



Briefing:

The new political management structures – how well are they working?

THE NEW STRUCTURES

Under the Local Government Act 2000 all English councils were required to introduce one of four new political management structures by May 2002 (see box below). Most councils have introduced Option 2:

Alternative Political Management Structures	
Option 1: Directly elected mayor with cabinet of councillors appointed by the mayor.	10 councils
Option 2: Leader and cabinet of councillors appointed by the leader or the council.	81% of councils
Option 3: Directly elected mayor and council manager appointed by the council.	1 council
Option 4: Improved committee structure – only councils with less than 85,000 population	Two-thirds of the 59 authorities with < 85,000 population.

Under the new structures (with the exception of Option 4 authorities) management of the authority is conducted by:

- full council
- the executive (*mayor and cabinet, leader and cabinet, or mayor and manager*)
- regulatory committees (*development control, licensing and registration, etc*)
- area committees (*not compulsory – about half of authorities have them*)
- overview and scrutiny committees
- officers.
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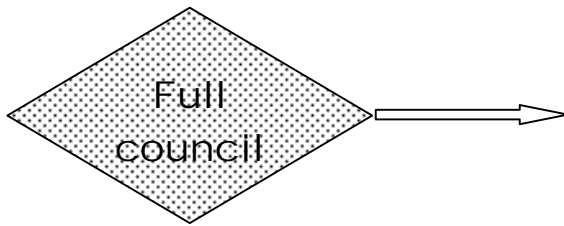
Option 4 also includes overview and scrutiny, but committees (rather than an executive) are collectively responsible for developing and implementing policy.

Constitutions and responsibilities

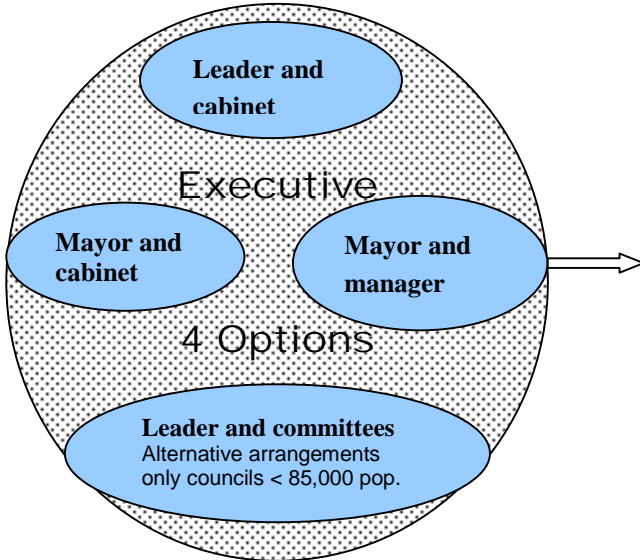
Councils have prepared constitutions describing their new structure. The ODPM has recently revised guidance for English local authorities on the new constitutions.¹ Each part of the structure has different responsibilities (see following diagram). Most functions are allocated to only one part, but some, such as policy development, may be the responsibility of the executive, overview and scrutiny, *or* both. Not all of these structures and responsibilities exist in every council (eg area committees are not universal) and there has been considerable flexibility in the legislation for councils to add their own local flavour. More information on what each of these responsibilities entails may be found in the *New Council Constitutions* guide.

¹ *New Council Constitutions: Guidance to English Authorities*, ODPM, revised 2003.

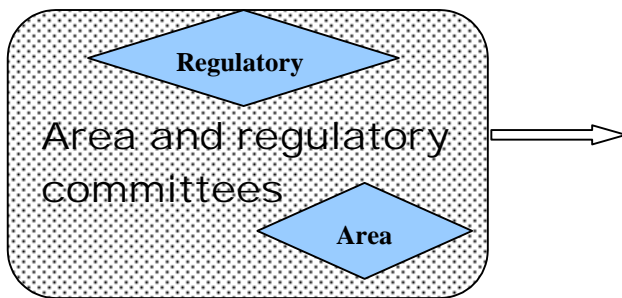
POLITICAL MANAGEMENT STRUCTURES AND RESPONSIBILITIES



- Approve:**
- council constitution
 - council policies
 - council budget
 - decisions not in accordance with council policy or budget.



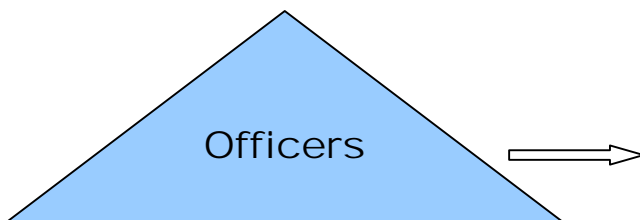
- Lead the community planning process
- Search for Best Value
- Lead the preparation of the council's policies and budget
- Deliver the council's policies and budget
- Take decisions on resources and priorities with stakeholders and partners
- Be the focus for forming partnerships to address local needs.



- Area committees** - take decisions about their area delegated from the executive:
- to implement council policies
 - decisions delegated from regulatory committees
 - consult local stakeholders on the council's policies.
- Regulatory committees** –
- approve and enforce licences, permits, permissions, registrations.



- Policy development and review
- Holding the executive to account
- Conduct Best Value reviews
- External scrutiny (of other organisations or the area).



- Support all the above
- Take decisions within the scheme of delegation
- Carry out certain prescribed functions, eg monitoring officer.

How well are the new structures working?

The shift to the new executive arrangements has been reasonably smooth, but councils have found it much more difficult to adapt to overview and scrutiny.

Executive arrangements

A recent survey by ELG², commissioned by ODPM, found that the way in which executives operate varies greatly depending upon the degree of delegation to leaders, portfolio holders and officers, formal and informal practices for meetings and decision-making and the extent to which both officers and portfolio holders have adapted to their new roles.

Full council

There has been some (though limited) experimentation with modernising full council meetings, eg holding question times in which the public or back-benchers can ask questions of portfolio holders, or holding full council ‘seminars’ on single themes.³

Overview and scrutiny

Many councils have found it difficult to adapt to overview and scrutiny. In their report to ODPM, ELG concluded:

“Scrutiny appears too dominated by party politics, at least in the formal sense. Majority parties chair committees in the majority of cases, party pre-meetings are still common place, and in one in ten councils the practice of whipping in scrutiny committees was openly admitted. There is also room for improvement in the [officer] support given to Overview and Scrutiny Committees.”⁴

District audit also identified significant problems:⁵

- backbench members feeling detached from decision making
- insufficient officer support for scrutiny
- scrutiny being ineffective
- scrutiny being treated as a continuation of the old committee system.

A major study into overview and scrutiny for ODPM⁶ concluded that:

- *Policy development and review* has been the most successful aspect of O&S, resulting in in-depth reviews and valuable recommendations
- *Best Value reviews* Members tended to be occupied with overseeing individual reviews, but were missing opportunities to take a more strategic overview.
- *Holding decision-makers to account* This is not part of traditional member behaviour and culture, and there had been some fundamental misconceptions about the role.

² *Implementing the 2000 Act with respect to Council Constitutions and the Ethical Framework – Baseline findings from a Long-Term Evaluation*, ODPM, August 2003.

³ *Strengthening Local Democracy – Making the Most of the Constitution*, ODPM, July 2003.

⁴ *Report of ELG Survey Findings for ODPM Advisory Group*, November 2002.

⁵ *Developing New Political Arrangements – A Snapshot*, District Audit 2002.

⁶ *The Development of overview and scrutiny in Local Government*, Inlogov and DeMontfort University for ODPM, September 2002.