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FROM CITY HALL TO CITIZENS' HALL

Democracy, diversity and
English devolution

CHRIS TERRY

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Credit: Gus Palmer

FOREWORD

By Katie Ghose, Chief Executive, Electoral Reform Society

Our democracy has a tendency to slide into moments of profound constitutional change – often without a great deal of public debate. The steady and, in some ways inconspicuous, march of English devolution is no exception to this.

This May, we will see the first fruits of this push. And while bringing powers closer to communities is to be welcomed – the nature of the new institutions being created as part of this process has gone largely ignored.

The ERS has consistently called for real citizen involvement in this process – and has been asking: where have the public been in this debate? Often, it is local residents who have been left out of the negotiating room – with deals made behind closed doors that will have ramifications for years to come.

However, much of the rhetoric around devolution has, perhaps understandably, focused purely on the economics. Yet with huge sums of money in the hands of the new authorities, it's vital that power is held to account, scrutinised, and that the voters can have a real say between elections on what is done with their money.

So there are still massive ramifications for democracy. How are the new mayors and combined authorities elected? Who will hold them accountable? And how will those scrutineers in turn be chosen?

How they are picked will have a huge bearing on what kind of people will have power in this new constitutional framework. There's a danger that if ignored, the new bodies could simply be a microcosm of problems in wider politics, or even worse: they could magnify them. What happens if the new mayors and cabinet members are the same as those who previously had power – only with less accountability?

So we could be witnessing a moment where we are adopting a major new governance model, yet without real public buy-in and participation.

The move towards mayors – single, powerful office-holders – needn't be a negative thing however. London's mayor is well embedded, with a directly-elected Assembly holding that person to account. The local mayors voluntarily brought in pre-devolution across England have been perhaps less successful.

And as England prepares to elect six mayors to city-regions, we mark a shift to a more presidential style of decision-making. Yet this next year could be a make-or-break moment for the roles.

This report looks at the model of governance mayors will work within – and asks, what does this mean for political and public scrutiny when additional powers are being taken on? And what will the representative make-up of the new institutions look like?

Public involvement in this next phase of devolution is essential if it is to last, to be sustainable rather than built on the sand of press-releases and boardroom statements.

So what scope is there for public involvement – not only in electing mayors but more fundamentally in shaping how local democracy works in 21st century England?

The ERS has been vocal in pointing out the solely economic focus of devolution – and the corresponding lack of attention to the democracy of devolution. With the public largely shut out of the process, and models imposed rather than chosen, so far citizen involvement in the constitutional future of their own areas has been minimal.

In places where mayors are to be elected, there are now fresh opportunities for the new leaders to open up their doors. It's all the more important given there will be no directly elected assembly (as in London) in any of the six regions. While this can't be changed before the elections, it's not too late for those figures to pledge action on opening up City Hall and letting the people in.

And in areas where devolution could still be on the cards, there is an opportunity for Theresa May's government to take a fresh approach to involving citizens. Democracy was a key theme in the EU referendum – that should not have ended on June 23rd 2016.

There are practical models – including Citizens' Assemblies and voters' juries or panels – to show how citizens could be involved. There are also lessons to learn from other countries, where the

focus on the city as a key economic driver is also stimulating new or evolving models of governance.

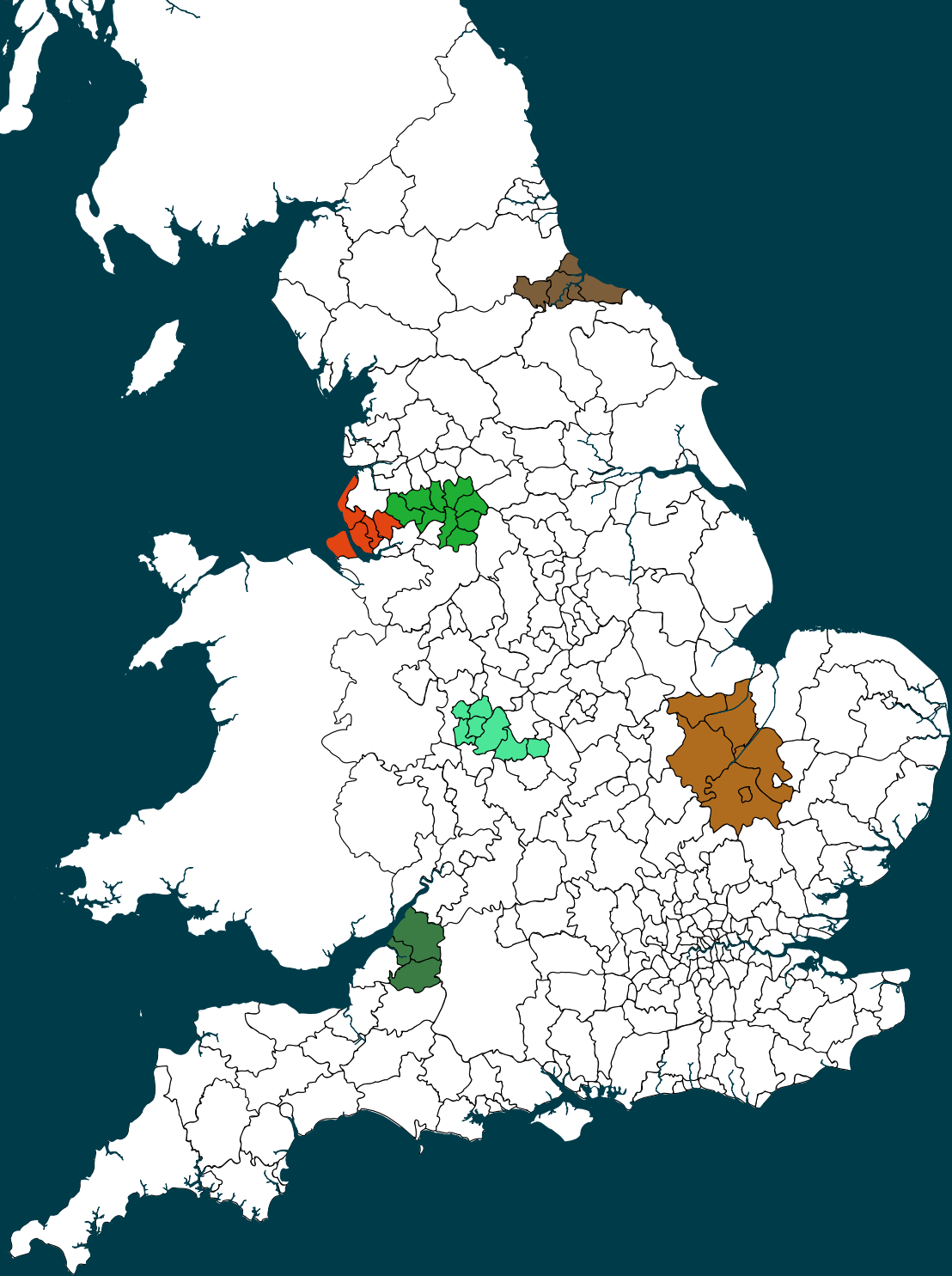
Thinking about all this is all the more important as the conversation starts about where powers will go after Britain leaves the EU. And while there are on-going talks about a further referendum in Scotland, now is absolutely the time to think about the democratic state of affairs in England.

It's so important we get this right. Mistakes made now can ripple down the years and cause serious trouble. So let's ensure all voices are heard – for a lasting devolution settlement, where voters feel that they are part of the plan, and that the new mayoral models are not a short-term fad but a source of long-term civic pride.

There are real, practical things that can be done to help make that happen. We hope policy-makers and the new mayors, cabinets and scrutiny bodies listen to our recommendations to ensure English devolution is the gold standard of local democracy in this exciting period of constitutional change.

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INTRODUCTION

On the 4th of May, city-region mayors will be elected in six areas for the first time – Cambridgeshire and Peterborough, Greater Manchester, the Liverpool City-Region, Tees Valley, and in the city-regions centred on Bristol and Birmingham.

These elections will represent an important staging post in what is perhaps the greatest shake-up of the governance of England in decades: devolution of power to combined authorities covering regions, especially city-regions, and regional mayors.

These new combined authorities will hold some notable powers, with Greater Manchester the most powerful, with powers over healthcare, employment and policing.

There have been elected mayors in the UK since the 2000 Local Government Act and the 1999 Greater London Authority Act each created directly-elected mayors.

These mayors are often conflated, but are quite different in several respects.

The Local Government Act 2000 enabled councils to introduce a directly-elected mayor to replace the council leader, initially after a referendum, but since 2007 councils have been able to change without this recourse.

This therefore results in a much more presidential style, governing being focused more around a single figure than had previously been seen at any level of government in the UK. A directly-elected head of the executive is, in theory, imbued with moral clout and a mandate from a wide pool of voters.

This reform also changed the nature of the role of councillors. Whereas in previous, committee-style forms of administration councillors were much more directly involved in decision-making, in the mayoral model councillors become more scrutinisers of the mayor and his or her executive. At the time of writing sixteen¹ out

¹ The sixteen are Bedford, Bristol, Copeland, Doncaster, Hackney, Leicester,

of almost three hundred and fifty English and Welsh local authorities have chosen to adopt the mayoral model.

Related to this, the creation of the Greater London Authority in 2000 saw the introduction of a mayor for the Greater London region.

As a previous body did not exist (the Greater London Council having been abolished in 1986) new structures had to be created. The Mayor heads an administration scrutinised by the London Assembly, a 25-member institution elected by the Additional Member System, also used to elect the Scottish and Welsh devolved institutions, resulting in some of the most proportional elections in the UK.

The choice of this system, rather than the First Past the Post systems used in local elections, reflected the role of Assembly Members as scrutinisers of the executive first and foremost. The risk of a single party majority London Assembly, which a majoritarian electoral system would promote, was that it could weaken scrutiny were the Assembly and Mayorality controlled by one party. Diversity was designed into the process, and, hence, a focus on ensuring scrutiny of the executive from a wide variety of viewpoints.

The London Mayorality is different from the local mayoralties in respect of size, role and scrutiny arrangements. The Mayor of London is charged with an executive governing role over a city of 8.5 million, and local borough councils retain their traditional powers. Indeed, four London boroughs have adopted mayors of their own². It seems the London mayorality has been reasonably engaging. Turnout across the five mayoral elections since its establishment has averaged at forty per cent, higher than the average of thirty-seven per cent for borough council elections not held alongside a general election. Turnouts have also broadly increased with time: the 2016 election saw a turnout of 45.3%, the joint highest since the mayorality's establishment and the same as the Welsh Assembly election that year.

Mayoral models have often been promoted as a vital step forwards for governance and an important engine of growth in a new politics of place. In the run-up to a series of referendums on directly-elected local authority mayors in 2012, the then Prime

Lewisham, Liverpool, Mansfield, Middlesbrough, Newham, North Tyneside, Salford, Torbay, Tower Hamlets and Watford.

2 The four London borough mayoralties are in Lewisham, Hackney, Newham and Tower Hamlets.

Minister, David Cameron commented that he would like to see “*many more Borises*”, referring to the then Mayor of London³.

Devolution has also been seen as a tactic to potentially alleviate problems with Britain's political system: the West Lothian question, a sense of undue centralisation and an increasing sense of disconnect between politicians and citizens.

In order to deliver on these ambitions, city-regions must be in touch with local people. A local elite that is distant and unaccountable can be just as problematic as a national one.

3 <http://www.standard.co.uk/news/politics/david-cameron-i-want-a-boris-johnson-in-every-city-7706767.html>



Credit: Lee Avison / Alamy Stock Photo

1 MAYORS AND DEMOCRACY

The new mayoral systems represent a third type of British mayor – they do not have a directly elected chamber to scrutinise them.

FIGURE 1: TYPES OF MAYORALTY IN ENGLAND

	Directly-Elected Borough Mayors	London Mayor	City-region Mayors
Area	Single principal authority	32 London Boroughs covering 8.5m citizens	Combined Authority regions covering areas of up to 2.5m citizens and as many as 10 councils
Cabinet	Self-selected	Self-selected	Made up of council leaders
Decision-making	Direct/With council	Largely direct	With cabinet
Scrutiny	Council chamber elected by FPTP	London Assembly elected by AMS	Indirectly appointed committees, cabinet and within council chambers

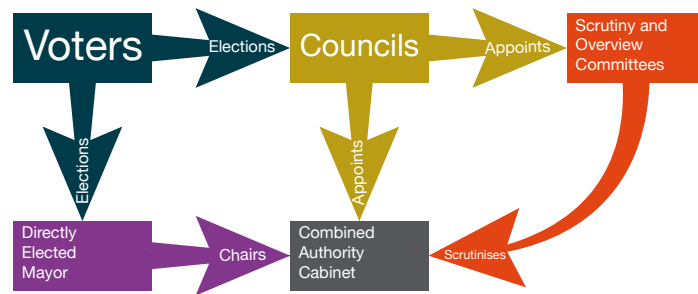
Instead they are built upon combined authorities – structures where local authorities come together to cooperate on strategic issues.

In these bodies power and legitimacy, in essence, flow from the councils making up the combined authority. Boards are made up of appointees from each council, generally the council leader, or directly-elected mayor. Hence these bodies lack direct democratic accountability.

The programme of devolution that has been pursued by the UK government in recent years has seen devolution to combined authorities, but in exchange for significant amounts of devolution they are required to adopt an elected mayor.

These elected mayors represent a third type of English mayoralty different in structure and position. Like Police and Crime Commissioners, the new Mayoralties are more strategic in structure.

FIGURE 2: HOW MAYORAL COMBINED AUTHORITIES WORK



The new city-region mayoralties work in a fundamentally different way, therefore. Instead of the executive/assembly split of London, the Combined Authorities do not have a directly elected representative arm. Nor does the Mayor have total control over the executive. Instead, the executive is made up of appointees drawn from the councils, in most cases the council leaders themselves.

This creates a new model of governance in English local government, in which the cabinet leader has strong soft power by being directly-elected and weaker institutional power by the strength of a cabinet they do not choose, and whose decisions they must abide by – but who will likely come from the same party in most cases.

It also lacks an elected assembly charged with either scrutiny or

ratification of decisions, such as the council chambers of the local authority mayors or the London Assembly.

However, committees drawn up from the councils will act as scrutineers. Now is the time to think carefully about how the committees are made up to ensure the greatest diversity of voice possible.

Finally, the public will elect city mayors every four years. In those councils elected by thirds, which is most of the councils covered by the new city-regions, this first set are elected in the fourth, currently fallow year. This means that citizens are being effectively asked to vote every single year. This may have an impact on turnout and participation. Turnout in all out elections is systematically higher than in those councils that elect their councils by thirds. Among other reasons for this, it is argued that voters can suffer from ‘electoral fatigue’ when too many elections are held too close together⁴.

Electoral arrangements

The most important and newest elements of the system are the mayors themselves.

The democratic desirability of mayors as an institution is a subject of some debate. On the one hand, some see mayors as centralising too much power into the hands of one person. On the other, mayors are highly visible leaders of their cities and regions. Increased visibility of leaders is self-evidently a democratic good, as long as structures and political cultures make sure that mayors do not become unaccountable.

While the ERS does not take a view on whether or not individual areas should adopt a mayoral model, like all forms of government they need strong and suitable arrangements to make sure that all voices are valued, and that citizens are empowered to take part. There must also be a consideration of democracy between elections rather than simply ending at the ballot box.

In common with the tradition that every new political institution in the last two decades has not been elected by First Past the Post (FPTP), directly-elected mayors in the UK, of all types, are elected by the Supplementary Vote. SV is a preferential system in

4 See the 2006 UK government White Paper *Strong and Prosperous Communities* https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/272357/6939.pdf and https://www.researchgate.net/profile/Michael_Thrasher2/publication/223364799_Seasonal_Factors_Voter_Fatigue_and_the_Costs_of_Voting/links/55a7fc4208aea3d0867c3277.pdf

which a voter's ballot paper has two columns, one for their first and one for their second preference. If a candidate wins more than 50% of first preferences, then they are deemed elected. But if no candidate wins more than 50% of first preferences, all but the top two candidates are knocked out, and second preferences cast for them by the eliminated candidates' voters are redistributed.

While a single-member office cannot be elected proportionately, it is vital that all votes count as much as possible and that the single member represents as many voters as possible. A First Past the Post elected mayor might, in the fragmented modern political environment of the UK, represent a third or even fewer voters⁵. Obviously, such a Mayor would suffer questions about how representative they were of their voters. Given this, a single-member executive position, more importantly than most, should have support from more than half of voters.

However, SV does not guarantee that the winner has an absolute majority of the vote. As voters do not cast preferences for all candidates it is quite possible for their vote to not count at all in the second round and therefore for a candidate to win with the most first and second preferences but not a majority.

To take one example, it was not until the most recent mayoral election in 2016 that London saw a mayor elected with an absolute majority of support.

In this way SV is an inferior electoral system to, for instance, the Alternative Vote, in which voters are not restricted to just two preferences, and hence a true majority is achieved. Yet it is superior to First Past the Post in that it gives voters the opportunity to use a second preference and reflect their views in a more sophisticated way. Voters can, for instance, cast a first preference for a candidate that they know is unlikely to win, safe in the knowledge that they can reserve their second for a candidate with a real chance of winning.

However, the Alternative Vote system would deliver many more mayors with support of half of their electorates. It would also allow for a more sophisticated use of preferences, with voters able to cast their true preferences whereas a voter under the supplementary vote is often best served by tactical voting⁶.

5 The record for lowest percentage of the vote for a winning candidate in a Westminster election is 24.5% secured in Belfast South at the 2015 general election.

6 <http://www.tandfonline.com/doi/abs/10.1080/00344890600736325>

Women's representation

A notable attribute of the May elections is the dearth of female candidates being put forward. In fact, of the candidates so far declared, there is only one female candidate standing for election in five of the six regions holding a mayoral election, and only two in the other combined authority.

It seems a fair assessment to say that only two of these women could win – in Tees Valley, where the candidate Sue Jeffrey is the favourite, and in West of England where Lesley Mansell is in a three-way race. The likeliest outcome is therefore that five of the mayoralities will be secured by men.

FIGURE 3: FEMALE CANDIDATES BY CONTEST⁷

Combined Authority	Total Number of Candidates	Number of Female Candidates	Female candidate in winnable position?
Cambridgeshire and Peterborough	7	1	No
Greater Manchester	8	1	No
Liverpool City-region	8	2	No
Tees Valley	4	1	Yes
West of England	6	1	Yes
West Midlands	6	1	No
Total	39	7	-

Gender diversity has been a consistent issue for directly-elected executive offices in British politics. Of England and Wales' 41 Police and Crime Commissioners only seven, fewer than one in

7 The seven female candidates are Julie Howell (Green) in Cambridgeshire and Peterborough, Jane Brophy (Liberal Democrats) in Greater Manchester, Tabitha Morton (Women's Equality Party) and Paula Walters (UKIP) in Liverpool City Region, Sue Jeffrey (Labour) in Tees Valley, Lesley Mansell (Labour) in the West of England, and Beverley Nielsen (Liberal Democrat) in West Midlands.

five, are currently women. Of the 17 mayoralities currently in place, only four are held by women⁸.

Clearly then a pattern exists. Although other British democratic institutions still fall below gender parity, their position is better than this. 30% of MPs are currently women, and in the Welsh Assembly 41.7% of AMs are women.

Institutions should reflect the public they serve, and voters should have the ability to choose from a true diversity of candidates. A lack of diversity can accentuate divides between the public and their politicians. There is also a danger of not accessing the full degree of potential political talent.

Time and again evidence has shown that the pursuit of positive measures, temporary measures to accelerate progress in representation such as the All-Woman Shortlists used by the Labour Party, remains the best way to promote women's representation. Ultimately candidature is a function of who parties choose to put forward and parties should think carefully about selection processes which ensure female candidates for mayoralities are recruited and put before the electorate, including in winnable areas.

A new model of governance

The new city-regions – as mentioned above – represent the biggest shift in local governance in England, perhaps since the 1972 local government reforms. Their existence represents an attempt to heal divides in British society such as the widely documented gap between North and South and increasing distance between voters and politicians.

This shift is based on a model which in most regions will force co-working between cabinet members from multiple parties. Reaching their full potential the new city-regions could represent a step change in the way politics is done in Britain. More collaborative, less tribal, and doing democracy with citizens rather than to them.

⁸ Those four are Ros Jones (Labour) in Doncaster, Kate Allsop (Independent) in Mansfield, Norma Redfearn (Labour) in North Tyneside, and Dorothy Thornhill (Liberal Democrat) in Watford.

2

WHO HOLDS POWER?

Political balance

The Electoral Reform Society believes that all voices should count in the political process. Systems which allow parties to work together foster higher quality of debate, transparency and ensure more perspectives are included in policy making.

Yet England's local governance arrangements too often lack strong scrutiny due to an electoral system which can give parties lopsided majorities on councils.

The Cost of One Party Councils report commissioned by the ERS has shown the costs imposed by poor scrutiny in one party councils. The report finds that public procurement budgets in councils overwhelmingly dominated by a single party spend are more prone to waste⁹ – estimated to cost £2.6 billion per year. If the scrutineers are mostly from the governing party, it's no surprise that they are less effective at holding their own party to account.

Two combined authorities in this set show particularly concerning single-party domination with over 70% of councillors, in their respective regions, from a single party. Given that these combined authorities are also likely to see overwhelmingly single party cabinets and mayors elected to them questions must surely arise about the strength of local scrutiny – particularly when combined with the issue of a lack of demographic diversity.

⁹ <http://electoral-reform.org.uk/sites/default/files/files/publication/THE%20COST%20OF%20ONE-PARTY%20COUNCILS.pdf>

FIGURE 4: PERCENTAGES OF COUNCILLORS HELD BY ONE PARTY.

Combined Authority	Lab	Con	LD	UKIP	Green	Other
Greater Manchester	73%	17%	7%	1%	0.0%	2%
West Midlands	60%	29%	4%	3%	2%	1%
Cambridgeshire and Peterborough	14%	57%	16%	4%	0.3%	8%
Tees Valley	56%	19%	7%	3%	0.0%	16%
Liverpool City-region	79%	9%	9%	0.0%	1%	2%
West of England	28%	45%	19%	0.0%	6%	3%

It is also worth noting the composition of West Midlands Scrutiny and Overview Committee, as an example, with ten of the twelve political positions held by one party. Of these political members of the committee, ten are also men. Thus scrutiny committees may not aid in assuring diversity of voice. Combined Authorities should think carefully about how best to create strong, vital scrutiny committees that bring in a range and diversity of voices and strengthen the entire process of Combined Authority governance.

However, problems do of course exist given rules governing committee size and the First Past the Post nature of British councils leading to less diverse political representation. If scrutiny committees are selected on the basis of election by the council or on the basis of control there is a danger that, especially in areas largely controlled by a single party, committees may end up with a political balance that reflects this dominance. The Centre for Public Scrutiny has set out a variety of ways that committees could be formed. The use of co-option could be used to ensure political and demographic diversity¹⁰.

¹⁰ <http://www.cfps.org.uk/wp-content/uploads/Overview-and-scrutiny-in-combined-authorities-a-plain-english-guide.pdf>

Because of the huge dangers of poor scrutiny – for public finances, for democracy and risks of corruption – scrutiny committees in the new authorities should be comprised of councillors representing the vote share of parties at the previous election – rather than reflecting seat share – where adequate representation exists.

The creation of combined authorities highlights a continuing shift in the role of the councillor. Where once councillors took decisions directly on committees they are increasingly scrutineers: holding to account formal executive structures in the form of mayoral or cabinet/leader structures, or scrutinising bodies such as Clinical Commissioning Groups, Local Enterprise Partnerships, Police and Crime Commissioners, and now combined authorities. The traditional argument for First Past the Post: that it elects ‘strong’ governments, cannot hold up to the reality of modern councillor life in which councillors are as often scrutineers as decision-makers, not only of their own executives but of bodies external to the traditional council governance structure.

Yet, there are still many councils overwhelmingly dominated by a single party. Compare, for instance, the councils of the Liverpool City-region and Cambridgeshire and Peterborough below.

FIGURE 5: LIVERPOOL CITY-REGION COUNCILLOR MAKE-UP

Councils	Lab	Con	LD	UKIP	Green	Other
Halton	93%	4%	4%	0%	0%	0%
Knowsley	93%	0%	7%	0%	0%	0%
Liverpool	89%	0%	4%	0%	4%	2%
Sefton	58%	9%	26%	0%	0%	8%
St. Helens	88%	6%	6%	0%	0%	0%
Wirral	59%	32%	8%	0%	2%	0%
Total	79%	9%	9%	0%	1%	2%

FIGURE 6: CAMBRIDGESHIRE AND PETERBOROUGH COUNCILLOR MAKE-UP

Councils	Lab	Con	LD	UKIP	Green	Other
Cambridgeshire County Council	12%	46%	20%	15%	0.0%	7%
Peterborough	23%	52%	12%	3%	0.0%	10%
Cambridge	61%	0.0%	31%	0.0%	2%	5%
East Cambridgeshire	0.0%	92%	5%	0.0%	0.0%	3%
Fenland	0.0%	87%	5%	0.0%	0.0%	8%
Huntingdonshire	4%	65%	12%	6%	0.0%	12%
South Cambridgeshire	2%	63%	25%	0.0%	0.0%	11%
Total	14%	57%	16%	4%	0.3%	8%

In both combined authorities we see councils with upwards of 80% of councillors hailing from a single party. Yet a diversity of voices would allow for superior scrutiny, as our report *The Cost of One-Party Councils* makes clear¹¹.

These majorities, it should be said, are not reflective of public support. They are won legitimately, but our out of date electoral system gives disproportionate power to large parties. In Liverpool Labour won 58% of the vote in 2016 – a clear majority – but far short of the 89% of seats they won. Similarly, in Huntingdonshire the Conservatives’ 39% of the vote translated into almost two thirds of the seats.

The reason for this is England’s First Past the Post system for electing councillors. The winner takes all nature of FPTP is well known – because FPTP rewards only plurality winners, it results in disproportionalities.

This effect is exaggerated in many local government contests because rather than using Single Member Plurality, where constituencies have a single seat, many local councils use bloc voting systems or elections in thirds. Larger multi-member constituencies are commonly used. In some councils three members are elected

11 <http://electoral-reform.org.uk/sites/default/files/files/publication/THE%20COST%20OF%20ONE-PARTY%20COUNCILS.pdf>

at once by voters using three votes, with the three candidates with the most votes elected. More commonly in the city-regions councillors are elected in thirds, with a single member plurality election once a year and a third of the council up for election every year.

The latter is noted for its effects on pushing down turnout¹². And both methods tend to result in disproportionalities, as three single member wards will have greater variation than one electing one ward with three members. This can lead to councils with completely unbalanced representations and one-party states.

This distorting effect on our local democracy has real implications for service delivery as *The Cost of One-Party Councils* shows. This project found that those councils with higher levels of single party dominance resulted in higher levels of waste in spending on public procurement contracts. Councils with weak electoral accountability were found to have a roughly 50% higher risk for such waste with estimated annual costs to the UK of around £2.6bn.

Changing the local government voting system is a proven part of the solution. The Single Transferable Vote method of voting, used in Northern Ireland since 1973 and Scotland since 2007 produces proportional results while also giving voters strong control over candidates.

STV works by allowing voters to rank candidates in order of preference. 1 to their first choice, 2 to their second, 3 to their third and so on. A quota is set, equivalent to around 25% of the vote in a three-member seat or 20% in a four-member seat. If a candidate wins more than the quota then they are deemed elected. An elected candidate will see a fraction of votes equivalent to those above the quota passed onto second choices. If no candidate is elected, the least-supported candidate will be eliminated. This process runs in rounds until all seats are filled or the remaining number of candidates matches the remaining number of seats. This process leads to a process that gives both proportionality and strong control for voters over which candidates are elected.

In Scotland, it has seen previous one party state councils become competitive for the first time. A rainbow of councils has emerged – with a more vibrant democracy at the heart of it.

12 https://www.researchgate.net/profile/Michael_Cole21/publication/232816263_Local_government_the_debate_about_election_by_thirds/links/56853a5308ae19758394e4ce/Local-government-the-debate-about-election-by-thirds.pdf

Our analysis of the 2012 local elections showed voters handling the STV voting system in increasingly sophisticated ways and producing a diverse, representative Scottish local government¹³. The incoming leader of Edinburgh City Council, Andrew Burns, argued that the shift to multi-member seats encouraged a new sense of working with the community and strengthening engagement¹⁴. In Wales, too, the case for STV has begun to be recognised with the recent white paper Reforming Local Government: Resilient and Renewed recognising the case for ‘permissive PR’ where councils can choose their own electoral system¹⁵.

For this reason and others, the Electoral Reform Society recommends the adoption of STV for councils across Britain.

Diversity and the New Authorities

As noted above, the primary decision-making elements of the mayoral combined authorities lies in the cabinet, generally made up of council leaders or mayors (though councils can theoretically appoint who they like). It is important, then, to understand the nature of these cabinets.

Diversity of all types is important. Yet the systematic overrepresentation of men in the City Halls¹⁶ is stark – and alarming for democracy.

Cabinets are not just a set of individual portfolio operators: they are also a policy sounding board – and a diversity of backgrounds and experience feeds in and creates better policy that takes into account a wider pool of citizens’ experiences. Descriptive representation leads to substantive representation¹⁷ where issues and voters are represented properly. And as the Fawcett Society has previously pointed out however, many councils are ‘gender diverse’, their leadership often is not¹⁸.

Council leaders and mayors are one of the least gender diverse types of political office in Britain. In the year 2015/16 just 14.7% of

13 <http://www.electoral-reform.org.uk/sites/default/files/2012-Scottish-Local-Government-Elections.pdf>

14 <http://www.electoral-reform.org.uk/sites/default/files/files/publication/working-together.pdf>

15 https://consultations.gov.wales/sites/default/files/consultation_doc_files/170130-white-paper-en.pdf

16 <http://www.cfwd.org.uk/uploads/Sex%20and%20Power.pdf>

17 http://mlkrook.org/pdf/childs_krook_2009.pdf

18 <https://www.fawcettsociety.org.uk/policy-research/local-government-commission>

council leaders and 23.5% of directly-elected mayors were women¹⁹.

This is borne out in the first six mayoral combined authorities. The table below is based on current cabinets or the leaders of the councils if no cabinet currently exists.

FIGURE 7: NUMBER OF MALE AND FEMALE CABINET MEMBERS OR COUNCIL LEADERS²⁰

Combined Authorities	Male leader	Female leader
Greater Manchester	9	1
West Midlands	7	
Cambridgeshire and Peterborough	7	
Tees Valley	4	1
Liverpool	5	
West of England	3	
All	35	2

Only two of the cabinet members of all six combined authorities – 5.4% of the total – will be women. Additionally, only one – 2.7% - is from a Black and Minority Ethnic (BAME) background. Combined with the likely mayoral results, it means that 93.0% of the most powerful positions will be in the hands of white men.

In the most gender-diverse cabinet, only one of five leaders is a woman. In four there are no women at all.

In 2014, a third of UK councillors were women²¹. It seems unlikely that there are not women who could fulfil leadership positions. Other factors then – cultural, social and political – seem likeliest to be the reason for this shortfall in women leaders.

19 Statistics from <http://www.cfwd.org.uk/uploads/CouncilLeadersJuly2015.pdf> I have included London in the mayors figure unlike the source.

20 Cambridgeshire County Council uses a committee system of governance and so the leader of the biggest party group has been used instead.

21 http://www.cfwd.org.uk/uploads/Sex_and_PowerV4%20FINAL.pdf

Ultimately it is, largely, political parties who choose leaders and who first and foremost must prioritise the promotion of women into leadership positions.

The failure to have cabinets that are diverse in terms of background is a problem for the combined authorities as cabinets fail to resemble those they govern. Diversity also means a diversity of life experiences which can inform policy choices, priorities, and styles of governance²². In the context of combined authorities, these issues are of increased importance, as they risk magnifying the problems of diversity in local government unless action is taken and these questions raised in advance.

One response to this lack of diversity is that pursued by Greater Manchester Combined Authority, which has assigned 20 deputies, 2 drawn from each council, to each cabinet. As the interim mayor Tony Lloyd stated on the appointment of the deputies *“I’m...proud that our new Deputies are overwhelmingly women and as a group better represent Greater Manchester’s diverse communities.”*²³ Certainly having deputies in this way can increase diversity, not just in the demographic sense but also politically and in terms of place in the decision-making process. But women shouldn’t just be deputies – they should also be at the top table.

It can also allow for the accessing of new skills and allow cabinet members more time to concentrate on their other roles. Yet, it is worth recognising that Greater Manchester, as the city-region with the deepest devolution, also has the most power.

The cabinet is ultimately the key institution and much will depend, in reality, on the relationships that are built between cabinet members and their deputies who will come from different parts of Greater Manchester and from different parties.

There is a great deal of academic literature demonstrating that proportional electoral systems have a strong effect on the election of women²⁴. When parties are putting forward multiple candidates

22 http://mlkrook.org/pdf/childs_krook_2009.pdf

23 https://www.greatermanchester-ca.gov.uk/news/article/100/greater_manchester_combined_authority_deputies_take_up_portfolios

24 See, for instance http://www.jstor.org/stable/440217?seq=1#page_scan_tab_contents, <http://www.tandfonline.com/doi/abs/10.1080/00344890208523209>, and <http://escholarship.org/uc/item/7fw4g5tw>. The ERS has also noted FPTP’s effects on women’s representation at Westminster in *Women in Westminster* available at: <http://electoral-reform.org.uk/sites/default/files/files/publication/women-in-westminster.pdf>

they have an incentive to put forwards a more diverse slate to appeal to wider groups of people. However, it is worth noting and celebrating the strides parties have often made to recruit women candidates and elect women councillors with Manchester City Council deserving praise for a gender balanced council chamber²⁵. It is possible for parties to make great strides under First Past the Post, though PR is a better enabler of action as it gives parties more options on how to achieve a broader range of candidacies.

Given the cabinet’s role as the key decision-making institution, it is vital to think carefully about the promotion of diversity in positions of council leadership.

25 <https://www.fawcettsociety.org.uk/wp-content/uploads/2016/05/The-Northern-Powerhouse-Report-Fawcett.pdf>



Credit: Robert Harding / Alamy Stock

3 THE INTERNATIONAL EXPERIENCE

The direct election of mayors and leaders in a majoritarian fashion has become increasingly common. For instance, in the design of French and Italian regions there is not only a focus on the direct election of the regional president but additionally an automatic majority is created by the electoral system through the provision of bonus seats en bloc to the mayor's party. What is unusual about the UK example is the lack of a directly elected assembly, of any type.

However, the new mayoralities in England are much more strategic bodies, where the mayor is heading a body made up of a variety of institutions, with soft rather than direct executive power.

The view of city-regions as a driving force in economic development has also led to a spread of new models of city-regional government internationally as well as domestically.

In France, the new *Metropole du Grand Paris* has a 210-member assembly indirectly elected by its constituent councils. There are no direct elections to this body whatsoever, leaving it with a weak democratic legitimacy.

The *Metropole* is weaker in some respects than the Combined Authority model, however. For instance, while the *Grand Paris Metropole* has a budget of €3.7bn only €65m can be directly invested by the *Metropole* itself.

This is compounded by the lack of any form of direct election, reducing accountability and visibility. However, the large sized assembly does give the potential to the *metropole* to represent a wide range of views and interests²⁶. Unlike in the Combined

²⁶ Information on the *Metropole* from <http://www.centreforcities.org/blog/the-new-parisian-equivalent-of-the-greater-london-authority-will-be-a-much-weaker-institution>

Authorities, with small bodies and therefore a risk of homogeneity – both political and demographic.

Comparable bodies also exist in Auckland, New Zealand (pictured), where a powerful ‘super-council’ has been created with direct elections of both a mayor and council, and in Stuttgart where the Association for the Region of Stuttgart covering 179 municipalities has an assembly directly-elected by proportional representation, and which chooses its executive. These systems clearly function more like traditional councils. Lines of accountability and visibility are strong and obvious. But the Auckland model has subsumed earlier, more local forms of governance and replaced them with weaker, though elected, local boards.

The United States is of course in many ways an inspiration for the mayoral model, with most municipalities in most states having a directly elected mayor. One of the most notable and powerful is the Mayor of New York City who has wide-ranging powers over schools and welfare services. This model is not comparable to the city-regional model, however, given both its strength and New York City’s sheer size and weight.

The model of a directly elected president, auditor, and six councillors covering many municipalities in the Portland, Oregon region is perhaps one of the earliest forms of Metropolitan governance (dating from 1978). The President lacks direct executive power, rather like a Combined Authority mayor, and the role is more strategic in terms of winning support from fellow elected officials. The Portland model is considered to be a leader in terms of public engagement²⁷.

These different models show there is much to potentially learn as Combined Authorities continue to develop²⁸.

27 See the metros Public Engagement Guide here: http://www.oregonmetro.gov/sites/default/files/11122013_public_engagement_guide_final_adoption_draft.pdf

28 For more on the international experience of Metro governance see http://www.local.gov.uk/publications/-/journal_content/56/10180/7868765/PUBLICATION

4 WHERE NEXT?

It has been said of devolution elsewhere in the United Kingdom that it is a process rather than an event. Certainly, since the first moves to devolution a mere 18 years ago Scotland, Wales and Northern Ireland have all gained increased powers to govern themselves. The mere establishment of devolved institutions was, in each nation, far from the end of the story.

English devolution is a very different process, but the same is true even before the first mayors have been elected. Greater Manchester – the most powerful of the combined authorities – has already signed multiple deals with the government.

But as powers are enhanced, it is vital to make sure that the new institutions enjoy strong scrutiny and democratic accountability.

However, just as each mayoralty has a slightly different set of powers and deal with the government, it is up to each combined authority to consider its own interactions with their residents.

It is also worth remembering that, in many ways, we are about to witness a grand political experiment, for no institutions like these have existed in British history.

This creates an opportunity for the mayoralties to be at the forefront of democratic innovation. Examples from around the world and from best practice in local government elsewhere can demonstrate what is possible. It is for mayors and their cabinets to decide the best way forward for public engagement in their areas, but we hope the following can begin the process of deep thought about ways public engagement can be maximised.

Transparency

It goes without saying that the new mayoralties will involve certain new approaches by city leaders.

Mayors will tour their areas, doing public events, meeting

voters and engaging in Q&As. As visible representatives of their area they may be spotted and spoken to on the street. The mayorality provides new chances for citizens to interact with their leaders in their daily lives.

That interaction, however, will be of little worth if it is not clear to residents what its administration is doing. It is citizens and citizens alone who elect their Mayor; there is no complementary set of representatives charged with scrutiny. In that way, the role of citizens as scrutinisers becomes key. The ability of traditional, online and social media to access information about what the city-regions are doing is vital because the role of the public in such scrutiny should be particularly enhanced.

In structures such as Combined Authorities which bring together people from a variety of parties and regions who may not have pre-established relationships, transparency will be particularly vital to aid best practice and trust within the new institutions.

As the Centre for Public Scrutiny states in their publication *Your Right to Know?: The Future of Transparency in England* “Transparency is about dialogue and collaboration. Focusing on transparency that is reactive – responding to requests for information – risks creating one way streets. A landscape in which comparability between different institutions and different sectors is hard without shared standards in the way that data is presented.”

As CfPS outlines, transparency can drive improvements to commissioning, delivery and outcomes, increase public trust, assess comparability of services and support ‘knowledge-rich’ communities²⁹.

The new mayors should deeply consider the transparency arrangements of the combined authorities they chair. The creation of a transparency charter, outlining the standards, data and processes that will be used by the authority would help embed transparency into the culture. This will help enable good governance and ensure that the mayoralties are seen as directly accountable to voters as possible.

Participatory and Deliberative Democracy

In recent years there have been great advances in the provision of participatory and deliberative democracy³⁰ techniques at all

29 <http://www.cfps.org.uk/wp-content/uploads/Your-Right-to-Know.pdf>

30 By participatory democracy we refer to techniques which involve citizens directly in decision-making.

political levels. These involve providing the space and resources for citizens to discuss matters of common concern that have a direct relationship to policy. Specialist organisations as well as public bodies have built up expertise by trialling a variety of models that could prove to be highly relevant to the new combined authorities and mayoral models³¹.

Such techniques rely on involving citizens directly in political decisions. Some deliberative forms give randomly selected citizens the ability to call expert witnesses. By engaging with experts, stakeholders and politicians and discussing their findings through small and large scale facilitated sessions citizens are able to deliberate with a high level of sophistication.

One example are ‘citizens’ juries’, which have been frequently used by local government since the late 1990s. Citizens juries are made up of around 12-24 citizens randomly selected from the electoral roll, with an attempt to make sure they are broadly representative of the local population. The participants deliberate on issues over a period of days, calling expert witnesses and discussing relevant evidence.

There are also larger bodies, called citizens’ assemblies, having as many as 100 members. These can deliberate on larger, more complex issues. The larger size brings more representativeness and more sources of external experience and knowledge to draw upon.

One crucial feature of these deliberative approaches is their ability to engage citizens in a way that puts them at the centre of decision-making processes.

This can be complemented by a wider range of participative techniques that can be deployed to engage as many people as possible in the local community beyond those that might be selected for a more rigorous deliberative process. Such participative processes are often much shorter in duration than deliberative processes, but allow for a greater number of people to take part and have their voices heard. Examples of this might involve round-table discussions, town hall style meetings or other formats that can feed into priority setting for local administrations.

Such tools can have several uses. Firstly, citizens may have a scrutinising role, providing input and critiquing policy. Through the process of deliberation they may bring new perspectives on public policy. Secondly, they may generate ideas themselves

31 Such as the Democratic Society (DemSoc) and Involve

through the new perspectives they bring. Finally, with the right degree of informed deliberation, they can improve the decision-making process both in the effectiveness of the decisions taken and in their legitimacy.

Using participative techniques can help to build political trust in institutions, and also improve the quality of policy and outcomes. Moreover, they can provide a crucial legitimising function by demonstrating the active involvement of the local community in the decisions that affect them.

The Democracy Matters project, led by Professor Matthew Flinders, Sheffield University, brought together academics and the ERS to use Citizen Assemblies to research the capability of assemblies to deliberate on the issue of devolution itself³².

In addition, it researched two models of assembly: one made up entirely of citizens, and one with a third component of elected politicians. The project found citizens ready, willing and able to take part in such deliberative mechanisms. There was also some evidence of increased political engagement amongst assembly members and that a high level of deliberation allowed for a sophisticated level of policy debate.

In a time where devolution appears to be stalling in some parts of the country, citizens' assemblies and participative processes more broadly may provide a way of breaking through institutional deadlocks. A less restrictive, more flexible approach to devolution could help to deliver a sense of devolution being delivered with local citizens.

While such tools may seem costly, good governance involving citizens can result in better policy outcomes and should be weighed against the costs of traditional consultation exercises.

Use of such assemblies could also be useful in helping drive forward the next stage in what is sure to be a continued evolution of devolution in England³³. Deliberative and participative techniques can be used to explore key issues affecting all levels of government, including the new mayoralities, to put citizens at the heart of local democracy.

32 See the report on the Democracy Matters project: <http://electoral-reform.org.uk/sites/default/files/files/publication/Democracy-Matters-2015-Citizens-Assemblies-Report.pdf>

33 The use of participatory techniques by cities is encouraged and aided by the International Observatory on Participatory Democracy (IOPD) <https://oidp.net/en/index.php>

Digital Participation

Digital democracy encompasses a wide variety of different political and institutional responses, including some of what has been touched on above, open data and the use of certain participatory techniques.

As new structures, the Mayoralties provide new platforms with which to experiment.

Digital structures can be used to deliver new forms of participatory decision-making. Under Mayor Anne Hidalgo, Paris allocated a portion of its infrastructure budget to be spent by input from Parisians online. In the first year 40,000 voted on 15 proposals put forward by the city council. In the second year, ideas were opened to public submission. 5,000 were received and 58,000 voted. Online activity was supplemented by offline workshops, groups and civil society-led activity to galvanise citizens. This project also seems to have galvanised groups often not reached by politics. Half of votes were cast online, and of that half, a third were under 30. Additionally, over half of those voting voted for projects in deprived areas³⁴.

A similar project, Decide Madrid was launched by the Ahora Madrid coalition which took control of Madrid local government in 2015. Registered members of Decide Madrid can make proposals for new local laws, with proposals with more than 1% of the over 16 population moved to the top of the web portal, with time for discussion before a final public vote. If approved, Madrid council must draw up a feasibility study with the current administration promising to implement any feasible policy. Members can also hold debates, engage in participatory budgeting (similar to the Parisian model) and engage with consultations through the platform.

Reykjavik also has a similar system, called Better Reykjavik. These two systems can be explored more (along with the Parisian experience) in NESTA's recent report on digital democracy³⁵.

There is much that can be learned from these examples of digital engagement in the UK.

34 <http://www.nesta.org.uk/blog/felicitations-madame-mayor-participatory-budgeting-paris-hits-new-highs>

35 http://www.nesta.org.uk/sites/default/files/digital_democracy.pdf

CONCLUSION

The introduction of any new democratic institution is always fraught with opportunities and threats. The new mayoralties are no exception to this.

Simply electing a Mayor does not mean that the institutions are democratic. Elected institutions without engagement and proper scrutiny bring problems – problems which can fester if left unchallenged or dealt with.

The lack of an elected assembly overseeing the executive, and the executive's unique structure based on council leaders – often from one party and one demographic – makes this model particularly vulnerable to accusations of unrepresentativeness and poor scrutiny.

For this reason, amongst many, a change in the electoral system to STV and work to increase the gender diversity of council leaders is a must.

But the new mayoralties are also an opportunity for experimenting with new, democratic ways of delivering public services. Transparency should be a watchword, but there is also much potential for participatory or deliberative democracy techniques. If the mayoralties are to be more than simply a technocratic exercise, mayors must prioritise public involvement if they are to reach their full potential.

The new authorities should be brave and experimental in being democratic innovators. This is an exciting constitutional time for the UK, with the latest phase of devolution offering a real practical opportunity for people to 'take back control' of local democracy. This is an opportunity that must not be missed.

RECOMMENDATIONS

- Parties need to take urgent action towards equal gender representation of the councils that make up combined authorities – including steps to ensure women who are elected reach leadership positions.
- England and Wales should join Scotland and Northern Ireland in using the Single Transferable Vote method of voting in all local council elections.
- Scrutiny committees should be comprised of councillors representing the vote share of parties at the previous election – rather than reflecting seat share – where adequate representation exists.
- For effective use of taxpayers' money, it is important for scrutiny committees to be both politically and demographically diverse. Parties should make this a priority
- Mayoral elections should be opened up to voters by switching to the Alternative Vote, in order to let voters truly express their preferences and avoid wasted votes.
- Successful mayoral candidates need to build a culture of transparency into the combined authorities from day one. Mayors should draw up a Transparency Charter when elected to ensure voters have faith in these new institutions.
- The new mayoralties should be viewed as an exciting opportunity to pursue and experiment with new models of participatory, deliberative and digital democracy, such as citizens assemblies. Mayors and Combined Authorities should pursue innovative ways of engaging and involving the public in shaping and making decisions about their communities.



□ Electoral
□ Reform
□ Society

The Electoral Reform Society
2-6 Boundary Row
London
SE1 8HP

Email: ers@electoral-reform.org.uk

Phone: 020 3714 4070

Facebook: [electoralreformsociety](https://www.facebook.com/electoralreformsociety)

Twitter: [@electoralreform](https://twitter.com/electoralreform)

www.electoral-reform.org.uk