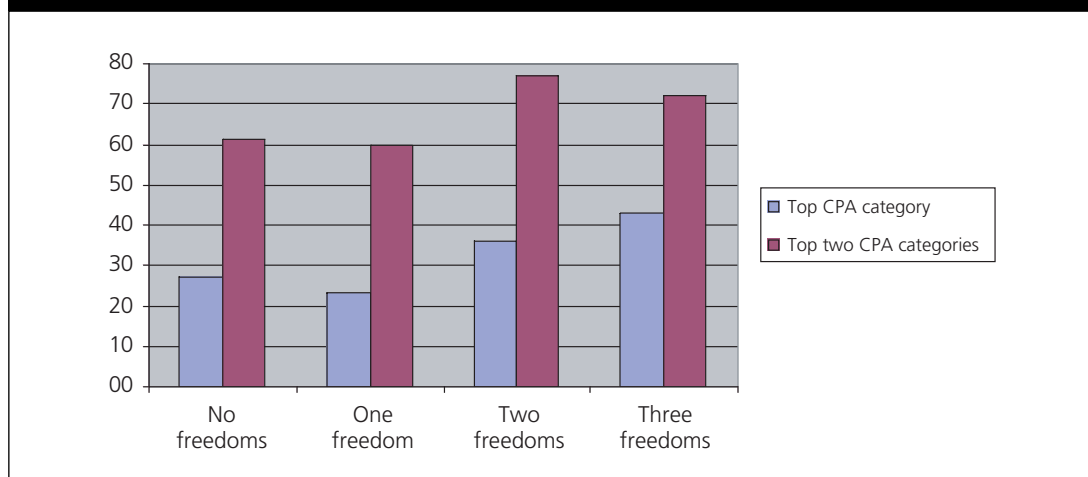
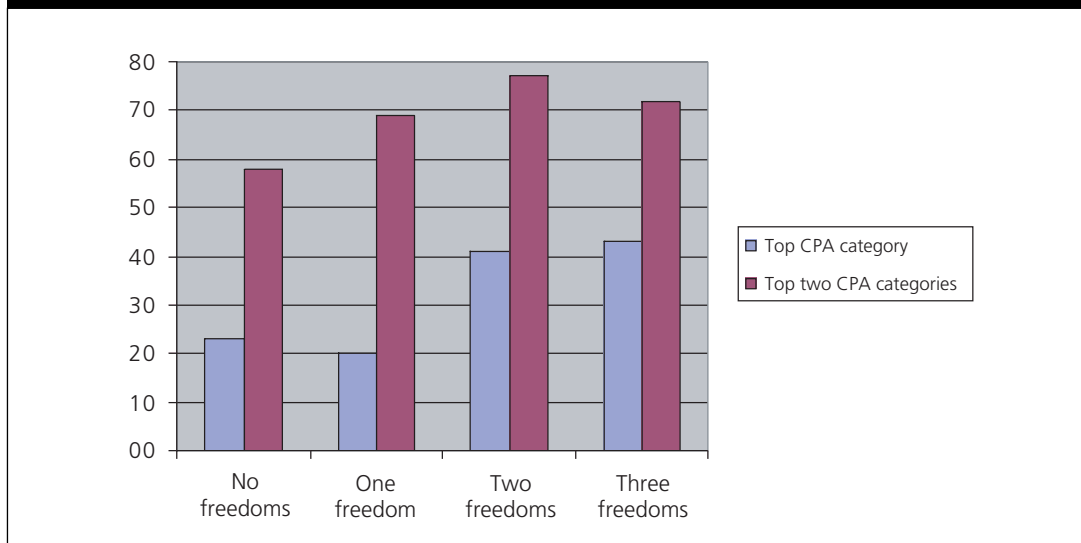


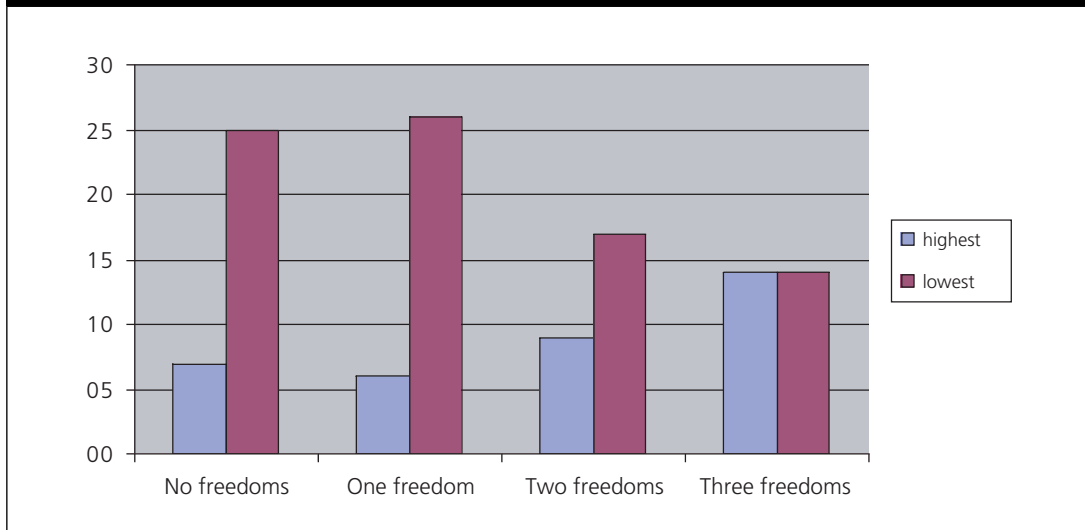
Figure 10 Leadership freedoms 2002 and CPA performance 2005 (upper-tier authorities only)



Over the period 2003 – 2005 a higher proportion of authorities in the ‘3 freedoms’ category attain the highest CPA score when compared to other authorities. Over this period there has been a general improvement trend among the weaker authorities and the relationship between leadership and the proportion of authorities in the *top two* categories has dissipated.

Care must be taken when analysing CPA change over time particularly as the method for calculating CPA changed in 2005. One way to address this is to look at the new 2005 score for ‘direction of travel’. Those authorities with more leader freedoms in 2002 were more likely to score highly on ‘direction of travel’ in 2005. Among the authorities for whom we have complete data on leader freedoms the highest score for direction of change was ‘improving strongly’ and the lowest was ‘improving adequately’. The distribution is shown in Figure 11. The blue columns represent the proportion of authorities scoring ‘improving strongly’ in 2005 and these rise with the number of leader freedoms 2002. The purple columns represent the proportion of authorities scoring ‘improving adequately’ and these fall with the number of leader powers. However, the correlation between leader freedoms and direction of travel is not statistically significant at the 10% level.

Figure 11 Direction of travel 2005 and leadership freedoms 2002 (upper-tier authorities only)



The results of CPA 2006 were published in late February 2007. This is the first CPA score since our 2006 census was conducted. Figures 12a-c show CPA performance in relation to the number of freedoms a leader enjoyed in, respectively, 2002, 2006 and in relation to the leadership score consolidated over the two waves of the survey that we used in Table 8 earlier in the chapter.

Figure 12a shows that the pattern of higher CPA scores with the number of leadership freedoms allocated in 2002 is sustained in 2006. A non-parametric correlation between the freedoms and CPA is statistically significant at the 5% level. Figure 12b shows the 2006 CPA with the leader freedoms in 2006. In this figure the pattern has disappeared and to some extent reversed. Those authorities with one freedom in 2006 are the best performers on this measure, but the correlation is not statistically significant at the 10% level. Finally, Figure 12c shows the relationship between the leadership score consolidated over the two census years. With this measure the pattern between stronger leadership and better performance is found but is not statistically significant at the 10% level.

Figure 12a Leadership freedoms 2002 and CPA performance 2006 (upper-tier authorities only)

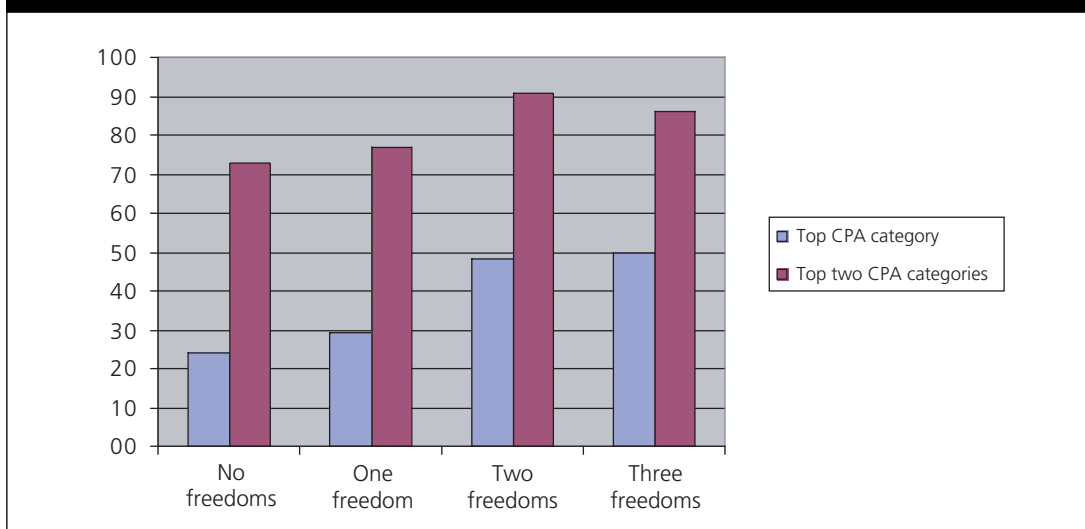


Figure 12b Leadership freedoms 2006 and CPA performance 2006 (upper-tier authorities only)

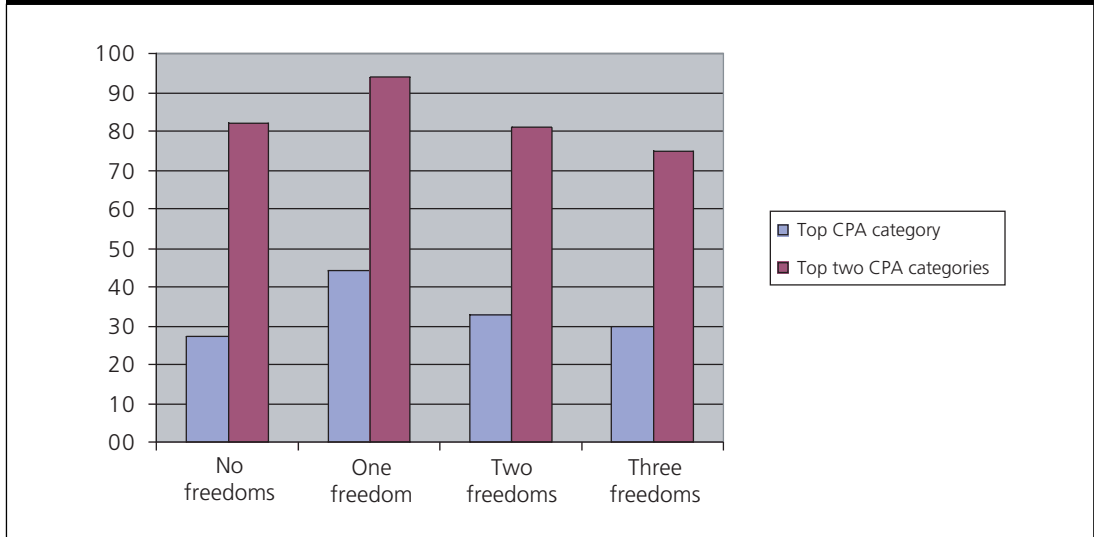
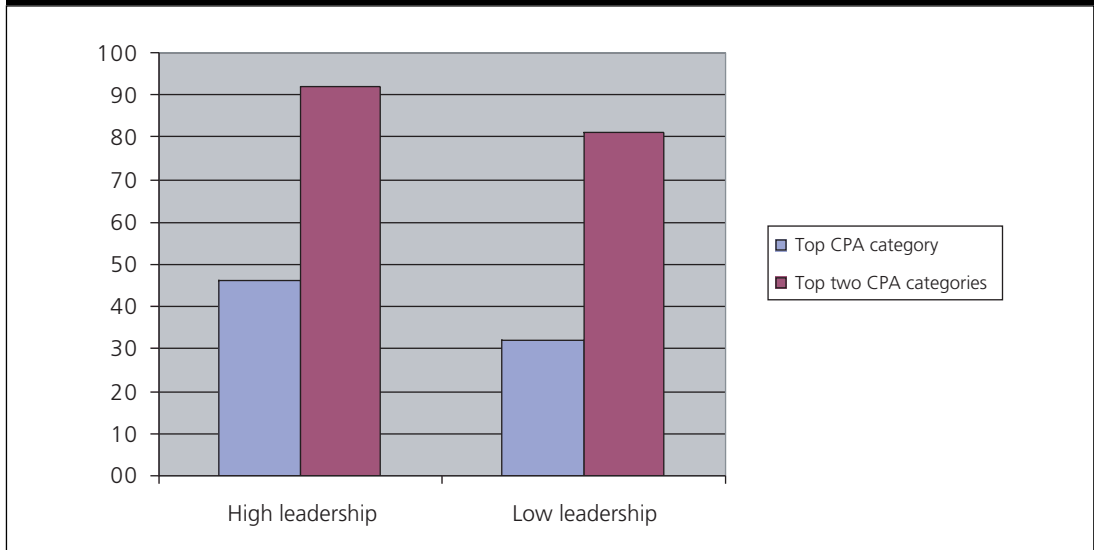


Figure 12c Consolidated leadership score 2002&2006 and CPA performance 2006 (upper-tier authorities only)



Before we discuss these findings we assess a second indicator of performance from the 2006 CPA. Figures 13a.–c. perform a similar analysis with the direction of travel scores 2006 as the measure of performance. Figure 13a shows the relationship between the number of freedoms an authority gave to its leader in 2002 and how the Audit Commission assessed its direction of travel. The highest achievable score was ‘improving strongly.’ The proportions of authorities achieving that score are shown in the blue columns. The red columns show the proportions that were judged to be ‘improving adequately.’ ‘Improving adequately’ represents the second lowest score (out of four) but it was the lowest achieved by any of the authorities that returned a complete survey. Figure 13a shows a broadly positive association between number of leader freedoms 2002 and scoring ‘strongly’ in the direction of travel 2006. A negative pattern is in evidence between leader freedoms and scoring ‘adequately’ on direction of travel, although the correlation is not statistically significant at the 10% level.

Figure 13b the relationship between the number of freedoms an authority gave to its leader in 2006 and how the Audit Commission assessed its direction of travel. Here, whilst authorities with three freedoms more frequently score in the higher category of 'improving strongly' than other authorities, they are also much more likely to score in the lower category of 'improving adequately'. Overall, the correlation between direction of travel 2006 and then number of leader freedoms 2006 is negative and statistically significant at the 10% level. Finally, Figure 13c shows the pattern between the leadership score consolidated over 2002 – 2006 and the direction of travel 2006. Here the overall pattern shows positive performance, with a moderately higher proportion of authorities in the high leadership category scoring 'improving strongly.' On the other hand there is a marginally higher proportion of authorities in the high leadership category scoring 'improving adequately.' The correlation is not statistically significant at the 10% level.

Figure 13a Direction of travel 2006 and leadership freedoms 2002 (upper-tier authorities only)

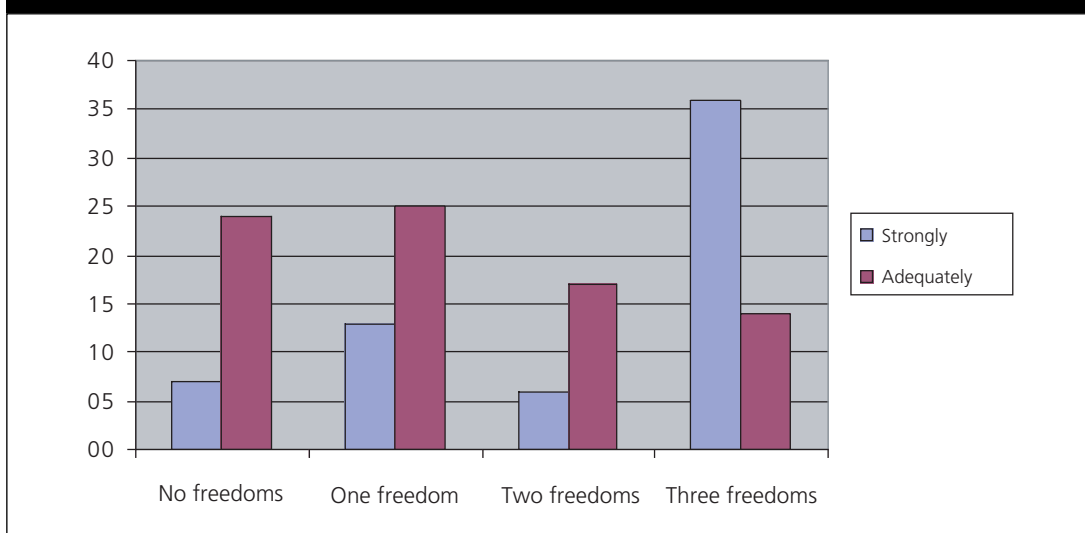
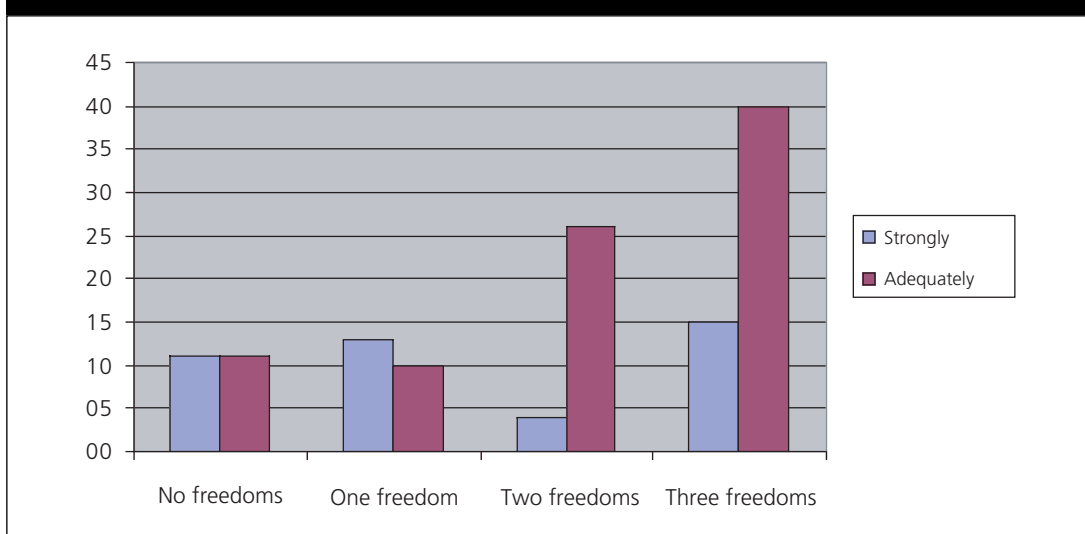


Figure 13b Direction of travel 2006 and leadership freedoms 2006 (upper-tier authorities only)





The upper-tier leader-cabinet authorities that made constitutional choices providing greater freedom to their leaders in 2002 have gained higher CPA scores in 2003, 2004 2005 and 2006 they also performed better with the 2005 and 2006 direction of travel analysis. This pattern emerges consistently throughout the CPA data presented in this section although not all of the differences are statistically significant at the 5% level and it must be remembered that the absolute numbers in some categories are quite small. The relationship between 2002 leader freedoms and 2006 CPA scores is significant at the 5% level. A different picture emerges when we look at the pattern between leadership freedoms from the 2006 census and 2006 CPA. The pattern is reversed for both the overall CPA score (marginally) and the direction of travel score with those authorities allowing more leadership freedoms in 2006 overall performing less well. The analysis of leadership scores consolidated over the two waves of the census suggests positive relationships between strength of leadership over the previous four years and performance in 2006, although the relationships are not strong.

In the next section we move away from looking at the effect of specific constitutional change on to assessing the more general argument that leadership position and stability may contribute to authority performance

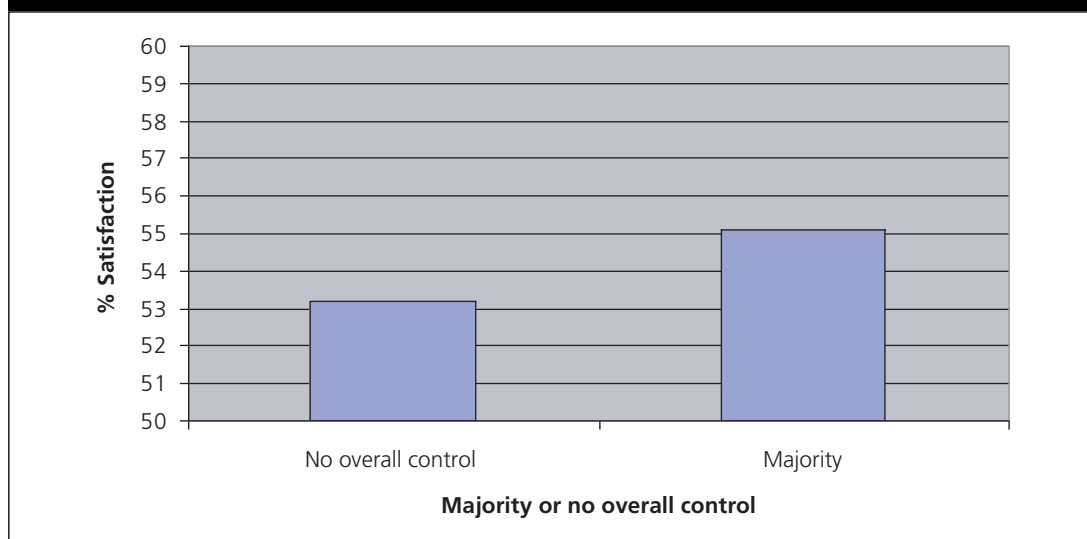
5.3 Political context

The previous analysis relates elements of the constitutional position of leaders to the performance of their councils. The wider political environment in which leaders operate may also influence their ability to develop facilitative leadership styles. An underlying assumption of the White Paper is that stable leadership is on average beneficial so we now examine some of these relationships. This analysis includes all the authorities that answered the survey not just leader-cabinet authorities. First we look at whether councils with majorities perform better than those with no majority, then we look at political stability over a four year period.

POLITICAL CONTEXT 1: MAJORITY CONTROL

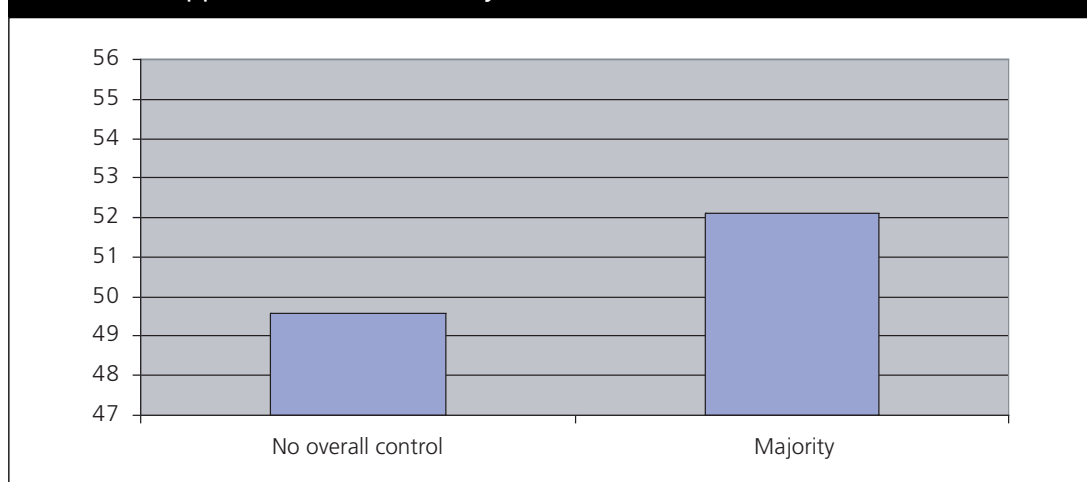
One factor that may make coherent leadership difficult is if the party group of the leader of an authority does not have an overall majority in the council. Citizen satisfaction levels are slightly higher with councils that have a majority when compared to no overall control authorities, the correlation is statistically significant at the 10% level but in absolute terms the difference is fairly small – see Figure 12.

Figure 14 Majority control 2002 and average citizen satisfaction 2003-04



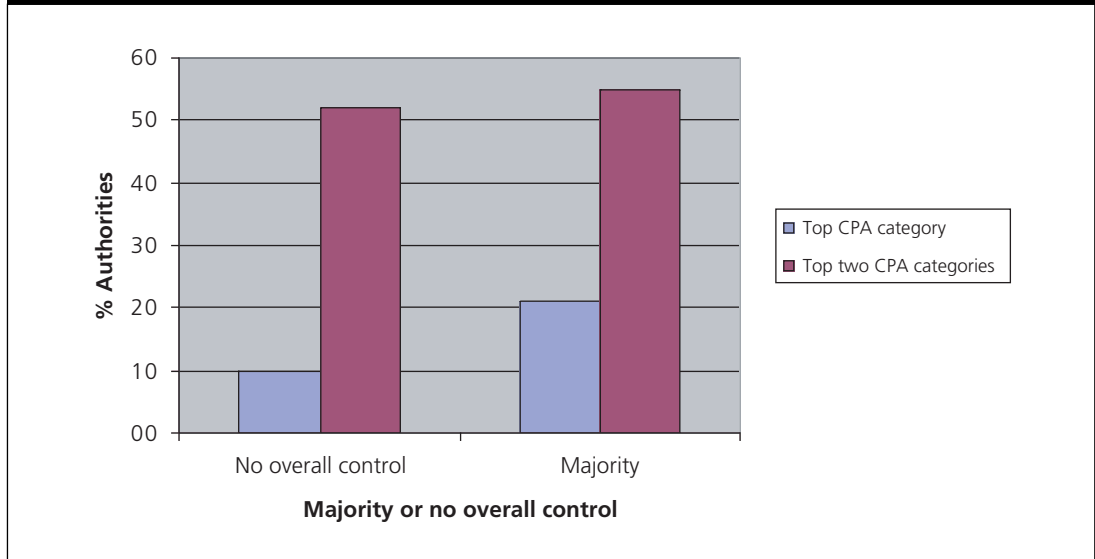
The positive association between majority control and the proportion of citizens satisfied was maintained in the upper-tier authorities in 2006 and is significant at the 5% level (see Figure 15, below).

Figure 15 Majority control 2006 and average citizen satisfaction 2006-07 (upper-tier authorities only)



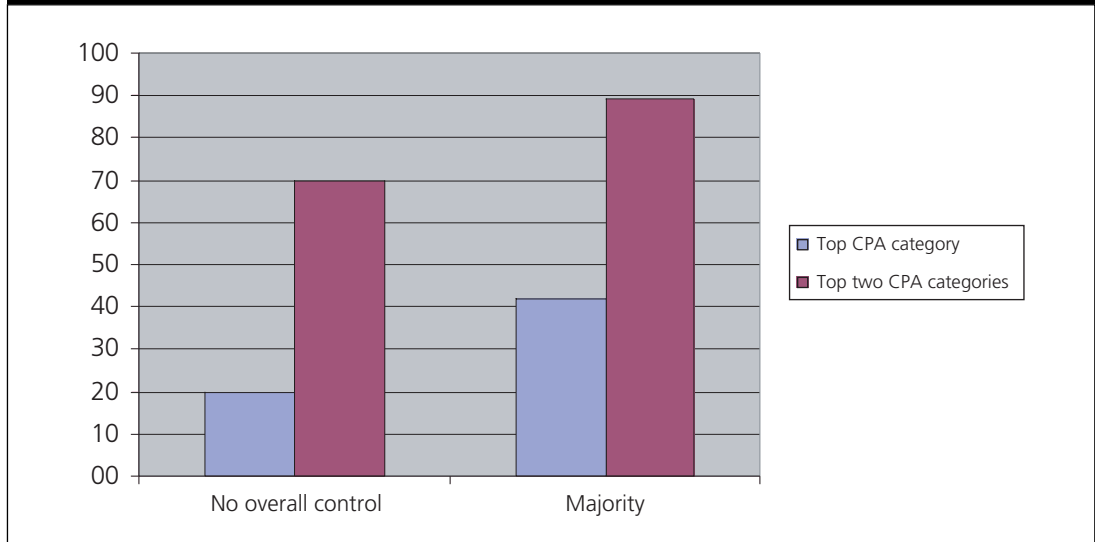
A positive relationship is also found when CPA scores are considered. Figure 16 shows that a higher proportion of councils with a majority group are in the top CPA category in 2003 when compared to no overall control authorities. This relationship is also present when comparing the top two categories of CPA, although the correlations are not statistically significant at the 10% level.

Figure 16 Majority control 2002 and CPA performance 2003 (upper-tier authorities only)



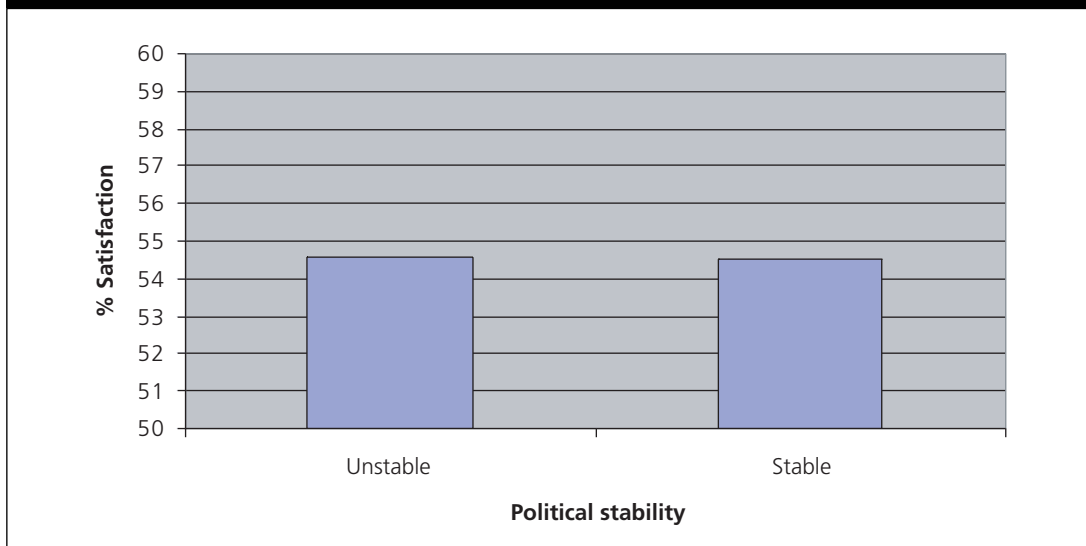
Again looking at the 2006 CPA, majority councils in 2006 are more likely to be in the top two categories and twice as likely to be in the top CPA category than non-majority authorities (Figure 17). The positive correlation between a council having majority control and the CPA 2006 score is significant at the 1% level.

Figure 17 Majority control 2006 and CPA performance 2006 (upper-tier authorities only)

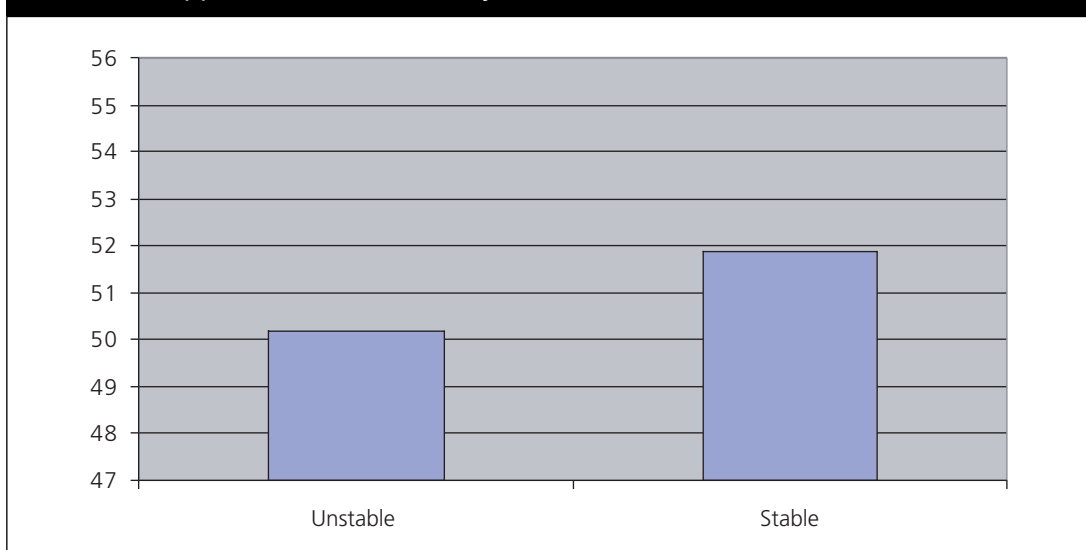


POLITICAL CONTEXT 2: POLITICAL STABILITY

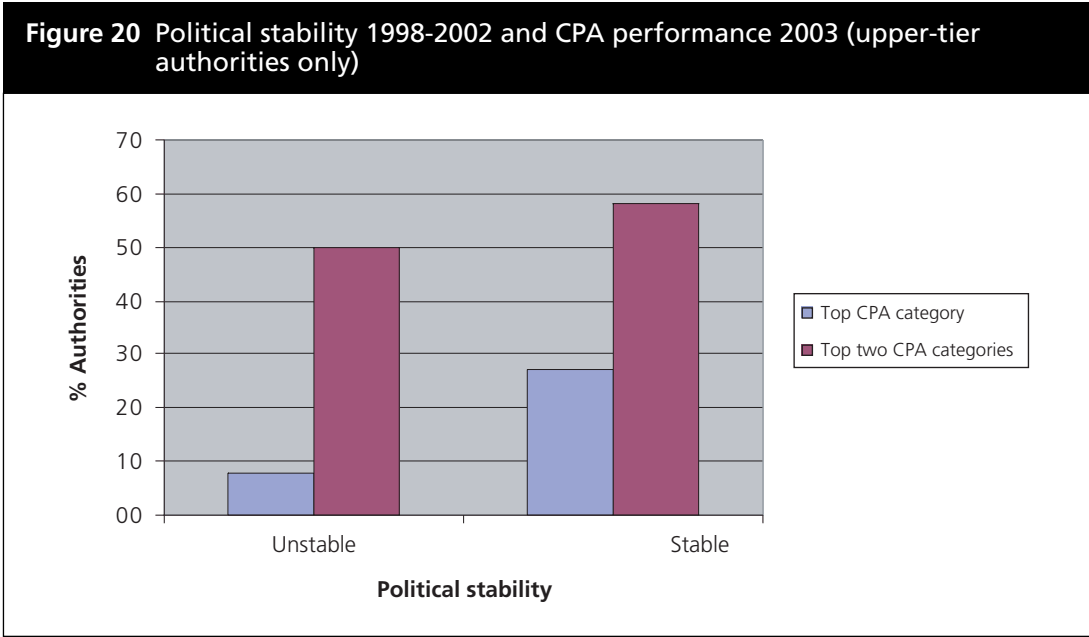
When comparing authorities that have experienced change in political control over the four years before 2002 and those that were stable the satisfaction data is marginally more positive for the authorities that had experienced political change although the difference was just over 0.1 of a percentage point, and was not statistically significant at the 10% level (Figure 18).

Figure 18 Political stability 1998-2002 and average citizen satisfaction 2003-04

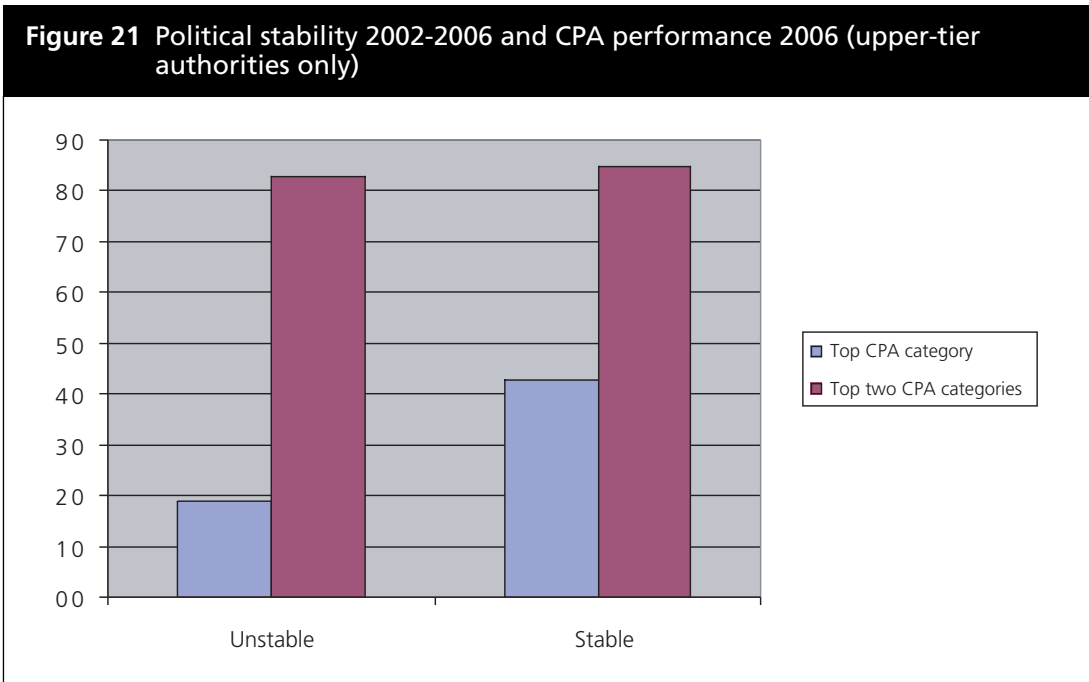
Political stability and citizen satisfaction in upper-tier authorities display a positive association in the second wave of the census survey, although not statistically significant at the 10% level (see Figure 19).

Figure 19 Political stability 2002-2006 and average citizen satisfaction 2006-07 (upper-tier authorities only)

A positive relationship is found when we look at CPA and political stability, although the correlation is not statistically significant at the 10% level. A higher proportion of authorities with stable political control are in the top category and the top two categories of the 2003 CPA than those that have experienced political change, but the correlation is not statistically significant at the 10% level (Figure 20).

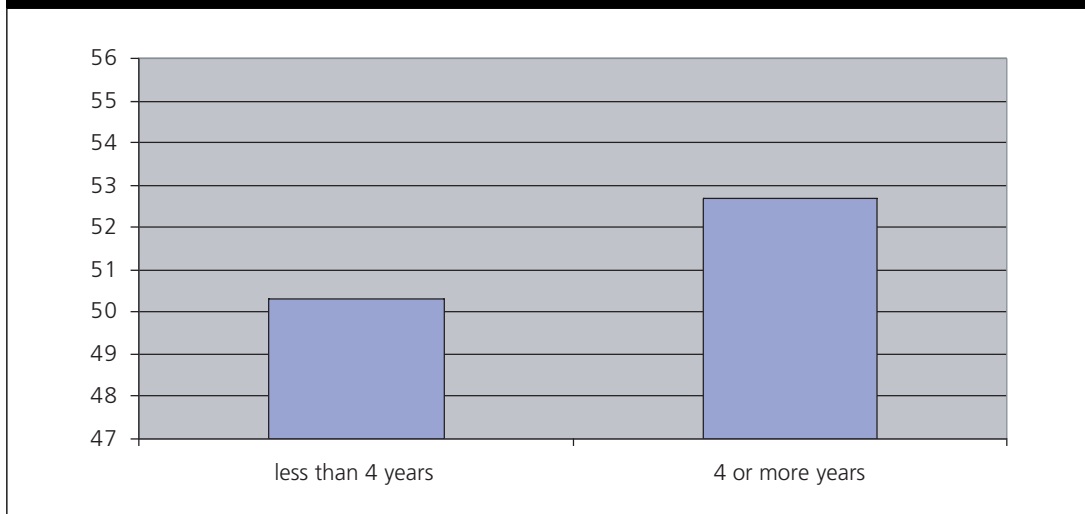


Turning now to the second wave of the ELG census, the 2006 CPA scores show a similar pattern with political stability having a positive effect. In 2006, authorities that have been politically stable over the previous four years are twice as likely to be in the highest CPA category, although there is little difference between the proportions in the top two categories (see Figure 21). The correlation is statistically significant at the 5% level.



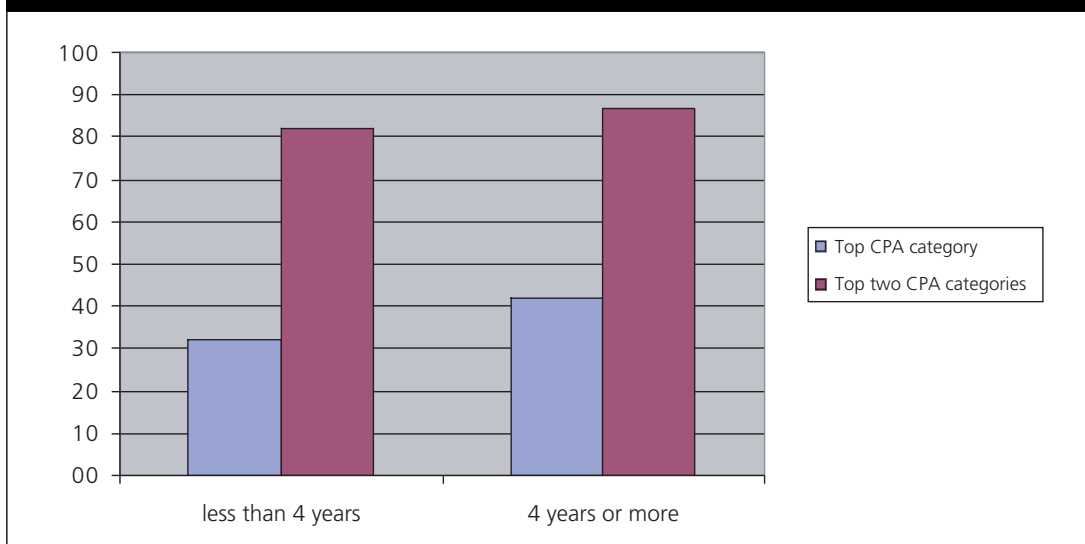
In the second wave of the census we asked a question about how long the leader had been in position. Having a leader in post for at least four years is positively associated with the proportion of citizens expressing satisfaction (Figure 22) with the council and the correlation is significant at the 5% level.

Figure 22 Leader tenure and average citizen satisfaction 2006-07 (upper-tier authorities only)



Finally, we can compare the CPA performance of an authority in 2006 and whether the leader has been in position for at least four years. Figure 23 shows that where a leader has been in position for four years or more, a greater proportion of authorities achieve the highest CPA score when compared to others. The effect is less marked when the top two CPA categories are considered. The correlation is not statistically significant at the 10% level.

Figure 23 Leader tenure and CPA performance 2006 (upper-tier authorities only)



The analysis in this section has assessed whether three characteristics associated with leader stability and strength are associated with positive performance. These three measures are all closely related to each other and it is difficult to draw strong conclusions about the different effects of the specific characteristics. However, the analysis allows us to conclude with some confidence that where an authority operates in a political context that supports stable and coherent political leadership it is more likely to perform strongly when compared with authorities in a more turbulent environment.

5.4 Indicators of democratic legitimacy: trust and turnout

The evidence presented above shows that the 2000 Act was successful in creating more visible political leadership and that leadership was successful in terms of enhancing the performance of local government. A second aim of the Act was to shore up the democratic legitimacy of local government. We suggested earlier that this has been achieved to some extent by stronger forms of leadership and greater clarity about who is making decisions. However our evidence about the impact of these changes is focused among those with the closest knowledge of the system the councillors, officers and stakeholders directly involved. In this section of the report we ask if we can see evidence of enhanced democratic legitimacy among ordinary citizens. It is rather more difficult to access robust and comparable data on this aspect of local authority working but we draw out evidence from a variety of sources below.

TRUST IN LOCAL GOVERNMENT

The Best Value surveys conducted by all authorities ask a question about how much respondents trust their local authority. To measure variation in trust we use the proportion of citizens reporting that they trust their local authority 'a great deal' or 'to some extent'. Table 32a reports this measure for leader-cabinet authorities broken down by the number of leader freedoms in 2002 and Table 32b uses the number of leader freedoms measured in 2006. Both Table 32a and Table 32b show that within the leader-cabinet authorities as a whole there is virtually no difference between the levels of trust for different strengths of leadership as measured in 2002 and 2006. In neither case is there a statistically significant correlation.

Table 32a Proportionate trust in local council by number of leadership freedoms, 2002 (all leader-cabinet authorities)

Number of leader freedoms 2002	Average proportion of citizens that trust the local council 'a great deal' or 'to some extent'	N
No freedoms	42	60
One freedom	43	69
Two freedoms	44	53
Three freedoms	44	35
All	43	217

Table 32b Proportionate trust in local council by number of leadership freedoms, 2006 (all leader-cabinet authorities)

Number of leader freedoms 2006	Average proportion of citizens that trust the local council 'a great deal' or 'to some extent'	N
No freedoms	43	47
One freedom	44	75
Two freedoms	43	66
Three freedoms	43	45
All	43	233

If the upper-tier authorities are considered separately the number of leadership powers in 2002 shows a positive relationship with the proportion of citizens expressing trust in 2006, with a correlation that is statistically significant at the 5% level (see Table 33). The relationship remains significant at the 5% level when deprivation and population size is controlled for. There is no significant relationship for the lower-tier authorities when treated separately.

Table 33 Proportionate trust in local council by number of leadership freedoms, 2002 (top-tier leader-cabinet authorities)

Number of leader freedoms 2002	Average proportion of citizens that trust the local council 'a great deal' or 'to some extent'	N
No freedoms	40	33
One freedom	41	35
Two freedoms	42	23
Three freedoms	43	14
All	41	105

There is no statistically significant relationship between the number of leader freedoms 2006 and the level of trust in a council when upper-tier authorities are treated separately. In addition, there are no statistically significant differences between the level of trust in authorities depending on whether they have a majority party in control in 2002 or in 2006.

In 2006 the average proportion trusting the ten mayor-cabinet authorities that have been in operation since 2002 was lower than for the leader-cabinet authorities (40% compared to 43%) with the alternative arrangements authorities scoring highest at 45%. However, these differences may reflect the nature of the authorities that chose the different models of political management. For example, with one exception the alternative arrangements authorities are all district authorities that had a population of less than 85 000 when the 2000 Act was implemented. Similarly, it is difficult to draw conclusions about the performance of mayoral authorities because of the small number of authorities and the lack of comparability with the population of authorities as a whole. However, when comparing these ten mayoral authorities with others of a similar type:

- two out of three of the London mayoral authorities rank in the top half of all the London Boroughs
- one of the three district mayoral authorities ranks in the top half of all the districts
- neither of the mayoral metropolitan districts rank in the top half of metropolitan districts. Indeed they hold the two lowest ranks of this group and rank lowest and fourth lowest of all authorities
- both the two unitary mayorals rank in the top half of all unitary councils

We have not included Stoke-on-Trent nor Torbay in our analysis. In the former case this is because the particular form of mayoral authority that Stoke operates is unique and may be removed from the options available in the forthcoming legislation. Torbay is excluded because it only became a mayoral authority relatively recently. Both these authorities rank very poorly relative to the other unitary authorities and relative to all authorities on this measure of trust.

In terms of the extent to which individuals trust their local councils there is little detectable difference resulting from institutional factors. The proportion of citizens expressing positive trust for their local authority is on average approximately 43% and the proportion actively expressing distrust 27%. In the context of a civic culture that appears to have an ingrained lack of trust in politicians local government's rating could be seen as not too disappointing. The joint Electoral Commission/Hansard society annual audit of political engagement reveals that overall levels of trust in politicians remain stubbornly low with only 27% saying they had a great deal or a fair amount of trust in 2003 and 2006 and the proportion of citizens saying they had no trust in politicians rising by five percentage points to encompass just under a quarter of the population during the same period (The Electoral Commission/Hansard Society, 2007, Table 17).

LOCAL ELECTION TURNOUT¹³

Turnout in English local government is difficult to calculate measure and compare. Multi-member wards can make it difficult to be sure of exactly how many different individuals have cast a vote, in some elections all seats are up for election at the same time whilst in others only a proportion of seats are available, the electoral cycles of councils differ, variation in the number of people on the electoral roll may reflect registration campaigns and over recent years there have been changes in the warding of authorities and the number of councillors elected as a result of the Boundary Committee's electoral review process.

Our analysis of turnout compares 'like with like.' This is the simplest way of comparing turnout but it has the disadvantage of requiring authorities to be split into groups for comparison. Table 33 compares turnout in London

¹³ With the exception of mayoral elections, the data used in this section was kindly provided by Nico Petrovsky at the University of Cardiff

borough council elections by leadership strength. It shows no consistent pattern across the leader freedoms in terms of turnout 2006, although those where councils give all three leadership freedoms turnout appears to be lower. In terms of the percentage change in turnout those with fewer freedoms appear to have increased to a greater extent.

Table 34 Average turnout in London boroughs 2006 and percentage change since 2002, by number of leadership freedoms 2002

	Average turnout 2006	Average percentage point change since 2002	N
No freedoms	38	+6.1	5
One freedom	39	+8.5	10
Two freedoms	40	+3.2	4
Three freedoms	30	+2.2	2
<i>All London borough leader-cabinet census responses</i>	38	+6.4	21
<i>All London borough council elections</i>	37	+6.3	32

Table 35 shows similar data for county councils broken down by number of leader freedoms. There is no obvious relationship between turnout and strength of leadership in counties.

Table 35 Average turnout in county councils 2005 and percentage change since 2001, by number of leadership freedoms 2002

	Average turnout 2005	Average percentage point change since 2001	N
No freedoms	65	+1.9	7
One freedom	64	+1.2	8
Two freedoms	64	+2.2	7
Three freedoms	63	+1.5	4
<i>All county council leader-cabinet census responses</i>	64	+1.7	26
<i>All county councils</i>	64	+1.4	32

Table 36 present the same data for metropolitan borough councils and shows again little discernable pattern relating turnout 2006 or percentage change in turnout to the number of freedoms a council gives to its leaders.

Table 36 Average turnout in metropolitan district authorities 2006 and percentage change since 2002, by leader freedoms 2002

	Average turnout 2006	Average percentage point change since 2002	N
No freedoms	34	+3.8	13
One freedom	36	+0.3	10
Two freedoms	32	+2.9	3
Three freedoms	33	+4.1	2
<i>All Metropolitan district leader-cabinet census responses</i>	34	+2.5	28
<i>All Metropolitan districts</i>	35	+2.3	36

It is very difficult to draw comparisons about turnout in unitary authorities because there is more variety in the electoral systems and cycles when compared to the other top-tier authorities. For example, 24 out of the 46 unitary authorities had one 'all-out' election over the period 2001 to 2006, whilst some have had two elections, some have had four and some five. Table 37a. shows the turnout at the most recent election in unitary authorities (not including 2007). The two unitary authorities that held all-out elections in the same year as the general election have substantially higher turnout. The average turnout was higher in those unitary authorities that held all-out elections in 2003 than in those authorities that held elections by thirds in 2006. As with the other types of authority there is little difference in terms of turnout between authorities giving greater leader freedoms. Table 37b shows this data – the two authorities that held elections in 2005 are excluded.

Table 37a Average turnout in unitary authorities in most recent election¹⁴

	Average turnout 'most recent election'	N
All	38	44
Latest election 2003 'all-out'	39	24
Latest election 2005 'all-out'	60	2
Latest election 2006 'thirds'	34	20

¹⁴ Not including 2007

Table 37b Average turnout in unitary authorities 2003 or 2006, by number of leadership freedoms 2002

	Average turnout most recent election	2003 all out	2006 partial	N
No freedoms	38	4	3	7
One freedom	36	3	3	6
Two freedoms	36	4	4	8
Three freedoms	37	3	3	6
<i>All Unitary leader-cabinet census responses</i>	37	14	13	27

MAYORAL ELECTIONS

Of the models of political management made available to local authorities the mayoral model was the only one which had direct implications for local elections. Table 38 show the number of first preference votes and turnout for each mayoral election.

In addition to their small number, analysis of turnout at mayoral elections is complicated by the fact that a number occurred on the same day as a general election vote in 2005 and there have been a number of electoral pilot studies influencing the mayoral elections (Table 39). Whilst the three largest increases in turnout occurred in the four mayoral elections that coincided with the 2005 general election there have been increases in six of the seven other authorities. The elections in Bedford and Mansfield in particular have seen increases of greater than 10 percentage points. In fact turnout in Mansfield almost doubled between 2002 and 2007. The increases in turnout were slightly larger in London's mayoral elections than the average increase in London (see Table 34). The only deterioration in turnout is found in Middlesbrough where turnout was over 10 percentage points lower in 2007 when compared to 2002.

Table 38 Mayoral elections 2002 to 2007		
	First preference votes	Turnout
<i>Districts</i>		
Bedford 2002	27,713	25.3
Bedford 2007	43,525 ^a	38.2 ^d
Change	+15,808	+12.9
Mansfield 2002	14,043	18.5
Mansfield 2007	26,383 ^a	34.2 ^a
Change	+12,340	+15.7
Watford 2002	22,170	36.1
Watford 2006	23,385	38.1
Change	+1,215	+2
<i>Metropolitan boroughs</i>		
Doncaster 2002	58,487	27.1
Doncaster 2005 [†]	108,946 [†]	54.5 [†]
Change [†]	+50,459 [†]	+26.1 [†]
North Tyneside 2002	60,865	42.3
North Tyneside 2003	42,906 ^b	31.4 ^b
North Tyneside 2005 [†]	84,751 [†]	61.4 [†]
Change (2002-2005) [†]	+23,886 [†]	+19.1 [†]
<i>London boroughs</i>		
Hackney 2002	32,925	25.2
Hackney 2006	44,452	32.9
Change	+11,526	+7.7
Lewisham 2002	44,518	24.8
Lewisham 2006	58,700	33.0
Change	+14,182	+8.2
Newham 2002	40,147	25.5
Newham 2006	59,820	34.5
Change	+19,673	+9
<i>Unitaries</i>		
Hartlepool 2002	19,544	28.8
Hartlepool 2005 [†]	33,795 [†]	51.0 [†]
Change [†]	+14,251 [†]	+20.9 [†]
Middlesbrough 2002	41,994	41.6
Middlesbrough 2007	29,753 ^a	29.8
Change	-12,241	-12
Stoke on Trent 2002	43,994	24.0
Stoke on Trent 2005 [†]	82,950 [†]	50.8 [†]
Change [†]	+38,956 [†]	+26.8 [†]
Torbay 2005	24,456 ^c	23.9% ^c

[†]General election year

Sources: Unless otherwise indicated the sources for this data are LGC Elections website accessed May 2007 for the second round of elections and Rallings et al. (2002) for the first round.

^a Provided by DCLG; ^b *UK election statistics: 1945-2003* House of Commons Library July 2003; ^c From New Local Government Network; ^d Size of electorate provided Council

Table 39 Electoral pilots in mayoral elections 2002 – 2007

Authority	Type of pilot
<i>2002</i>	
Hackney	All postal
Middlesbrough	All postal
Newham	Early voting/mobile voting/automated voting/language other than English
North Tyneside	All postal
Stoke-on-Trent	All postal
<i>2006</i>	
Lewisham	Early voting/electronic counting/signature required
Newham	Early voting/mobile voting/automated security check
<i>2007</i>	
Bedford	Early voting/electronic counting/signature required

Source: compiled from Electoral Commission website

It is difficult to offer a strong conclusion in the light of these findings. There appears to have been a general increase in local election turnout over the last few years. All but one of the mayoral authorities have also seen an increase. However, in most authorities there have only been two mayoral elections and it is difficult to assess whether there has been a real shift from the past. We know from wider studies of turnout that a range of factors can affect the propensity of people to vote including the socio-economic make up of areas, the degree of effective mobilisation by political parties and other agencies and the closeness of any electoral competition. What it appears we can say in the context of our study is that changing the leadership form does not have a strong impact of the decision to vote or not vote by citizens.

CHAPTER 6

Conclusions

The Local Government Act 2000 introduced a major change in the organisation of, and decision-making in, local government. It introduced new roles and relationships between executive and non-executive councillors, councillors and officers and the authority and its stakeholders and the public. The qualitative and quantitative evidence gathered by ELG to date provides a consistent picture of change with regard to the numerous outcomes of the Act.

There is general agreement that the aim of enhancing effective leadership has been met and that the new executive arrangements have bedded down well, thus providing more visible and effective leadership and quicker decision-making which is in turn associated with better service delivery.

The 2000 Act has made some positive contributions towards democratic renewal, for example through better visibility of portfolio holders (especially mayors). Although there are examples of innovative practice regarding community leadership and public involvement, there is less agreement that these features have been successfully developed. The diversity of elected representatives has not significantly altered and the role of non-executives has not bedded down. Respondents in mayoral authorities are more positive than other respondents about outcomes relating to community leadership, public involvement and diversity and more optimistic about the impact on public confidence.

The checks and balances introduced by the Act are working, although a variable picture has emerged. Officers are typically more positive than councillors about the transparency of decision-making. The scrutiny function, although underdeveloped, is improving from a low base. It is the case that scrutiny works best and is most robust where resources are committed. The standards arrangements are also working and are seen as an effective mechanism for providing the appropriate checks and balances.

Taken together our findings show a consistent relationship between, on the one hand, authorities with stable political leadership and authorities that have over a period of time given the full range of powers to their leaders and, on the other hand, better service performance and greater citizen satisfaction. Our findings also suggest there may be strengths in the mayor-cabinet model in developing a facilitative leadership which is more visible to the public, better equipped at delivering partnership and able to provide both open and accountable decision-making that is also efficient and focused.

However our findings suggest that the impact of changes on citizen's sense of trust in local government or electoral turnout have been limited. Local government retains a modest level of trust among citizens and the 2000 Act has

done little to change the picture. There are some positive signs from the mayoral elections but a general pattern is hard to discern. Institutional changes such as those embodied within the 2000 Act, not surprisingly, appear to be more effective in grappling with the dynamics and processes of our political system rather than ingrained features of our political culture.

We are given additional confidence in our findings because the outcome and impact evidence are aligned. The outcomes data driven by qualitative interviews and the sample survey data indicated that the local government community and those close to it could see that the 2000 Act changes had at best only partially achieved the aim of enhancing democratic legitimacy and the impact data we subsequently collected confirmed that finding.

This observation leads us to a wider reflection on what it is reasonable to expect the kind of institutional changes ushered in by the 2000 Act to achieve. The greatest positive impact has been on the construction and effectiveness of political leadership in local government. Here the reforms went with the grain of past practice to a degree because an informal leadership group had existed in many councils prior to the Act but the changes introduced by the Act have solidified the role of political leadership and even relatively minor differences in the powers available to leaders and their tenure appear to have a significant impact on the performance of councils and the satisfaction of citizens.

A more modest impact has emerged around the various roles of non-executive councillors with overview and scrutiny improving from a low base and only modest evidence of non-executive councillors developing different more effective roles and no evidence on any increase in the diversity of citizens attracted to the role. In part the institutional change in the role of non-executive councillors was more challenging because it went against the grain of past practice that viewed all councillors, at least formally, as equals. The incentives and resources to encourage changed behaviour among non-executives appear to have been weaker than those applied to leadership roles and the result has been less change. Councillors who are not on the executive still appear to spend a great deal of time (indeed possibly more time than before the 2000 Act) on business connected to the internal activities and concerns of councils.

The area of least change ushered in by the 2000 Act has been in the attitudes and outlook of ordinary citizens. Neither in terms of public trust nor voter turnout can we detect any significant impact of the 2000 Act. In our view this is not a surprising result since the relatively modest institutional changes embedded in the Act were never likely to shift ingrained cultural attitudes. What we can conclude is that the Act has not made the situation any worse. People still trust their councils to a fair degree but turnout has only changed relatively little in local elections.

Another general observation is that our evaluation of the 2000 Act confirms local government's ability to implement institutional changes effectively. The measures to install overview and scrutiny, forward plans, call-in powers and new standard arrangements have all been put in place with relatively little difficulty. There remain concerns about how well each of these new elements are working across all authorities but the basic introduction of change appears to have been handled with considerable competence by local authorities and there appears to

be an appetite for further change as local authorities seem keen to continue to tinker with their constitutional arrangements.

Further change is indeed on the way and reflects the Government's judgement about the impact of the 2000 Act and where further change might be needed. The 2006 White Paper takes forward arguments to strengthen further local leadership developed in the *State of English Cities Research Study* (2006) and the *Lyons Inquiry into Local Government* (2006). Both reports stress the importance of the stability of local leadership, and the benefits demonstrated by local leaders engaging and encouraging partnership working and public engagement in localities. The White Paper argues for local authorities to play a key role in shaping and leading their communities. But it notes that 'the framework in which local authorities operate can still be a barrier to effective governance that provides the representation and leadership that people have the right to expect' (Communities and Local Government, 2006, para 3.3). As the White Paper comments, getting the right quality and calibre of leadership for our communities is a challenge. Many localities are very well served by their councillors but non-executive councillors too often feel that they are short of influence in their neighbourhoods and too many leaders of councils lack the mandate and capacity to take tough decisions. Yet leadership is by common consent central to effective local government. We would argue that our evidence is broadly supportive of this assessment of where we stand in local government today.

The White Paper proposes a number of specific measures to strengthen local strategic leadership in local authorities by allowing councils to adopt one of three executive models: a directly elected mayor, a directly elected executive and an indirectly elected leader, each with a four year term. The White Paper proposes not only to reshape the form of local leadership but to give it more substance because in each model 'all executive powers will be vested in the mayor or leader who will have responsibility for deciding how these powers should be discharged' (Communities and Local Government, 2006, para 3.20). In addition, the mayor or leader will be responsible for choosing his or her cabinet, although in the case of the directly elected collective executive this choice will have been made by of the leader standing as part of the slate of candidates. Mayors or leaders will also be responsible for allocating cabinet portfolios. Thus what was discretionary under the 2000 Act, giving leadership powers that some councils exercised, will be made mandatory in 2007. Our research into how these discretionary powers were exercised since 2000, suggests that giving more powers and greater stability to council leaders will indeed be a positive step at least in terms of its likely impact on service effectiveness and citizen satisfaction. And although few in number we have seen positive signs of encouragement from the form of leadership provided by mayors. In so far as the White Paper makes it easier for more authorities to go down the mayoral route, our evidence would again suggest this is a valuable step.

Alongside a strengthening of strategic leadership the White Paper proposes measures to enhance the capacity of non-executive councillors for local leadership. The White Paper argues for a championing of the role of councillors as community leaders and proposes amending the rules on personal and prejudicial interests to remove barriers to councillors speaking up for their

constituents. In addition, non-executive councillors will have a key role in supervising and supporting the Community Call for Action process, whereby citizens can petition for action by their local authority. Given our recognition in our research of the limited impact in transforming the role of non-executive councillors these measures in the White Paper that might strengthen their role are to be welcomed. We also note the wider inquiry that has been established under the chairmanship of Dame Jane Roberts to investigate the attractiveness of the role of the councillor to a wider range of citizens and support further exploration of this issue in the light of our research. The big issue among many that could be addressed that emerges from our research is the continuing large-scale time commitment embedded even in the role of non-executive councillors of on average 75 hours per month on average. We cannot but think that until this issue is addressed then councillors are going to continue to be recruited from a relatively small pool of citizens that are willing and able to make that scale of time commitment.

The White Paper on 'Strong and Prosperous Communities' addresses many of the strengths and limitations of the current decision making structures identified in our research. The evidence presented in this report on the outcomes and impacts of the 2000 Act provides a sound basis for proceeding with the proposals around council constitutions subsequently embodied in the *The Local Government and Public Involvement in Health Bill* going through Parliament this session.

REFERENCES

Armstrong, H. (1999) 'The Key Themes of Democratic Renewal' *Local Government Studies* 25(4) 19-25

Copus, C. (2004) *Party Politics and Local Government*, Manchester, Manchester University Press.

Department of Communities and Local Government (2006) *Strong and Prosperous Communities*, London, Department of Communities and Local Government.

Department of the Environment, Transport and the Regions (DETR) (1999) *Local Leadership, Local Choice* London: Department of the Environment, Transport and the Regions.

Gains, Francesca (2004) *The Implementation of New Council Constitutions in Alternative Arrangement Authorities* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Gains, Francesca (2005) *The Implementation of New Council Constitutions in Hung Authorities* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Gains, Francesca (2006) *Early Outcomes and Impacts: Qualitative Research Findings from the ELG Evaluation of the New Council Constitutions* London: Department for Communities and Local Government.

Gains, Francesca, Stephen Greasley and Gerry Stoker (2004) *Summary of Research Evidence on New Council Constitutions on Local Government* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Greasley, Stephen (2006) *'The Implementation of the New Ethical Framework in English Local Authorities: a process evaluation'* Available at: www.elgnce.org.uk

Greasley S , 2007 forthcoming *Report of the 2006 Census Survey*, (Available at: www.elgnce.org.uk)

Gyford, J. Leach, S. and Game, C. 1989. *The Changing Politics of Local Government*. London, Unwin Hyman.

John, Peter (2005) *Stakeholders and Officers and the New Council Constitutions* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

John, Peter and Francesca Gains (2005) *Political leadership under the New Political Management Structures* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

LGA/IDeA (2007) *National Census of Local Authority Councillors in England 2006*. Slough, National Federation for Educational Research.

Pimlott, Ben and Rao, Nirmala (2002) *Governing London*. Oxford, Oxford University Press.

Rao, Nirmala (2005) *Councillors and the New Council Constitutions* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Rallings, C., Thrasher, M. and Cowling, D. (2002) 'Mayoral Referendums and Elections' *Local Government Studies* 28 (4) 67-90

Stoker, Gerry (2004) *How Are Mayors Measuring Up?* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Stoker, Gerry, Francesca Gains, Peter John, Nirmala Rao and Alan Harding (2003) 'Implementing the 2000 Act with Respect to New Council Constitutions and the Ethical Framework: First Report' Available at: www.elgnce.org.uk

Stoker, Gerry, Francesca Gains, Stephen Greasley and Peter John (2005) 'Measuring the Outcomes and Impacts of the New Council Constitutions: Developing an Evaluation Framework' Available at: www.elgnce.org.uk

Stoker, Gerry, Francesca Gains, Stephen Greasley and Peter John (2006a) 'Measuring the Outcomes and Impacts of New Council Constitutions: A Final Evaluation Framework' Available at: www.elgnce.org.uk

Stoker, Gerry, Francesca Gains, Stephen Greasley, Peter John and Nirmala Rao (2004) *Operating the New Council Constitutions in English Local Authorities: A Process Evaluation* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Stoker, Gerry, Francesca Gains, Stephen Greasley, Peter John and Nirmala Rao (2006b) *Councillors, Officers and Stakeholders in the New Council Constitutions: Findings from the ELG 2005 Sample Survey* London: Department for Communities and Local Government

Stoker, Gerry, Peter John, Francesca Gains, Nirmala Rao and Alan Harding (2002) *Report of the ELG Survey Findings for ODPM Advisory Group* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Stoker, Gerry, Peter John, Francesca Gains, Nirmala Rao and Alan Harding (2003) *Diversity under New Council Constitutions* London: Office of the Deputy Prime Minister (also available at: www.elgnce.org.uk).

Young, Ken and Nirmala Rao (1993) *Coming to Terms with Change: The Local Government Councillor in 1993* York: The Joseph Rowntree Foundation.

INTERNET SOURCES

Data from the *National Census of Local Authority Councillors 2006*

<http://www.lgar.local.gov.uk/lgv/core/page.do?pageId=23372>

Information on election pilots was collected from the Electoral Commission website

<http://www.electoralcommission.org.uk/elections/modernising.cfm>

Torbay Mayoral Election data from New Local Government Network:

<http://www.nlgn.org.uk/public/elected-mayors/election-results/candidates-in-mayoral-elections-may-2005/>

LGC Elections Centre Website:

http://www.research.plymouth.ac.uk/elections/elections/2005_results_content.htm

APPENDIX A

CHANGES IN POLITICAL MANAGEMENT OVER THE PREVIOUS TWO YEARS, COUNCILLORS, OFFICERS AND STAKEHOLDERS

<i>Agree/strongly agree that...</i>	Councillors %	Officers %	Stakeholders %
Decision-making is quicker	49	62	31
The role of leader has become stronger	69	76	59
The leader of the council has a higher public profile	63	67	50
It is easier to find out who has made specific decisions	39	56	30
The public is more involved in decision-making	15	17	22
The council is better at dealing with cross-cutting issues	36	53	36
The council's relations with partners has improved	42	53	47
It is easier to find out about council policy	46	66	50
Backbench members are more engaged	12	9	12
Political parties dominate decision-making more	54	35	40
It is easier for women to become involved in council business	29	15	19
It is easier for ethnic minorities to become involved in council business	23	14	22
Issues of ethical conduct have a higher profile	42	43	38

APPENDIX B

CHANGES IN POLITICAL MANAGEMENT OVER THE PREVIOUS TWO YEARS, MAYORAL AND NON-MAYORAL, COMBINED SAMPLE

<i>Agree/strongly agree that...</i>	Non-Mayor %	Mayor %	Base	Statistical significance
Decision-making is quicker	46	61	(1712)	***
The role of leader has become stronger	69	79	(1722)	***
The leader of the council has a higher public profile	59	82	(1727)	***
It is easier to find out who has made specific decisions	40	48	(1724)	***
The public is more involved in decision-making	16	30	(1731)	***
The council is better at dealing with cross-cutting issues	40	48	(1724)	**
The council's relations with partners has improved	46	57	(1699)	*
It is easier to find out about council policy	51	59	(1748)	n/s
Backbench members are more engaged	11	12	(1755)	n/s
Political parties dominate decision-making	47	29	(1750)	***
It is easier for women to become involved in council business	22	34	(1748)	***
It is easier for ethnic minorities to become involved in council business	16	34	(1733)	***
Issues of ethical conduct have a higher profile	41	43	(1733)	n/s

n/s = non significant difference; * = $p < .05$; ** = $p < .01$ and *** = $p < .001$

APPENDIX C

Methodological Note

STATISTICAL SIGNIFICANCE

Statistical significance is used to judge whether relationships found in the data are likely to have happened by chance. We report three levels of test – significance at the 5% level ($p < .05$) means that a relationship would only be expected to happen by chance one time out of twenty; significance at the 1% level ($p < .01$) would only be expected to happen by chance one time out of 100; significance at the 0.1% level ($p < .001$) would only happen by chance one time out of 1000.

Relationships that are statistically significant are not necessarily causal in nature and are not necessarily *politically* significant.

The significance is presented in three different ways. Where a table presents one relationship that is subject to a statistical test the result is reported at the base of the table. Table 1 (p.29) is an example, the relationship is significant at the 0.1% level ($p < .001$).

In some of the tables summary statistics for a number of relationships are reported e.g. Table 5, p 39. In these tables a separate statistical test is applied for each relationship, the tests are reported in the final column of the table and there is a key to their interpretation underneath the table. For example, in Table 5 each row is labelled n/s – none of the relationships are statistically significant.

Finally, where a relationship is presented graphically the statistical significance is reported in the text.

Tests have not been conducted when institutional features of mayoral authorities are compared with other types of authority. This is because the councils that selected the mayoral model are dissimilar to the population as a whole and are small in number.