Local government

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Local institutions are to liberty what primary schools are to science; they put it within the peoples' reach

Alexis de Tocqueville (1835: 63



- To consider the dual role of local councils in acting as politically representative institutions and as the providers or facilitators of public services.
- To explore whether public apathy about local government undermines local democracy.
- To consider changes in political decision-making processes in local government: directly elected mayors, indirectly elected leaders and cabinets.
- To examine whether local councils should have more freedom from central control.
- To examine whether councillors represent the community or their party.
- To explore the relationship between local government and the European Union's policy-making network.



here are just over 20,000 councillors across England, Scotland and Wales, and in 2016, some 85% of them come from one of the three main, UK-wide national political parties: Conservative, Labour or Liberal Democrat. There are also around 460 councillors in Northern Ireland. There is, however, a large array of councillors, across the mainland UK, who are not members of one of the three main British parties, and they have varying levels of success in fighting and winning council seats. The figures for the number of councillors by political affiliation are shown in Table 21.4 below by the countries of the British State.

Local councils are politically representative and democratically elected bodies that play a vital role in ensuring the provision of a wide range of public services. The chapter will explore the tensions that exist between local government as a political institution and a local authority as a body that manages and administers local services. It will concentrate more closely on the political role of local government, because given the importance of public services it is easy to forget that councils are elected bodies with their own political and policy agenda. The politics of local government often become submerged under discussions about running schools, providing social care, the lighting, repairing and sweeping of the streets and the emptying of dustbins (the latter is an issue in which even secretaries of state in the cabinet will become involved). These are vital public services, of course, but

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the chapter will concentrate on the politics of local government and the role councillors play as elements representatives.

The first section of the chapter will explore the development and structure of local government; the second will explore the relationships between local and central government and consider the Coaliting Government's policies on localism and the new power of general competence given to councils. The third section will consider the policy environment of local government; the fourth examines the development of party politics at the local level; the fifth examines the introduction of directly elected mayors by the las Labour Government's and how the Coalition Government has sought to increase the number of elected mayors. The final section looks at the relationship between local government and the European Union

Background

Local government has always been subordinate to central control, and unlike many of its continental counterparts, it remains constitutionally unprotected from central government. The shape, size, structure, functions, powers, duties and very existence of local councils rest in the hands of central government to decide and the courts to interpret. Indeed, central government could abolish all local government and replace it with a system of central administration by passing an Act of Parliament. The abolition of Local Government would simply have to pass the same Parliamentary procedures as any other Bill - it would not have to navigate some special constitutional procedure. Moreover, at any point before April 2012 after the passage of the Localism Act 2011, councils could only do that which the law gave them permission or powers to do, and any action not sanctioned by law was ultra vires (beyond the powers) and liable to be quashed or rendered null and void by the courts. We shall see in a later section whether the new general power of competence introduced by the 2011 Act has changed this situation or not.

The constitutionally subordinate role of local government to Westminster and Whitehall has led many to regard the work of local councils as no more than an administrative process – devoid of its own political life. Indeed, as Gyford (1976: 11) points out, some maintain that it is management and administration that solves local problems, not political and party political choices. Questions are raised however, about the continued existence of, or need for, independent local government (Byrne 1983: 24) by central government interference in the way councils administer and provide public services across the country (what's often called the post-code lottery), and by public apathy at local elections. To the litany of criticism often been heaped upon local government can be added time-consuming and opaque decision-making

structures; the supposedly poor calibre of many council. lors; party politics leading to unnecessary conflict; large and remote units of local government distant from communities represented and served; the tension between political and community representation and the technical efficiency of service administration; and, the constraint on local action and decision making arising from wider economic and social factors (Stanyer 1976; Dearlove 1979; Elcock 1982; Hampton 1987; Wolman and Goldsmith 1992). Despite questions as to its value and relevance, local government and indeed, local democracy and autonomy hold an important position in the governance of the country. Indeed, democratically elected councils provide an all too vital, if fragile, safeguard against an over-powerful central government and ensure that political space and positions exist for those not sharing the political affiliation of the government of the day. Local government and locally elected councillors are vital for any democratic country.

The decisions made by councillors come with a legitimacy that flows from the electoral process. Local elections produce a layer of political representatives able to claim a mandate lor their policies and decisions. Moreover, councillors operate in greater proximity to the citizen than Members of Parliament While the local electoral mandate theory has been criticised councillors acting as elected representatives of the people provide an important legitimacy to the activities of local go ernment (Wolman and Goldsmith 1992). It is the peoples vote that prevents local government from being wholly an administrative arm of central government.

Local government: from confusion to cohesion

the current map of local government structure looks fairly, though not completely, uniform. But it is a map that has been designed to reflect the demands of service management and administration, than of recognisable communities of place and identity. Local government has gone through evolution interspersed with periodic revolution; growing from the naturally formed communities of Anglo-Saxon England local movernment took on a shape, size and structure that reflected is roots in very local communities. Parishes, boroughs and munties developed over time, sharing the provision of services and local administrative matters with an often confusing mix of other statutory, non-statutory and private providers, alongside magistrates and sheriffs appointed by the monarch.

As new problems for government arose, dealing with the impact of an increasingly complex world became the responsibility of a range of local bodies and appointed boards. Parishes, boroughs and counties overlapped in area and responsibilities with a host of boards and commissions such as those for improvement, street paving, drainage, public health and Poor Law relief. The latter being a system of providing support to the poor that began in the Elizabethan period and, in one form or another, lasted until the formation of the modern welfare state in the 1940s. So what we today call councils existed, at various times, alongside single purpose bodies, formed variously by statute, appointment, self-selection or election.

It was the reforming zeal and legislative whirlwind of the Victorian period that began to give national coherence to the shape and responsibilities of local government. At the same time reform was often in an ad hoc fashion, when dealing with many of the problems generated by, and for, the developing capitalist system. The 1835 Municipal Corporations Act has been described by Wilson and Game (2011) as the foundation of our present day local government'. The Act introduced the idea of elected councils and was followed y an Act of 1888 which democratised the county councils. The Victorians gave a basis to local government of popular although not yet universal – election, financial responsibility and uniformity of purpose, shape and process. By the turn of the century, local authorities looked and felt like the 'governments' of their localities but were ironically being increasingly controlled by the centre (see Chandler 2007). The structure of counties, districts, non-county boroughs and all-purpose county boroughs, with parishes as a fourth sub-tier, promoted some uniformity. But it left unanswered the question of how many layers (tiers) of local government there should be to meet the often conflicting requirements of political representation, identity with a place and well run services.

The legislatively enforced uniformity of local government continued throughout the twentieth century, as did the preoccupation of central governments, of all colours, with the regulation of local activity and the diminution of local autonomy. After the Second World War, policy-makers were grappling with rapidly changing demographic, political, social and technological developments and an expanding welfare state which meant that the demands of efficient service administration and responsive, democratic local government had to be reconciled (Young and Rao 1997). But, technocratic and democratic needs are driven by different factors, with technocracy requiring bigger and bigger units of local government and local democracy requiring smaller and more cohesive communities. Throughout the twentieth century, the technocratic arguments about efficiency and effectiveness, won a series of important battles over the needs of local democracy and representation. These victories become very apparent when looking at the shape, size and structure of local government.

In 1966, the Labour government set up a Royal Commission on Local Government in England, with separate inquiries into local government in Wales and Scotland. The Report of the Royal Commission (Cmnd 4040), while accepting the importance of democratic local government, expressed the belief that it was then too numerous and fragmented, but it was unable to agree a blueprint for change. The majority report suggested a unitary solution (single-tier councils providing all services) with fifty-eight authorities across the country outside London. A minority report argued for a two-tier division of function and structure based on city regions and 'shire' and 'district' councils. The Labour government accepted the majority report, but its Conservative successor elected in 1970, and mindful of its strengths in the shires, introduced a new two-tier structure through the 1972 Local Government Act.

As a consequence, on 1 April 1974 the map of local government changed dramatically (Figure 21.1). The systems of local government for the big cities and more rural areas were the inverse of each other. In the major conurbations of England, six metropolitan counties were created alongside thirty-six metropolitan districts. The metropolitan counties were major strategic authorities, while the metropolitan districts had responsibility for the large-spending services such as education, social services and housing.

Outside of the urban areas the situation was almost reversed; the counties - forty-seven of them across England and Wales (reduced from 58) - were the education and social service authorities as well as having a wider strategic remit. The districts were responsible for housing, with leisure as the other major spending service, alongside planning and waste-removal functions. In England and Wales, the districts were reduced in number from 1,249 to 333. As a result of the

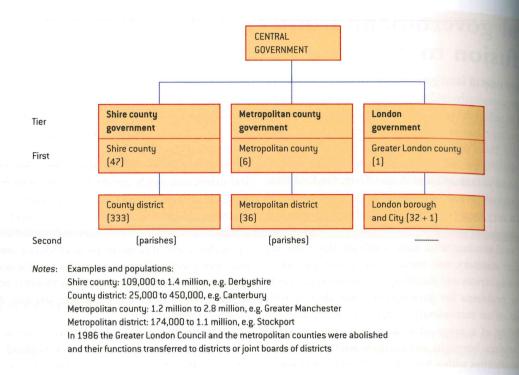


Figure 21.1 The structure of local government in England and Wales after 1974 *Source*: Adapted from Gray (1979)

Wheatley Commission (Cmnd 4159; HMSO 1969), local government in Scotland was reorganised on a two-tier basis with nine large regional councils and fifty-three districts, along-side three island authorities. In 1974 British local government became less local and more subject to division of function between increasingly large and remote units.

In the 1960s and 1970s, the Labour and Conservative parties saw the structure of local government, the allocation of services between tiers and the drawing of authority boundaries, as important political considerations - not a new phenomenon but one shared by Victorian Conservative and Liberal governments. Labour's support for unitary local government is based on the creation of large, urban-centred councils running all services, and because of the party's urban base, these would be mainly Labour-controlled. Conservative support for two-tier councils and the 1970 government's allocation of services between the tiers equally displayed its party political preoccupations (the Conservative Party's preference for two-tier local government is, however, beginning to fade). Shire counties received the more powerful and expensive services, as by and large these would be Conservative-dominated. The metropolitan districts were given similar functional responsibilities, which would enable Conservatives in some of the more affluent metropolitan areas to control significant local services. Thus, for the Labour and Conservative parties, the importance of the structure of local government rested

not only on the technocratic and democratic arguments but on the realities of political control and power. Yet, there has been a shift in how the parties see the best way of organising local government, which first displayed itself over the issue of unitary councils and then the formation of city-based regions.

The reorganisations of the 1990s display similar political and party political undercurrents as well as an interesting shift by the Conservatives towards unitary councils. In 1992, John Major's Conservative government established a Local Government Commission, chaired by Sir John Banham (former Director of Audit at the Audit Commission and Director General of the Confederation of British Industry) to review the structure of local government. Government guidance to the commission favoured the unitary system and stressed the importance of local government efficiency, accountability, responsiveness and localness, criteria that display the contradictions inherent in the technocratic—democratic arguments that had been played out since 1945 (Young and Rao 1997).

The commission rejected the production of a national blueprint for local government structure and instead recommended the creation of all-purpose, single-tier unitary authorities in some areas and the retention of the two-tiet system or a modified version of it in other areas. The commission justified its recommendations, which often conflicted with the favoured approach of the government, on the basis of cost, community identity and local geography, and the degree

while 21.1 New unitary councils 2009

county area unitary proposal (number of districts in brackets)	New unitary structure	Change in number of councils
Bedford (3)	2 Unitary Bedford	4 reduced to 2
Chester (6)	2 Unitary Chester	7 reduced to 2
Cornwall (6)	County Unitary	7 reduced to 1
Durham (7)	County Unitary	8 reduced to 1
Northumberland (6)	County Unitary	7 reduced to 1
Shropshire (5)	County Unitary	6 reduced to 1
Wiltshire (4)	County Unitary	5 reduced to 1

Note: Each of these new councils came into existence on 1st April 2009.

of local support for change. The Secretary of State's replacement of Sir John Banham as chairman of the Commission with Sir David Cooksey, again from the Audit Commission, resulted in the formation of a few more unitary authorities than otherwise would have been the case, but no new nationwide reorganisation resulted.

The next big crop of unitary councils were formed by a Labour Government which in April 2009 replaced 44 councils with 9 new unitaries, with a loss of over 1,300 councillors (for an excellent analysis of the process, see Chisholm and Leach 2008).

Things have been somewhat simpler in Wales and Scotland. The 1992 Local Government Act abolished the county and district councils in Wales and the regional and district councils in Scotland, replacing them with twenty-two unitaries in Wales and thirty-two in Scotland. Neither the Welsh Assembly nor the Scottish Parliament have seriously sought to change their current structure of local government. Local Government in Northern Ireland had been reorganised in 1972, when 26 District councils were created and was further re-organised in 2015 when the 26 became 11 councils as a result of a merger process started in 2005.

A word about London

London has always posed particular problems for how the British unitary state would deal with the government of the most powerful city in the country, if not the globe. The economic, political and cultural power and sheer size of the city meant it could pose problems even for central government and particularly if it had its own elected government. The Victorians dealt with this by first of all avoiding any directly elected governing body for London. The Metropolis Local Management Act 1855 created the Metropolitan Board of

Works for London, indirectly elected from parish and boards in London. Its job was to deal with the infra-structural development of London and not to act so much as a governing body. It was not until the London Government Act 1899 that the city was given its own elected council: the London County Council. The initials L.C.C. can still be found on buildings and other structures across the centre of London.

The LCC lasted until the Herbert Commission Report on London Government (Cmnd 1164) resulted in its replacement in 1965 as the strategic authority by the geographically much larger Greater London Council (GLC). In addition, across London thirty-two boroughs and the City of London Corporation had responsibility for the provision of day-to-day services (replacing the 28 boroughs introduced in 1899) (see Pimlott and Rao 2002 and Travers 2004 and 2015). As with other reorganisations, size mattered and local cohesion and community representation lost out.

The life of the GLC was short lived, compared to its fore-runner. By the mid-1980s the GLC, led from 1981 by Ken Livingstone, had become troublesome for the Thatcher government. The Conservatives' 1983 manifesto had pledged to abolish these authorities, and after the publication of a White Paper, *Streamlining the Cities* (Cmnd 9063, HMSO 1983), this was duly accomplished in 1986. The responsibilities of the GLC and six metropolitan counties (which were abolished at the same time) were transferred to the boroughs below them, or to a series of joint boards. As a consequence for some 14 years London stood alone as the only west European capital city with no elected government of its own.

The Labour government under Tony Blair, elected in 1997, moved quickly on its promise to reintroduce elected local government for the whole of London and did so with the Greater London Authority Act 1999. The Act created the new Greater London Authority, consisting of the London Assembly and the directly elected mayor of London. The Assembly has twenty-five elected members, fourteen of whom are members elected from constituencies formed from the London boroughs and elected by the first-past-the-post system; eleven are members from across London, with no specific constituencies, elected from a party (or independent) list. The London mayor is elected by the supplementary vote system, and if no candidate receives over 50% of the votes on the first round of counting, all but the top two candidates are eliminated and voters' second preferences are redistributed to the remaining two.

The first elected mayor of London (2000), who served two consecutive terms in office, was Ken Livingstone – the last leader of the GLC. He was defeated in the 2008 elections by the Conservative candidate: Boris Johnson, who was himself re-elected in May 2012. The 2016 election saw two new main Labour and Conservative contenders, from a list of 12 candidates, with the first and second round results as follows:



Figure 21.2 Sadiq Khan and Zac Goldsmith Source: Twocoms/Shutterstock; Jstone/Shutterstock

- First count: Sadiq Khan (Labour) 1,148,716; Zac Goldsmith (Conservative) 909,755
- **Second count**: Sadiq Khan (Labour) 1,310,143; Zac Goldsmith (Conservative) 994,614

Labour's Sadiq Khan will serve as London mayor until the next elections in 2020.

What is of note about the London mayoralty is that each incumbent was, or had been, a Member of Parliament; it appears when MPs get fed up with parliament, they like to get a proper job and govern London.

The structure of local government

So, given the discussion above, it is time to look more closely at the structure of local government. In Scotland, Wales and Northern Ireland, a deceptively simplistic structure exists as can be seen in Figure 21.3.

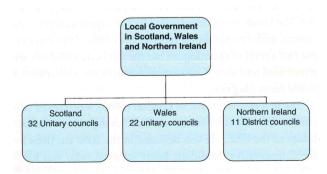
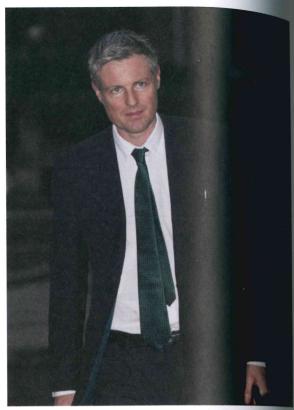


Figure 21.3 Local government in Scotland, Wales and Northern Ireland



If we look at the overall structure of local government in England we see a picture that is very different from the unitary system that exists in Scotland and Wales.

What we see in England is a mixture of two-tier areas with county and district councils and different types of unitary councils, London Boroughs, Metropolitan boroughs and councils that are simply referred to as: unitary councils. These differences partly reflect historical differences in the development of local government in England, partly shifting demographics, partly any on government's ability to create new unitaries and partly a belief that heavily urban areas only require a single level of local government.

The gradual creep towards an all unitary system of local government goes hand-in-hand with increase in the size of councils. Indeed, it is questionable whether the term 'local can be applied to some units of local government, particularly when compared to the size of councils across Europe.

From Table 21.2 it can be seen that Britain (and England in particular) has the largest average council population size but the fewest councillors per-citizen (representative ratio); the situation remains more or less the same, whatever European nations are included in the table. Local government in Britain has increasingly become larger, and more remote and distant from the communities it serves. As Stewart reminds us the 'average population of shire districts is over 10 times the average of the lower tier in Europe' (Stewart 2003: 181). It is

ikely that neither the Conservatives or Labour has finished with the unitarisation of English local government, nor with the increase in council size associated with it; English local

government may not remain local at all. It is now necessary to consider whether we can indeed, call it 'government' either.

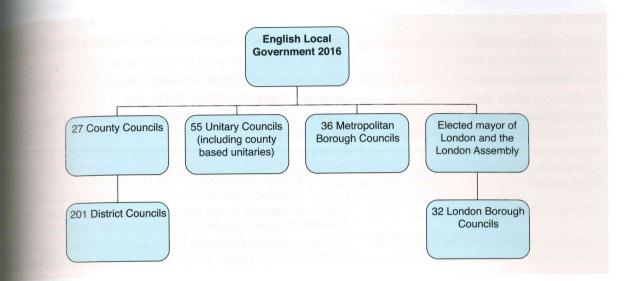


Figure 21.4 The structure of local government in England

Table 21.2 Local government scale

	Population (millions)	Number of lower- tier councils	Average population per council	Total number of councillors 000s	Persons per councillor (figures rounded)
France	59	36,700	1,600	515	120
Spain	40	8,100	4,900	65	620
Germany	83	12,400	6,600	200	420
Italy	57	8,000	7,200	100	600
Belgium	10	589	18,000	13	800
Sweden	9	290	31,000	46	200
Netherlands	16	443	36,000	10	1,700
Denmark	5	98	51,000	5	1,200
UK 1974	56	520	108,000	26	2,150
UK 2008 (changes in England only)	60	468	128,000	22	2,730
UK 2009 (changes in England only)	61	433	140,000	21	2,900
England (2016)	53	202 Districts (total figure 352 all council types)	Ave pop all English councils 150,000	18	2,950

Source: Adapted from: Chris Game, 'Lost! 90 per cent of councillors in 35 years: Are county-wide unitaries effectively the end of UK local government?'. Paper presented to the PSA Local Politics Specialist Group University of Birmingham – 30 January 2009.

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Table 21.3 Key legislation in the creation/abolition of councils

Act	Effect of the Act
Municipal Corporations Act 1835	The right to petition for an elected council
Local Government Act 1888	51 County Councils; 62 county boroughs (and the London County Council
London Government Act 1899	Creates 28 Metropolitan boroughs within the LCC
Local Government Act 1894	688 Urban District Councils; 692 Rural District Councils
London Government Act 1963	Greater London Council and 32 London boroughs
Local Government Act 1972	46 counties and 296 districts (excludes London)
Local Government Act 1985	Abolishes 6 Metropolitan councils and the GLC
Local Government Act 1992	34 County Councils; 36 Metropolitan Borough Councils; 238 Districts; 46 Unitary councils
Greater London Authority Act 1999	Creates the London assembly and the Directly Elected Mayor of London
Local Government and Public Involvement in Health Act 2007	Loss of 44 councils replaced by 9 new Unitary councils
Localism Act 2011	Gives English councils general power of competence (ability to act withou legislative permission) but the Act did not change the number of councils
Cities and Local Government Devolution Act 2016	Allowed the creation of combined authorities providing a framework within which councils could create new sub-regional political and governing bod

Intergovernmental relations: general competence or general dogsbody?

The chapter has already set out local government's subordinate role to central government. Such an arrangement is not the only relationship between national and sub-national governments, and this section will consider, in the light of the government's policies on Localism, how the centre and the localities could interact on a more equal footing.

The British unitary state and unwritten constitution, resting on the doctrine of Parliamentary supremacy, ensures that the party with a majority in Parliament is able to legislate as it thinks fit, unhindered by any mechanisms for constitutional restraint. While the courts may interpret government legislation and even find that ministers have acted illegally. they cannot hold legislation unconstitutional and unenforceable, effectively striking legislation down as the US Supreme Court may do. Thus, intergovernmental relations in Britain are conducted in an environment where political control of the machinery of central government allows national political concerns and policy to supersede local discretion, although bargaining between central and local government is the norm.

We are left pondering whether councils should be subordinate to central control and regulation and only be able to act in cases where Parliament gives express authority? Councils

are elected bodies, should they not have the powers to act accordingly? Moreover, councils and councillors are closer to the people they represent than central government, MPs and civil servants. The issues they deal with often have a more immediate and greater specific impact on the day-to-day well-being of local citizens than the activities of central government. In addition, strong and independent councils can act as a counterbalance to the political power of central government and are a means by which local voices can be heard at the heart of government. We are left with the question: should local councils be granted a power of general competence, a widespread power across Europe (Wilson and Game 2011) to govern their own localities as they think fit and in accordance with the wishes of their electorate?

The last Labour government, from 1997-2010 answered this question with a highly qualified 'maybe' with the passing of the Local Government Act 2000 which gave councils a duty to promote the social, economic and environmental well-being of local communities (for a detailed exploration of how sub-national governments can affect the welfare or well-being of citizens, see Wolman and Goldsmith 1992). As Wilson and Game (2011) point out, section one of the Act enabled local government to become involved in areas such as tackling social exclusion, reducing health inequalities, promoting neighbourhood renewal and improving local environmental quality. But, it was not a general power to act as a council thinks fit.

The Coalition Agreement (Cabinet Office 2010: 11) which formed the basis of the arrangement between the Conservative Party and Liberal Democrats to form a coalition

wernment, which was in power from 2010-5 stated the llowing aims, to:

shift power from Westminster to people (and councils) promote decentralisation and democratic engagement. end top-down government by giving new powers to local councils, communities, neighbourhoods and individuals.

further boldly stated (p. 12) that: 'We will give councils general power of competence. It duly completed on that nomise and section 1(1) of the **Localism Act 2011** states that: a local authority has power to do anything that individuals generally may do': general Competence has arrived for Figlish local government. Now, rather than having to find statutory authority for any action a council wishes to conduct, it can point to section 1(1) and claim that it is acting under the 'general power of competence' it has been granted by Parliament. Section 2, however, starts to set out what are a list of exceptions to the general power - things councils ran still not do, but the Act did provide the beginnings of a new framework within which councils can operate. Some five years on from the passing of the Act and with a change of Government to a Conservative majority in 2015, we still are wet to see the 'general power of competence' become an effective tool for local government. Indeed, many councils report that in trying to use the power they are blocked or obstructed by government departments.

Local government: a changing policy environment

So far we have seen the power of the central government over councils and that the policy landscape within which councils operate is constantly changing. Central government allocates new roles and responsibilities to councils, takes away roles - giving them to other bodies and generally alters local government to suit its own policy agenda. Thus, it is of no surprise that the Coalition Government has introduced a range of policies to which local government must comply. Despite the need for councils to comply with government legislation, as we have seen, this government has loudly trumpeted its commitment to localism.

The Localism Act 2011 also provided new powers to communities that they can use in relation to their local council:

Community right to challenge (enshrined in the Act) gives communities, voluntary groups, parish councils and other 'relevant bodies' the right to express an interest in taking over the running of a council service. The purpose is to ensure that those with ideas about how services can be improved can act on those ideas. The council will have to comply with procurement rules before a service becomes the responsibility of those outside the council.

- Community right to express an interest is linked to the right to challenge because it is how communities exercise the right to challenge. They must express their interest in providing or helping the council in providing a particular service, and there are now legal requirements on councils to act when such an expression is received.
- Community right to bid allows voluntary groups, community groups and parish councils to nominate to the council a community asset. The council must keep a list of community assets, which might include, community centres, a pub, a particular local shop or some other asset the community feels would be a major loss should it close or be sold. Any owner of such an asset must wait six months before it can be sold, thus giving any local group time to raise the finance to purchase that asset.

These powers can be taken in conjunction with the introduction, again through the Localism Act 2011, of neighbourhood plans. Neighbourhood plans enable local communities to create a shared vision of the way they would like their areas to develop and what local facilities they would like, and it provides input for communities to infrastructural development. Working together, often with parish councils, where there is one, communities are able to produce plans that sit alongside the council's 'local plan' and can be used by it when determining planning applications. Before neighbourhood plans can be agreed a local referendum, within the area covered by the plan, has to be held and a vote to adopt the plan secured. So, the process involves a healthy dose of local direct democracy.

A time of austerity

Since the election of the Coalition Government in 2010 and the Conservative Government in 2015, a major plank of government policy platform has been measures to reduce and control national public expenditure as a way of getting the economy back on track. Each year, central government allocates money to each council though the Local Government Financial Settlement, using the formula grant system, which is made up of:

- revenue support grants,
- redistributed business rates,
- specific grants (for certain services) and
- Home Office police grants.

Around 60% of all local government income comes from central government, with the rest made up of business rates (collected locally, but sent to the government to be

re-allocated to councils) council tax and fees and charges levied by councils. Since the Coalition Government elected in 2010 local government has experienced an ongoing reduction in the financial support it receives from central government. The National Audit Office (NAO) has provided the following figures to indicate the level of financial reductions made to local government:

- 37% estimated real-terms reduction in government funding to local authorities 2010-1 to 2015-6
- 25% estimated real-terms reduction in local authorities' income 2010-1 to 2015-6, once council tax is included
- 40% largest local authority real-terms budgeted funding reduction, 2010-1 to 2015-6 (National Audit Office 2014)

Councils across the country have been forced into a series of reductions in their own expenditure which is already having an effect on the services that councils provide. In times of economic downturn and austerity and with unemployment figures creeping upwards, public services become ever more important, and it is at this time they face their own challenges. The councillors elected across the country are grappling with difficult choices about the level of services their councils can continue to provide. They are supported in that process by the officers that work for the council who will be providing them with the information needed to decide the level of public services provided to local communities.

The Conservative Government elected in 2015 has continued with the policy of business rate retention, that is, that rather than local government handing the tax it collects from local business over the government. Since 2013 councils have kept 50% of the tax they raised and the intention is that they will be able to keep 100% of local taxes raised from business. It is unlikely that in any one area however, that local business rates will fully replace the support provided to councils from the government's formula grant, which is due to be scrapped. In addition, the government offered councils the choice of accepting a four year financial settlement from the centre, and they had until October 2016 to signal this intention. A four year settlement will provide councils with greater long-term planning ability, but involves the gamble of the uncertainty of the wider economic and financial environment. Councillors and councils will still be faced with a long-term uncertain financial future.

Councillors and officers navigating the changes

While councillors have links to the external environment through their parties and communities, and business, professional and political organisations, the decisions they

take rest heavily on the advice they receive from of employed by the authority. These professionals and man ers form an important antenna for councillors on the out world and the key source of advice and expertise they rel on when responding to changes in legislation and govern ment policy. Local government officers coming from a range of professional backgrounds, mainly associated with the specialist services provided by local authorities or from the wider professions such as the law, interact with colleagues whose profession is management. The professional as expen and the professional manager now operate in what is the accepted principle of local government management; the corporate approach. This approach was championed in 1972 by the Bains Report, which challenged the then dominant functional approach to local government organisation and management.

The Bains Report took a managerial perspective towards the role of the officer, but as Stewart (1986: 132) reminds us 'decisions made by a manager can have important and unexpected political consequences. Indeed, it is senior officers and senior councillors acting as a 'joint elite' (Stoker 1991) that is at the heart of local government political management. While tensions may exist between the elite of senior councillors and officers, the carving out of spheres of influence enables an uneasy alliance between officers and members to contribute a dynamic tension to the local policy processes

Many alternative sources of information exist for councillors to that received from officers, but, as the paid employees and advisers to the council, senior officers are a potentially powerful influence on councillors' final decisions. Indeed, for the vast majority of councillors the advice received from officers is among the most important and influential they receive. Even the overview and scrutiny committees formed by councils under the 2000 Act have yet to provide councillors with much direct access to sources of information and advice apart from local government officers.

Moreover, officers can influence councillors in their private discussions in the party group through the production of council minutes and reports that councillors consider in their group meetings, and, by attendance at those meetings, on request, to answer questions and give advice, which until quite recently was largely accepted. In 1990 Young and Laffin indicated that party politics has radically altered the patterns of interaction between officers and councillors and that the task of advising councillors no longer comes with the certainty of officer influence that it once had. Copus (2004) shows the powerful influence of national political parties in local government and it is to those parties we now turn.

Local government and local politics

gespite folklore to the contrary, local government and local ad national politics have had a long and intertwined assoation, an association stretching back much further than the 1974 local government reorganisation, often wrongly identiied as the point when national politics invaded local council hambers. Indeed, prior to the 1835 Municipal Corporations act, which democratised municipal boroughs and allowed nwns to petition Parliament for an elected council, local novernment was already party politicised. It was confor the most part, by what Fraser (1979) described as self-perpetuating Tory-Anglican elites. Moreover, the first municipal elections after the 1835 Act were essentially party hattles between the holders of, and contenders for, local political power. Even in the towns that did not immediately incorporate after the 1835 Act, the campaign for municipal satus often divided along party lines. Similar party battles occurred throughout the nineteenth century over the reform, and control, of London government (Young 1975).

Gyford (1985) summarised the long-term process of the party politicisation of local government, identifying five distinct stages:

Diversity (1835-65) - Crystallisation (1865-1905) - Realignment (1905-45) - Nationalisation (1945-74) - Reappraisal (1974 onwards)

The stages chart the gradual solidification of the party system in local government and how the party activity strengthened itself in local government.

Local politics has moved from a time when candidates and councillors often disguised their national party allegiances (see also Grant 1973; Clements 1969) to today, where political party involvement in local government has been described as almost 'universal', with 'seven-eighths' of all councils having fully developed party systems (HMSO 1986b; see also Wilson and Game 2011: 309-12).

As representative bodies, with the ability to distribute scarce local resources and decide broad policy approaches to important local services, councils are inherently political bodies. It is therefore no surprise that members and supporters of national political parties have had an interest in securing representation on and control of councils. Hennock (1973), Jones (1969) and Lee (1963) indicate not only the long association between local government and political parties but also the different texture that party politics has taken and the varied relationships that have existed within and between parties.

Bulpitt (1967) has summarised these differences into a typology of local party systems as either negative or positive,

the main distinction between the systems being the degree to which councillors act as coherent political groupings to accept responsibility for the control of council policy and the settling of patronage issues. What has varied over time and place is the nature of the relationship between the parties and the degree to which councillors sharing the same political allegiance cohere as distinct party groups. It is the rigidity with which party groups cohere to provide a council with a governing administration, or an opposition bloc, that distinguishes the conduct of party politics in council chambers from its more fluid predecessors (Young and Davies 1990).

Today the overwhelming majority of council elections are contested by members of national political parties and for some time local elections have had the flavour of a series of mini general elections (Newton 1976). On Thursday 4th May all seats on English county councils (including unitary counties) and the Scottish and Welsh unitary councils will be up for re-election. In addition, in England Doncaster Metropolitan Borough Council will have elections (including the re-election of the Doncaster directly elected mayor) and North Tyneside will re-elect its directly elected mayor. Also, seven new mayors will be elected for new combined authorities (see below) On the doorstep party activists will be talking about the economy, the health service, the EU, immigration, what promises the Prime Minister has broken, or how good or bad the leader of the Labour party is at his job (depending on the activist's party). It is also possible that party political broadcasts will focus on issues that local government does not control such as the health service or immigration – they have in the past. What we will see is that national parties squeeze local issues out of local elections, when the voter should really be looking at what their councillor and local council has or has not done.

A casual glance at the election-night programmes covering the results will give you constant analysis by the experts of what this, or that, result means for the government, or for the recovery of the Labour Party, or for the fortunes of the Liberal Democrats and far less about what the results mean for local citizens and for the way in which councils had hitherto been run. One thing is sure however, is that local election turnout in Britain bumps along at around 40% (Rallings and Thrasher 2012). Indeed, in some by-elections turnout has fallen to single figures. Poor turnout raises serious questions about the democratic legitimacy of local government and the ability of councillors to claim an electoral mandate for their policies. Turnout figures for local elections have been lovingly kept by Rallings and Thrasher at the Local Government Elections Centre at: www.research.plymouth.ac.uk/elections, their database shows the average turnout for the 2016 local elections was a mere 33.8%.

Poor turnout no doubt damages local accountability and legitimacy. But, added to this is the party group system and the loyalty and discipline groups expect of and by and large receive from councillors. That system further damages local accountability and representation (Copus 1998, 1999a and b). Political parties bind councillors to the decisions of their groups, taken in private and closed meetings, to which councillors are expected to publicly support, or at least acquiesce in, irrespective of how he or she may have spoken or voted in those meeting and of the views of the voters.

The organisation and activity of party groups varies depending on the party concerned, but each of the three main national and two nationalist parties produces model standing orders for their council party groups. Patterns of party interaction will vary depending on the type of council concerned but largely, groups are well organised and structured, with a range of officers undertaking different tasks and clearly identified expectations of loyalty from their membership (Rallings and Thrasher 1997; Wilson and Game 2011). In addition, party groups have a range of disciplinary procedures and sanctions available to use against recalcitrant members making it now the most important setting for the conduct of local representation and for council decision making (Hampton 1970; Saunders 1979; Stoker 1991; Game and Leach 1995).

The way in which party groups conduct council business can be problematic because local government is overwhelmingly dominated by the main three national political parties; in England alone, for example, almost 90% of all councillors in England are from the Conservative and Labour parties or the Liberal Democrats (calculations based on the web data: www.gwydir.demon.co.uk/uklocalgov/makeup.htm).

With such a deep penetration into local town halls by the main parties it is all the more important to emphasise the 'local' element of local government and, if parties continue in the town hall setting their wider national political battle, we are left asking again, where is the 'local' in local government?

Yet, is it fair to say that if national political parties have such control of local government it is the voter that gave it to them and at least voters can express dissatisfaction with the way in which they make decisions. Indeed, the way in which councils make decisions has undergone a radical transformation from the committee system which developed from the Victorian period. Local councils now have executive

leaders and elected mayors and local cabinets – similar to the Westminster cabinet – are now the norm.

Creating a new form and approach to local politics

When elected in 1997, the Blair government was committed to a widespread review of the British constitution; in opposition Labour had recognised the importance to political pluralism of a vibrant, healthy and vigorous local government and local politics. The reform agenda was displayed in a series of publications: a Green Paper, three White Papers, a discussion paper and two Acts of Parliament: Local Democracy and Community Leadership (DETR 1998), Modern Local Government: In Touch with the People (DETR 1998), Local Leadership: Local Choice (DETR 1999) and Strong Local Leadership: Quality Public Services (DTLR 2001) Vibrant Local Leadership, (ODPM) 2005; and the 1999 London and 2000 Local Government Acts.

The Local Government Act 2000 radically transformed the structure of political decision making in local government and Part II of the Act, required all councils, with populations above 85,000, to introduce one of three new-style executive political decision-making arrangements. Three executive options available under the Act were:

- 1 a directly elected executive mayor and cabinet,
- 2 a mayor and council manager (an option removed by the Local Government and Public Involvement in Health Act 2007) and
- 3 an indirectly elected executive leader and cabinet.

The indirectly elected leader and cabinet option has been the one preferred by the overwhelming majority of councils, which is not surprising as this option represents the least change to existing practices and structures. Here, the council, but in reality the ruling party group, selects one of its members to be the leader of the council. A cabinet of up to nine councillors (plus, the leader of the council) is formed, again normally from the majority party group unless the

Table 21.4 Councillors by party and country 2016

	Conservative	Labour	Lib Dem	Nationalists	UKIP	Independents and smaller parties (incl. Greens)
England	8,486	5,908	1,693	0	493	1,171
Wales	104	577	72	171	1	329
Scotland	115	398	70	417	0	223

Note: Scotland, unlike England and Wales uses the single transferable vote for local elections, rather than first past the post.

Source: www.gwydir.demon.co.uk/uklocalgov/makeup.htm

cuncil has no overall control; the leader and cabinet form the council's political executive. The system is not dissimilar uthat existing prior to the 2000 Act, when the ruling group and ensure that the council appointed its leader as council ader and went on to elect a number of committee chairs and acceptairs from amongst its number. The main difference wing is that individual councillors can now have decision taking delegated directly to them – much like government activities.

A directly elected mayor is the executive political head of he council, but unlike a council leader, he or she is elected by the voters of a council area. There are two ways in which nelected mayor can be introduced as the council's executive arements:

A referendum is held after the collection of a petition signed by 5% of local people and if that referendum delivers a 'yes' vote then an election for a mayor must be held within 6 months.

A council meeting can vote to introduce an elected mayor - without a referendum.

Much debate has centred on the directly elected mayor, a political office very different from the current ceremonial mayor that chairs council meetings. Despite many councillors complaining that the mayoral office would see the concentration of power in the hands of a single individual, the reality is different from that which is often claimed. The directly elected mayor has broadly similar powers to that of the indirectly elected leader. Moreover, as a result of the Local Government and Public Involvement in Health Act 2007, indirectly elected leaders are appointed by their councils for a four year term (under the same Act the Mayor and council manger system was abolished).

The elected mayor is elected by all the voters of a council area, not just by councillors, and thus they have a direct

electoral mandate far more powerful and legitimate than the indirect one granted to a council leader by fellow councillors.

The directly elected mayor is elected by the supplementary vote system, where voters place a cross in a first- and second-preference column against their preferred two candidates. After the first count, if no one candidate achieves 50% of the votes cast, all but the top two candidates are eliminated and the second-preference votes redistributed to the remaining candidates.

The mayor becomes a highly visible political head of the council with responsibility for providing political leadership, proposing the policy framework for the council, preparing the council's budget and taking executive decisions. The council is responsible for scrutinising the work of the mayor and cabinet and proposing amendments to policy and the budget. It is fair to say, that giving the public the right to select directly the political head of the council, rather than having the choice made for them by councillors, has failed to ignite a blaze of interest in the mayoral option. Only fourteen of the forty referendums held outside London returned a 'yes' vote. Table five displays the results of referendum held before May 2012. Leicester City Council joined the ranks of directly elected mayors after a vote by the full council in December 2010. Sir Peter Soulsby was elected mayor of Leicester in May 2011. Liverpool City Council also resolved, at a meeting of the council in February 2012, to have an elected mayor. On 3rd May 2012, Joe Anderson, the Labour candidate became the first directly elected mayor of Liverpool.

In May and October 2002 the first elections for directly elected mayors were held, and Table 21.6 shows the outcomes of these first contests. What is clear from the results is that voters in at least half the mayoral contests have taken the opportunity the new arrangements have given them to reject candidates from political parties and often from the party that has long controlled the council.

BOX 21.1

A shrinking electorate

- 1 Birmingham City Council, the largest local authority in the country, has 120 elected councillors.
- ² To control the council a party needs 61 seats.
- 3 To become leader of the council a councillor needs then to convince 32 of the councillors from the same party to vote for him or her he or she would then become the single candidate from that party to lead the council and the entire group would vote for him or her.
- 4 The electorate of Birmingham is just over 650,000 people but, under the council leader system the electorate shrinks to just 61 all councillors.
- 5 Under the elected mayor system all 650,000 get a say in who runs the council.

Table 21.5 Mayoral referendum, 2001 to May 2012

Council	Date	Result	Yes	%	No	%	
Berwick Upon Tweed	7 Jun 2001	No	3,617	26%	10,212	74%	Turnou
Cheltenham	28 Jun 2001	No	8,083	33%	16,602	67%	64%
Gloucester	28 Jun 2001	No	7,731	31%	16,317	69%	31%
Watford	12 Jul 2001	Yes	7,636	52%	7,140	48%	31%
Doncaster	20 Sep 2001	Yes	35,453	65%	19,398	35%	24.5%
Kirklees	4 Oct 2001	No	10,169	27%	27,977	73%	25%
Sunderland	11 Oct 2001	No	9,593	43%	12,209	57%	13%
Hartlepool	18 Oct 2001	Yes	10,667	51%	10,294	49%	10%
LB Lewisham	18 Oct 2001	Yes	16,822	51%	15,914	49%	31%
North Tyneside	18 Oct 2001	Yes	30,262	58%	22,296	42%	18% 36%
Middlesbrough	18 Oct 2001	Yes	29,067	84%	5,422	16%	34%
Sedgefield	18 Oct 2001	No	10,628	47%	11,869	53%	33.3%
Brighton and Hove	18 Oct 2001	No	22,724	38%	37,214	62%	32%
Redditch	8 Nov 2001	No	7,250	44%	9,198	56%	28.3%
Durham	20 Nov 2001	No	8,327	41%	11,974	59%	28.5%
Harrow	7 Dec 2001	No	17,502	42%	23,554	58%	26.6%
Plymouth	24 Jan 2002	No	29,553	41%	42,811	59%	39.789
Harlow	24 Jan 2002	No	5,296	25%	15,490	75%	36.389
LB Newham	31 Jan 2002	Yes	27,163	68.2%	12,687	31.8%	25.9%
Shepway	31 Jan 2002	No	11,357	44%	14,438	56%	36.3%
LB Southwark	31 Jan 2002	No	6,054	31.4%	13,217	68.6%	11.2%
West Devon	31 Jan 2002	No	3,555	22.6%	12,190	77.4%	41.8%
Bedford	21 Feb 2002	Yes	11,316	67.2%	5,537	32.8%	15.5%
LB Hackney	2 May 2002	Yes	24,697	58.94%	10,547	41.6%	31.85%
Mansfield	2 May 2002	Yes	8,973	54%	7,350	44%	21.4%
Newcastle -under-Lyme	2 May 2002	No	12,912	44%	16,468	56%	31.5%
Oxford	2 May 2002	No	14,692	44%	18,686	56%	33.8%
Stoke-on- Trent	2 May 2002	Yes	28,601	58%	20,578	42%	27.8%
Corby	3 Oct 2002	No	5,351	46%	6,239	53.64%	30.91%
LB Ealing	12 Dec 2002	No	9,454	44.8%	11,655	55.2%	9.8%
Ceredigion	20 May 2004	No	5,308	27%	14,013	73%	36%
Torbay	14 July 2005	Yes	18,074	55%	14,682	45%	32.1%
sle of Wight	06 May 2005	No	28,786	44%	37,097	56%	60.4%
enland	15 July 2005	No	5,509	24%	17,296	76%	33.6%
Crewe and Nantwich	4 July 2006	No	11,808	39%	18,786	61%	35.3%
Darlington	27 Sept 2007	No	7,981	42%	11,226	58%	24.65%
Bury	03 July 2008	No	10,338	40%	15,425	60%	18.25%
B Tower Hamlets	06 May 2010	Yes	60,758	60.3%	39,857	39.7%	62.1%
Great Yarmouth	06 May 2011	No	10,051	39.2%	15,595	60.8%	36%
Salford	26 January 2012	Yes	17,344	56%	13,653	44%	18.1%

	Date	Result	Yes	%	No	%	Turnout
council	22 May 2014	Yes	12,671	69.8%	5,489	30.2%	33.9
copeland	10 March 2016	No	8,504	21.8%	30,557	78.1%	28.9
Bath and NE Somerset	13 October 2016	No	4,948	19.3%	20,369	80.6%	24.9
Guildford	13 October 2016	No	4,948	19.3%	20,309	30.070	24.

wrce: New Local Government Network 2003 (updated 2017)

Mayoral election results, May and October 2002

council	Winning candidate	Political affiliation	Elected on 1st or 2nd count	Electorate	Turnout
May 2002	Martin Winter	Labour	2nd	216,097	58,487 (27.07%)
oncaster	Stuart Drummond	Independent	2nd	67,903	19,544 (28.78%)
lartlepool	Steve Bullock	Labour	2nd	179,835	44,518 (24.75%)
B Lewisham	Ray Mallon	Independent	1st	101,570	41,994 (41.34%)
liddlesbrough	Robin Wales	Labour	1st	157,505	40,147 (25.49%)
B Newham	Chris Morgan	Conservative	2nd	143,804	60,865 (42.32%)
orth Tyneside	Dorothy Thornhill	Liberal Democrat	2nd	61,359	22,170 (36.13%)
atford ctober 2002	WAY STANKE				
	Frank Branston	Independent	2nd	109,318	27,717 (25.35%)
edford	Jules Pipe	Labour	2nd	130,657	34,415 (26.34%)
B Hackney	Tony Egginton	Independent	2nd	72,242	13,350 (18.48%)
Mansfield toke-on-Trent	Mike Wolfe	Mayor 4 Stoke	2nd	182,967	43,985 (24.04%)

Source: New Local Government Network, http://nlgn.org.uk

Elections for elected mayors have thrown up some interesting results with independents and smaller parties being successful in areas where the main political parties would have thought they were guaranteed a victory. The most famous case came in 2009, in Hartlepool, independent, Stuart Drummond was re-elected to serve for his third term – he had won notoriety at his first election in 2002 by standing as 'hangus the monkey' and wearing the costume of the mascot for Hartlepool Town Football Club; he had been re-elected for a second term in 2005 with a 10,000 majority; his majority in 2009 was just 800 after the second preference count, but he was elected over another independent candidate; neither of the candidates from the two main parties made it to the second count. A sad end however has occurred to this particular mayoralty. In August 2012, councillors on Hartlepool council, who have been unable to defeat the mayor in an election, voted to hold a referendum to ditch the mayoral system and return to the old fashioned committee system of decision making. The referendum was held on 15th November and on an 18% turnout the result was: 7,366 for a committee system and 5,177 votes for continuing with an elected mayor. Mayor Drummond saw out his term of office which ended in May 2013 when the council reverted to an indirectly elected leader.

Table 21.7 shows the current incumbent elected mayors and their political affiliations.

Table 21.7 Current mayoral incumbents, 2012

Council	Mayor	First elected
Bedford	Dave Hodgson: Lib Dem	2009
Bristol	Marvin Rees: Labour	2012
Copeland	Mike Starkie: Independent	2015
Doncaster	Ros Jones: Labour	2013
Hackney	Philip Glanville: Labour	2016
Leicester	Sir Peter Soulsby: Labour	2011
Liverpool	Joe Anderson: Labour	2012
Lewisham	Steve Bullock: Labour	2002
Mansfield	Kate Allsop: Independent	2015
Middlesbrough	Dave Budd: Labour	2015
Newham	Robin Wales: Labour	2002
North Tyneside	Norma Redfern: Labour	2013
Salford	Paul Dennett: Labour	2016
Torbay	Gordon Oliver: Conservative	2011
Tower Hamlets	John Biggs: Labour	2015
Watford	Dorothy Thornhill: Liberal Democrat	2002

Table 21.8 Mayoral referendum, 3rd May 2012

Council	Yes %	No %	Turnout %	Electorate	No of cour
Birmingham	88,085 (42.2)	120,611 (57.8)	28.35	653,164	The second second
Bradford	53,949 (44.9)	66,283 (55.1)	35	341,126	120
Bristol	41,032 (53)	35,880 (47)	24	318,893	90
Coventry	22,619 (36.4)	39,483 (63.6)	26.6	236,818	70
Doncaster	42,196 (61.7)	25,879 (37.8)	30.5	224,678	63
Leeds	62,440 (36.7)	107,910 (63.3)	31	562,782	99
Manchester	42,677 (46.8)	48,593 (53.2)	24	370,453	96
Newcastle	24,630 (38.1)	40,089 (61.9)		203,512	78
Nottingham	20,943 (24.5)	28,320 (57.5)	23.9	207,312	55
Sheffield	44,571 (35)	82,890 (65)	32	390,890	84
Wakefield	27,610 (37.8)	45,357 (62.2)	28.84	257,530	63

The coalition government which took power in 2010 had great interest in the mayoral model introduced by the forerunner Labour government. Indeed, the idea has long been a favourite of Lord Michael Heseltine who first floated the idea when a member of Margaret Thatcher's cabinet. The coalition government required the 10 largest English cities to all hold referendum on introducing an elected mayor. The referendum took place on 3rd May 2012; Table 21.8 shows the results.

Doncaster, which returned a 'Yes' vote in the May 2012 referendum was voting on whether or not to keep its existing elected mayor system or follow in the footsteps of Stokeon-Trent which voted in 2008 to go back to a council leader system. Voters in Doncaster seem to like an elected mayor. The 2012 referendum campaigns in the 10 English cities (plus Doncaster which was holding a referendum anyway) show just how hard and desperately councillors will fight to make sure they and not the voters get to choose who will run the council. Even with the then Prime Minister, David Cameron and senior ministers throwing their weight behind a 'yes' vote for continuing the policy first introduced by Tony Blair, councillors and voters overwhelmingly rejected this way of governing locally. Indeed, the Prime Minister's pre-referendum pledge to create a cabinet of mayors to meet nationally with him chairing its first meeting, failed to sway the voters.

Directly elected mayors, on the surface appear a radical change for local government, but, the mayors and councils on which they serve, were given no new powers that would clearly distinguish them and their councils from any nonmayoral council. It is not so much the power of the mayor that is different, rather how they get the job and here it is the voters that decide not a handful of councillors from the ruling group on the council. One thing is clear however, as the referendum results show: voters across the country do not appear all that

interested in having that power! However many elected may. ors arrive over the following years, the move to the direct election of the political leader of the council is one of the most controversial changes to councils for some years and the debate is set to continue, as local government in this country struggles to come to terms with a model of governance that is widespread across Europe. The next section, explores how the mayoral model of governance might spread as it has become part of the current Government's devolution policy.

A word about devolution

In 1999 the Labour government enacted a celto-centric devolution policy and formed nationally elected bodies for Scotland and Wales a process from which England was excluded and denied a parliament, first minister and government of its own. After the referendum on Scottish separation from the UK in September 2014, which delivered a no vote, attention turned to what to do about the English question. The answer was not to give to England what had been given to Scotland and Wales but to hope the English would be satisfied with greater power and responsibilities being given to local government. Rather, to combinations of councils that negotiated and secured devolution deals from central government by coming together in a new form of institution - the combined authority - made possible by the Cities and Local Government Devolution Act 2016, an Act which built on previous legislation from the last Labour Government.

The Government set a deadline of September 2015 for the receipt of proposals from councils for a devolution deal and the formation of a combined authority - a total of 38 were submitted. The purpose of the deals was to receive, from government, the ability and some budgets, to take on

acibility of a range of services previously provided or alled by other bodies. Wall and Bessa Vilela (2016) have ided a comprehensive review of the devolution process the deals agreed, up to May 2016, between combinaof councils and the government as is displayed in Table

Fach of the combined authorities consist of a number of and authorities, so the Manchester combined authority, for cample, has as its members the following 10 Councils:

- Manchester
- Oldham
- Rochdale
- Salford
- Stockport
- Tameside
- Trafford
- Wigan

The process for negotiating devolution deals and new combined authorities however, has not led to the sort of variations across the deals that would be expected had a truly localist approach formed the basis of negotiations. Wall and Bessa Vilela (2016: 666) sum up the process as following a predetermined script which saw the following:

£30m funding per year for 30 years; greater powers over local transport, buses and trains; new powers over skills and training; and, more control over strategic planning. It is not only the themes of the agreed deals which are remarkably similar, but much of the wording is so akin that upon redacting the names of the respective combined authorities, when trying to identify its author you would be forgiven for listing any of the combined authority areas that have agreed deals to date. The promise of 'bespoke devolution' has manifested into a template-style, cut and paste approach for the agreement and publication of devolution deals which, whilst seeing local areas battling against the chronic centralism within Whitehall and a reluctance amongst government departments to relinquish control, has resulted in a set of deals which lack any obvious sense of local or bespoke identity.

Devolution is very much predicted on tasks, functions and responsibilities being handed down from the centre to combinations of local authorities, there is no legislative political and governing power (such as that given to the Scottish

and Welsh devolved chambers) being offered to the new combined authorities. It would appear England is yet again being sold short when it comes to devolution, especially when compared to Scotland and Wales.

A sticking point for many of the councils negotiating deals has been the government's insistence - so far - that combined authorities are headed by a directly elected mayor. Many councils and councillors have either refused to negotiate deals worth potential millions of pounds and involving them taking responsibility for great swathes of public sector and economic responsibilities, because they do not want the voters to be able to elect a mayor to head the new body. At the time of writing (and these could change because of the fluidity in the negotiations and agreements about devolution) mayoral elections are due to be held in 2017 for the following combined authorities: Cambridgeshire and Peterborough, Greater Manchester, Liverpool City Region, Sheffield City Region, Tees Valley, West of England and the West Midlands. While elected mayors may be rejected for traditional local government, devolution is another chance to give voters a direct say over who governs what will be vast areas of the country with considerable political powers. In that case it is only right that the transparency and accountability that comes with a directly elected mayor finds its way into the new combined authorities and that the voters choose the political head of these bodies.

Local government and the European Union

Now we really are in unchartered waters. On 23rd June 2016 the UK voted, in a referendum, to leave the European Union and while the period since the vote has been a politically fluid one, no firm action has yet been taken to leave the EU. It is expected that the government will take such action early in 2017 by triggering what is known as Article 50, of the Treaty of Lisbon, which begins the withdrawal process; but, we wait to see. As we are in such unchartered waters - the UK is the first country to vote to leave the EU in its 59-year history, the section has two purposes: first to briefly set out what the relationship was and currently still is between local government and the EU; secondly, to briefly speculate on the consequences of leaving for local government.

The relationship between local government and the European Union (EU) has, up until now, come a long way since a 1991 Audit Commission report drew attention to its often 'blinkered' approach to EU matters. John (1996) describes the relationship between governing bodies as triadic, that is conducted between three groups of actors at each of the three levels of governmental interaction. Indeed, the relationship

Table 21.9 Review of agreed devolution deals to date (15th May 2016)

THE RESERVE TO SERVE THE PARTY OF THE PARTY		OT OTEN OF THE	Total May 2	OTO)										
Combined Authority	Governance	Skills and employment	Housing	Transport	t Business	Fiscal	Health	Rural	EU	Digital	Trade	Environment	Pub Service	Public safety
Greater Manchester Combined Authority	Mayor (directly elected) will be Chair and Member of GMCA Leadership Board	Zaganicana marian manta sud maria manta sud maria manta man	2 io XIII caren a mand ranger to an range property billion	oinU m	7130111	2	2 200 200	Shall Sand	A Comment	2	7		Z Leform	and amought
North East Combined Authority	Mayor (directly elected) will be Chair and Member of NECA Leadership Board	7	7	2	7 vos 1	7		7			>		7	
Tees Valley Combined Authority	Mayor (directly elected) will be Chair and Member of TVCA Leadership Board	Zancan govaner and govaner and govaner and	Zeraha - me	2	7						2			
Liverpool City Region Combined Authority	Mayor (directly elected) will be Chair and Member of LCRCA Leadership Board		7	Zeamoth ed ya reach also ba wat seen pue s	Z ANTENIA SE		in introduction clear		_		,	entante la bias en adria Lonies esterno en esta		
Sheffield City Region Combined Authority	Mayor (directly elected) will be Chair and Member of SCRCA Leadership Board	de maner socialista de la compansión de	7		tice say the following									
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Greater Lincolnshire Combined Authority	Mayor (directly elected) will be Chair and Member of GLCA Leadership Board	,				,		,	1/2		,	ш	I I	
West Midlands Combined Authority	Mayor (directly elected) will be Chair and Member of WMCA Leadership Board		3			train atom by to	modern and the same of the sam							
West of England	Mayor (directly elected) will be Chair and Member of WoE Leadership Board	the European street of the Committee of						a possibility of a	September 1999	dinancerent Regionalistics Sylvacionis	mains land	gyminaloeskirk panalymiataelu palaek kookeal		
Cornwall	Government has signed formal agreement for devolved powers to county	•	>	>	>	>	3	10 to 10 to			Par pula Plas tema	elidy good no there does that		
HM Treasury	ry Devolution Deals (2014, 2015, 2016); fur	4. 2015, 2016);	; further dev	eloped by M	ed by Wall and Bessa Vilela (2016)	a Vilela (20	16).							

Source: HM Treasury, Devolution Deals (2014, 2015, 2016); further developed by Wall and Bes

between the EU and local government is influenced by two factors: European law and policy; and the relationships between local and national government. Moreover, some local governments see the EU as a way around problematic relationships with national government and economic and political constraints imposed by government, a situation that applied particularly in the UK throughout the 1980s and early 1990s (John 1994 and 1996).

The impact of the EU on local government is less clear than the impact of national government but just as important. The EU affects local councils through a range of policy initiatives and demands: environmental health, consumer protection, public protection and even social and human rights legislation. In many respects, the EU imposes just as much regulation and control on local government as the British central government.

Many local authorities have recognised the importance of securing funding from the EU and contributing to the EU policy-making process, normally through the Committee of the Regions, which brings together councillors and regional politicians from across EU member states to explore policy development. Indeed, given the impact of EU funding, regulation and policy making some UK councils employ specialist staff to deal with European issues and negotiate with the EU (Goldsmith and Sperling 1997). Moreover, some have formed special committees of the council to deal with European matters and have European liaison officers, often with an economic development specialism and located within economic development departments (Preston 1992a, 1992b). The Local Government Association, the national body which represents all local government in England, also has a Brussels-based office. It is the larger, more urban councils with the greatest social problems to tackle that, not surprisingly are most likely to access EU funds (De Rooij 2002; Blair 2012 and 2013).

Some councils have established Brussels offices, either individually or as part of a consortium, and, while often small-scale affairs, they can disseminate information and establish links with the EU and other European national and sub-national governments. These offices are able to prepare funding bids, lobby for policy initiatives or changes, work with other bodies attempting to influence the EU, draw the private and voluntary sector closer into the EU policy network and place their local authority at the heart of the EU. Local government placing itself at the heart of the EU serves three main purposes:

- 1 Authorities can develop a range of funding partnerships with a diverse group of organisations.
- 2 It enables councils, across Europe to communicate with each other and learn from each other's experiences
- 3 It enables regions and councils to learn of, and shape, new EU policy initiatives (Ercole et al. 1997).

Preston (1992b) indicates why local government is anxious to develop good relationships with the EU, highlighting the financial and policy benefits that flow from successful applications for European Social Fund and European Regional Development Fund support.

Another reason for the popularity of the EU within local government is that element of the Maastricht Treaty concerning subsidiarity, which is popularly taken to mean by councils that decisions should be decentralised to the lowest appropriate level of government, thus locating functions and powers with sub-national governments. However, this is a matter of political interpretation, as the treaty itself refers to relations between member states and the EU, not between states and local government. In summary, the EU provides local government with

- access to funding;
- an opportunity to pursue its own policy agenda despite central government restrictions and direction - indeed, the possibility of a way around the unitary British state;
- political influence in important EU policy networks, linkages with other European local governments and local government consortiums; and
- opportunities to strengthen its role, functions, powers and responsibilities.

But, given the vote to leave the EU three possible scenarios present themselves, which were devised by Copus and Blair (2016: 11–12) and is worth repeating here at length, as follows:

- Scenario one minimal change: A deal is negotiated which keeps the UK as close to European membership as possible, effectively becoming an 'associate member' with major agreements, funding programmes and the links of membership maintained, but the UK steps outside of full membership. In such a scenario however unlikely, local government retains access to funding programmes, such as the European Structural Fund and loan facilities; loans from the European Investment Bank are not dependent on EU membership. Local Government, through the LGA has some attenuated membership of the Committee of the Regions and access to other policy-making forums. It is also constrained by EU regulations such as:
 - Procurement rules (a source of complaint from local government)
- Economic development
- Energy efficiency
- Waste collection and disposal
- Trading standards

Free movement is retained and immigration continues at current levels placing greater and greater strain on public services provided by local government.

- Scenario two Doomsday: Article 50 is triggered and the IK leaves the EU. Access to EU funding ceases to be availwhile and even access to the European Investment Bank is restricted, international credit rating for individual counris are downgraded and loans become harder to secure and those that are achieved demand higher interest rates, as a consequence councils attempt to replace lost finances with greater access to central government funding - which is either refused or is insufficient to replace lost funding. Government rules also mean local government is unable to raise local taxes to replace lost funding. Major infrastructure projects stall. Immigration continues to rise, especially from the Commonwealth, but government inability to deal with immigration from any source, means local government continues to see a rise in demand for services with fewer and fewer resources to meet that demand. Increasing demand and falling resources means councils start to fail in their statutory responsibilities, the government halts its devolution plans and begins to centralise services or create new regional and national quangoes, funded centrally and responsible to central government. Local government is re-reorganised through mergers and becomes ever more distant from the public. Turnout in local elections declines even further and that prompts even greater centralisation by the government. Local government becomes effectively a failed state.
- EU after a period of negotiation in which local government and local government bodies have played a major part in the exit negotiations. The renewed confidence such negotiations give local government, coupled with the completion of the government's devolution agenda, means local government enters a post-EU world with the powers and responsibilities necessary to engage internationally and to develop and implement a local foreign policy. Councils develop stronger and economically based links with municipalities aboard on a council-to-council, city-to-city basis, aimed at increasing productivity and developing employment opportunities. As a result of

local government input to the Brexit negotiations central government and civil servants finally trust local government as an equal parent in the government of the country: devolution continues. The global reputation of cities and councils in the UK are enhanced leading to more international interactions than took place while a member of the EU, because those interactions are direct and not attenuated by EU structures and polices. Economic and other deals are brokered directly between councils, or consortium of councils, with overseas municipalities. A virtuous circle is created in which the standing of local government with the centre is enhanced, leading to increased devolution and improved and freer relationships with municipalities abroad leads to ever increasing foreign policy development and success.

These three scenarios present a possible post-Brexit world for local government and different outcomes for the possibility of developing effect local foreign policy. Whatever the actual outcomes for local government of the UK leaving the EU, the ability to engage in any international setting and the ability to have a clear and comprehensive approach to relationships with municipalities overseas, will be vital to the long-term health of local government (Copus and Blair 2016: 11–12).

Local government has often complained about the over-regulation imposed by the EU and no more so than around the issue of procurement (purchasing), leaving the EU opens up the potential for a more flexible procurement regime. It should also be remembered that while councils across the country have gained significantly from various EU grants, the UK is a net contributor to the EU, in effect, councils are only receiving from the EU, their own money back. Although the vote has been taken the arguments over membership of the EU continue. There is little that can be said with any certainty at the moment about the future of local government in relation to the EU, what will be telling will be which, if any, of the three scenarios above are closest to the outcome.

BOX 21.2

Local government: constitutions, context and citizens

If you want to see what other countries say about their local government and the nature of the relationship between central government and local government and between central government and local government and the citizen, then go to: www.politicsresources.net/const.htm

Here, you can view the written constitutions of countries across the globe; note after the UK the site refers to Magna Carta. Yet a random glance at some of the constitutions provides stark evidence of the context within which UK local government sits:

Ireland

Article 28A

The State recognises the role of local government in providing a forum for the democratic representation of local communities, in exercising and performing at local level powers and functions conferred by law and in promoting by its initiatives the interests of such communities.

Poland Article 16

- The inhabitants of the units of basic territorial division shall form a self-governing community in accordance with law.
- Local government shall participate in the exercise of public power. The substantial part of public duties which local government is empowered to discharge by statute shall be done in its own name and under its own responsibility

Croatia

Citizens shall be guaranteed the right to local self-government. The right to local self-government shall include the right to decide on needs and interests of local significance, particularly on regional development and town planning, organisation of localities and housing, public utilities, child care, social welfare, culture, physical culture, sports and technical culture, and the protection and promotion of the environment.

Germany

Article 28

Article 28 (Federal guarantee concerning Laender constitutions, guarantee of self-government for local authorities). The constitutional order in the Laender must conform to the principles of republican, democratic and social government based on the rule of law, within the meaning of this Basic Law. In each of the Laender, counties and communities, the people must be represented by a body chosen in universal, direct, free, equal and secret elections. In the communities the assembly of the community may take the place of an elected body. (2) The communities must be guaranteed the right to regulate on their own responsibility all the affairs of the local community within the limits set by law. The associations of communities also have the right of self-government in accordance with the law within the limits of the functions given them by law.

These, and the other constitutions you can access, give to local government in the countries concerned, something that is lacking in the UK: the constitutional right

for local self-government to exist, in one form or and Moreover, they provide a clear set of principles on wh the relationship between the central government and loss sub-national government will be conducted and, who central government can and cannot do to local govern ment. In Britain, no such restraint exists on what central government can do to the localities, from rearranging responsibilities for certain services, to large-scale organisation of the size and shape of councils, to outright abolition of councils, such as in the 1974 re-organisation and the abolition of the metropolitan counties in 1986, as well as the forced merger and effective abolition of coun. cils replaced by unitary authorities. Moreover, citizens have no say over the shape, size, responsibilities or powers of councils as for example exists in many US states In Britain, local government is subservient to central government and the citizen subservient to both, at least in constitutional terms.

Unlike much, though by no means all, local government elsewhere, UK local government is heavily constrained by the law and the doctrine of ultra vires, that is, acting beyond powers specifically granted to it by statute. Before a council in Britain can do anything, it must be certain that there is legislation in existence saying it can do what it proposes to do. Other nations approach to power and role of local government differently by granting, often in a written constitution, the power of general competence. General competence means that local government can do whatever it wishes to do for the good of its citizens, so long as any actions are not prohibited by law. Put simply, British local government can do only what the law says it can do; elsewhere local government can do anything so long as the law does not say that it cannot. But, this picture is becoming cloudier as the relationship between local government in Scotland and Wales takes on a different form with the Scottish and Welsh devolved chambers to that between England and the UK government. Looking at the UK it is often easy to conclude that the words 'local government' are a misnomer; maybe we now have a situation where councils are too large to be local and have too little power to be

Different nations come to different constitutional settlements between the centre and the localities and we have an arrangement that emerged over time from our histories and traditions, but, which was shaped to reflect the power of the centre; other nations, at various times, have had the opportunity to sit down and devise a system of government and to write a constitution and thus have created something different from our own approach to the power of government. Who is to say who has it right? But,

there is choice to be made between an all-powerful central government which can control the localities, and powerful councils that can react to the wishes of local citizens even if they conflict with the government's policies. If your council wanted to double the level of council tax, you might want the government to be able to stop it; or, you

might want you council to be able to spend as much as it likes on local services, whatever the tax. Or, you might want to be able to force a local referendum on the issue, or be able to remove your councillors from office before the next election.

What do you think?

Chapter summary

The chapter has considered British local government as a politically representative set of arrangements designed to ensure responsiveness to the demands of local citizens. It has also outlined the constitutionally subordinate nature of local government to central control but indicated that this need not be the only constitutional settlement available between the localities and the centre. The chapter has investigated the role of political parties in local government and the wider political process of local democracy as they are enacted through local councils. As well as a political process, it has considered local government as a set of institutional relationships between citizens, the centre and the EU. It has also discussed the main elements of the government's modernising agenda.

The chapter has also emphasised the politically dynamic nature of local government, which exists not only as a means of providing services – important though that may be – but also as a means by which the will of local people can be expressed and realised.

Discussion points

- Has the British system of local government been overreformed since the early 1970s?
- Should local government get bigger or smaller, or, stay the same size, and why?
- Should we have a tiered or unitary structure of local government?
- Should local government have more or less freedom to do what it wants to?
- Are directly elected mayors, elected by all the voters a better way of running local government than a council leader chosen by councillors?
- Is it best to have councils run by national political parties or by local groups and independents?
- What will be the future for local government outside of the EU?

Further reading

Party politics has had a long and contentious involvement in local government and Copus (2004) and Leach (2006) charts

and explains that involvement and the effect it has had on local government and local democracy. There have been few specific studies of party politics in local government since these books were published (Morphet 2008). Wilson and Game (2011) provide a comprehensive overview of local government in the UK and explores its history, relationship with central government, financing, structure, politics and potential future - it is an indispensable read for the students of local government in the UK. Egner, Sweeting and Klock (2013) and Copus (2016) provide a detailed exploration of the role, powers and lives of councillors. Teles (2016) looks at how councils work together across boundaries. To fully understand local government as a politically representative institution and as an organisation with responsibility for and oversight of vast tracks of import public services, an international perspective is vital. Loughlin et al. (2011) and Swianiewicz (2010) more than offer that so important international perspective. Rhodes and t'Hart (2014) provide a detailed edited book of political leadership, which provides insights into the work of council leaders and mayors. These three texts provide the student with sufficient examples and explanations of differences and similarities between and within systems of local government, to be able to place our own system into a much broader context.

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