



What can a mayor do for your city?

**A consultation**



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## Scope of the consultation

<b>Topic of this consultation:</b>	This consultation seeks views on our proposed approach for giving powers to any mayors elected in the 12 cities (“the mayoral cities”). We are also inviting you to let us have initial ideas about what powers you might wish to see transferred to a mayor where one is elected in any of the 12 cities; we also welcome views on how mayors can best be subject to effective local scrutiny.
<b>Scope of this consultation:</b>	The proposals in this consultation paper relate solely to the 12 cities of Birmingham, Bradford, Bristol, Coventry, Leeds, Leicester, Liverpool, Manchester, Newcastle upon Tyne, Nottingham, Sheffield and Wakefield
<b>Geographical scope:</b>	This consultation seeks responses from a range of stakeholders from the 12 cities.
<b>Impact Assessment:</b>	The Impact Assessment on the creation of directly elected mayors in these cities can be viewed at <a href="http://www.communities.gov.uk/publications/localgovernment/localismmayors">www.communities.gov.uk/publications/localgovernment/localismmayors</a>

## Basic information

<b>To:</b>	We are seeking views from those who live and work in each of the 12 cities. We want to hear from each city’s business community, including the Local Enterprise Partnership, from the voluntary and community sector and from public sector bodies and agencies active in the city.
<b>Body/bodies responsible for the consultation:</b>	Mayoral Policy team, Department of Communities and Local Government.
<b>Duration:</b>	Start date <b>1 November 2011</b> end date <b>3 January 2012</b>
<b>Enquiries:</b>	Mayoral Policy team 0303 444 0000 MayorsConsultation@communities.gsi.gov.uk
<b>How to respond:</b>	Department of Communities and Local Government, Zone 3/J1, Eland House, Bressenden Place, London, SW1E 5DU. MayorsConsultation@communities.gsi.gov.uk
<b>Additional ways to become involved:</b>	Alternative formats of this consultation can be obtained by emailing <a href="mailto:alternativeformats@communities.gsi.gov.uk">alternativeformats@communities.gsi.gov.uk</a>
<b>After the consultation:</b>	An initial announcement in response to the representations we receive should be made in January 2012.

<p><b>Compliance with the Code of Practice on Consultation:</b></p>	<p>This consultation and consultation process have been planned to adhere to the Code of Practice on Consultation issued by the Better Regulation Executive (BRE) in the Department for Business, Innovation and Skills (BIS) and are broadly in line with the seven consultation criteria.</p> <p>The consultation is scheduled to run for 8 weeks rather than the 12 weeks set out in the criteria. We aim to publish our response to the consultation when Parliament debates the secondary legislation needed to specify which cities will hold referendums in May 2012. This secondary legislation needs to be in place in good time to enable electoral administrators to prepare for the conduct of these referendums. The Government aims to make this secondary legislation in January 2012, subject to parliamentary approval, and has therefore asked for responses to this consultation by <b>3 January 2012</b>.</p>
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## Background

<p><b>Getting to this stage:</b></p>	<p>The Government set out its intention in the Coalition Agreement of May 2010. The necessary legislation was introduced to the House of Commons on 13 December 2010 in the Localism Bill. The legislation was introduced to the House of Lords on 19 May 2011.</p>
<p><b>Previous engagement:</b></p>	<p>Parliament has been considering the mayoral provisions in the Localism Bill since its introduction to the House of Commons on 13 December 2010.</p> <p>Lord Adonis of the Institute for Government has visited 10 of the cities that will be holding the referendums and produced three reports to the Government following these visits.</p>

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## About this consultation exercise

1. The Coalition Government is committed to creating directly elected mayors in the 12 largest English cities<sup>1</sup>, subject to confirmatory referendums. Leicester already has a mayor, elected in May 2011. We are planning referendums in May 2012 in the other 11 cities – Birmingham, Bradford, Bristol, Coventry, Leeds, Liverpool, Manchester, Newcastle upon Tyne, Nottingham, Sheffield and Wakefield. Where the referendum vote is in favour of having a mayor, the city will then rapidly hold an election for its first mayor.
2. The Localism Bill, which makes provision about directly elected mayors, had its third reading in the House of Lords on Monday 31 October. These provisions have thus undergone Parliamentary scrutiny, and this consultation is now seeking views about mayoral powers. It is focussed on directly elected mayors and their potential to enhance the governance of our largest cities, providing strong and accountable democratic local leadership, while enhancing the prestige of our largest cities. Direct elections for Mayors will ensure the leadership of our largest City councils is accountable, visible and has a clear mandate from the people of the City.
3. In July 2011 we published the *Open Public Services White Paper* which sets out the Government's vision for open public services guided by the presumption that they are decentralised to the lowest appropriate level. Mayors, with the accountability and public profile that their direct election brings, are uniquely placed to be that appropriate level for a wide range of services.
4. The Localism Bill, if enacted, will provide the legal powers needed to implement our commitment on mayors and to decentralise to them responsibility for services currently provided by central Government or other public bodies. Specifically, the Secretary of State will be able to provide by Orders, subject to Parliamentary approval, for a mayoral referendum to be held in a city, and for public functions to be transferred to the mayor, who will need to consent to the transfer.
5. A mayor in any of the 12 cities will be vested with all the city council's current executive powers. In addition, mayors in such mayoral cities, will have the powers that we transfer to them as we pursue our commitment to decentralisation in order to give power back to people and communities. We are proposing a "bottom-up" approach where we look to the cities to come forward with their proposals for powers for their mayors. This recognises the differences of the mayoral cities, and their need for flexible, decentralised policy solutions that enable them to do things in a way that is relevant to their city's particular circumstances.

<sup>1</sup> The listed cities are the largest local authorities in England, with city status, by population size, save for one exception. Sunderland although having a larger population than Newcastle-upon-Tyne is not included in the list as it held a referendum in October 2001 at which local people voted against the mayoral model.

6. **This consultation paper seeks your views on our proposed approach for giving powers to any mayors elected in the 12 cities (“the mayoral cities”).** These include Leicester where there is already an elected mayor as a result of that city council’s resolution that Leicester should move to mayoral governance. The proposals in this consultation paper relate solely to these cities, and mayors elected in other places would not be affected by them. **We are also inviting you to let us have initial ideas about what powers you might wish to see transferred to a mayor where one is elected in any of the mayoral cities.** With the greater responsibility mayors will have must come increased local accountability; **we also welcome views on how mayors can best be subject to effective local scrutiny.**

## Who we are consulting

7. We are seeking views from those who live and work in each of the 12 cities. We want to hear from each city’s business community, including the Local Enterprise Partnership, from the voluntary and community sector and from public sector bodies and agencies active in the city. In particular we would welcome the views of the City Council.
8. A list of the consultees that we are approaching directly is shown at **Annex A**.
9. It is, of course, also open to anyone to respond, commenting either on matters affecting their city, or more generally. **The paper is available on the Communities and Local Government website ([www.communities.gov.uk](http://www.communities.gov.uk)).**



## The context to this consultation

10. As explained above the Coalition Government's interconnected commitments on creating directly elected mayors and on decentralisation are at the heart of this consultation. The Localism Bill is also an important element of the overall context. It is this Bill, if enacted, which will provide the mechanism for us to implement our commitments on mayors and decentralising powers to them.

### Mayors

11. Directly elected mayors can make a major contribution to shifting power further away from Whitehall to the cities and closer to their communities. They can help improve the governance of our cities, provide better local public services, and build a happier and more responsible society through creating more opportunities to do things differently appropriate to a place's particular circumstances.
12. Our commitment on mayors reflects the potential directly elected mayors have to provide strong and accountable democratic local leadership, and to enhance the governance and prestige of our largest cities. The twin foundations of this potential are the direct election and the mayor's executive powers. It is the direct election which gives a mayor visibility and profile, a mandate and strong local accountability, and security of tenure. Possessing these characteristics enables a mayor to effectively exercise executive powers.
13. **Mayors provide visible leadership** experiencing greater recognition among local people when compared to other local political leaders and therefore it is clear where the buck stops. A survey in 2004 showed that 57 per cent of the public could name their elected mayor from a prompt list, compared to 25 per cent who could name their council leader<sup>2</sup>. Other evidence supports the role of mayors in improving local democratic engagement with the local media and the public<sup>3</sup>.
14. Mayors being directly elected are thereby directly accountable to the city as a whole. They have a mandate from the city's people who will pass judgement at the ballot box on the job they are doing as leader of the city. This gives mayors a mandate which has "provided a basis for a stronger, more proactive and individualised style of leadership than other models [of local government leadership]" (JRF, 2005<sup>4</sup>). This view is reinforced when we consider that the most powerful and high profile mayoral model in the UK has been a success: the Mayor of London<sup>5</sup> and by analysis of overseas

<sup>2</sup> Cited in DCLG (2008). *Communities in Control: real people, real power*. Cm 7427, July 2008, para 5.14.

<sup>3</sup> New Local Government Network (2005). *Making community leadership real*.

<sup>4</sup> JRF (2005). *Local political leadership in England and Wales*.

<sup>5</sup> Institute for Government and Centre for Cities (2011): *"Big shot or long shot? How elected mayors can help drive economic growth in England's cities"*.

examples. Equally, experience shows how with mayoral governance decision-making can be effectively and transparently held to account, particularly through the scrutiny of mayors by assemblies or councils.

15. Having these characteristics mean that mayors are well placed to focus on longer term **strategic decisions**, and to **co-ordinate and facilitate partnership working**, improving inter-agency working. Mayors equally have the capacity to act as “**ambassador and champion for their area in the wider world**”<sup>6</sup>. That mayors have these strengths and capacities, including the capacity to be held to account or scrutinised, will be important considerations when forming a view about how powers might best be transferred to any mayors in the mayoral cities and what those powers might be.

## Decentralisation

16. An equally important consideration when forming a view about powers to be transferred to mayors is our commitment to decentralisation. As we explained in the Open Public Services White Paper, we want control of public services to be as close to people as possible, and our **principle is to decentralise power to the lowest appropriate level**. We are determined to create public services that are directly accountable to those who use them and we believe that services which are more accountable to the people they serve will be better services.
17. Where the individual does not have the power to directly determine how their services are provided, the service provider needs to be accountable to citizens both directly and through elected representatives. We are clear that mayors are uniquely well placed to provide for a range of services the accountability that decentralisation demands.
18. Central to any judgement about powers to be transferred to a mayor will be whether for that power a mayor will be the lowest appropriate level at which the function should be exercised. Where necessary the status quo needs to be challenged but mayors will not always be the appropriate level for certain services. Some services need to be provided or commissioned by central government, such as the NHS and national welfare programmes. And it would not be appropriate to decentralise to mayors services subject to national delivery arrangements. Equally, there are certain functions, where the mayor of an individual city may not be the lowest appropriate level and a form of decentralisation over a wider economic area may be optimal.
19. The test is how can the service be delivered in the best interests of their users. Creating mayors in the mayoral cities provides a real opportunity to do things differently. Where this delivers better outcomes we will support innovative approaches. This should set

<sup>6</sup> N. Hope & N. Wanduragala (2010). *New Model Mayors*. (London: NLGN), page 13.

the tone for the future relationship between government and the cities. If these cities think they have a better proposition on how their services can be delivered, we want them to put it forward.

20. We would also expect them to include within their propositions how they would in turn decentralise to a lower level than the mayor where appropriate. Mayors, where elected, will be operating in a new environment where communities will have more power to call the shots. The Localism Bill, if enacted, will introduce specific mechanisms to allow communities to trigger change, for example through a community right to challenge and a community right to build. We will expect mayors to be in the vanguard of this new approach, encouraging the communities they represent to use these powers.

## The Localism Bill

21. The Localism Bill, if enacted, will provide the Secretary of State with a power to transfer by Order, subject to Parliamentary approval, local public functions to any local authority outside London. Local public functions are functions currently the responsibility of government or other public authority, which are carried out in relation to the people who live, work, or carry on activities in the authority's area. The Bill provides that the Secretary of State must consult before making any such transfer, and that the recipient authority must consent to it. The Bill also provides that the criteria for any transfer is that it should be likely to:
  - a. promote economic development or wealth creation; or
  - b. increase local accountability in relation to the function.
22. The form of this power, including the criteria, will be a consideration when forming any view about the approach for giving powers to the mayors in the 12 cities, and about what those powers might be.

# Giving powers to mayors – our proposed approach

23. In the Open Public Services White Paper we explained that our approach to public service reform can be summarised as follows:

‘Gone is the assumption that a small collection of politicians and bureaucrats have a monopoly on knowledge – and with it the idea that the state alone is equipped to run public services. Instead we recognise that the sum of knowledge held by individuals, communities, local authorities, public sector staff and the voluntary, charitable and private sectors can be the real driving force for change’.

24. This is the approach we are proposing for transferring powers to any mayors in the mayoral cities. Whilst we are clear about the potential of mayors to drive a city’s economic growth and prosperity, we are equally clear that we do not have all the answers. We do not presume to know what is best for each of the cities in terms of the specific powers that should be exercised by individual city mayors.
25. We are thus proposing to look to the cities themselves to come forward with their own proposals. Where a mayor is, or in the case of Leicester has been, elected in any of the mayoral cities we expect that mayor to put to us any proposals he or she has for decentralising services and powers to that city mayor. We also expect others in the city, including businesses, the voluntary and community sector and other public bodies, to come forward with their own proposals.
26. We will consider very carefully all the proposals we receive. Where the Government shares the view that in a city a mayor is the lowest appropriate level to have responsibility for a function or service, the presumption will be that we will transfer that function to the mayor subject to the mayor’s agreement, as required by the Localism Bill. If the Localism Bill is enacted, this will provide the mechanism for making any transfer, subject to it meeting the criteria in the Bill, following consultation as the Bill requires, complying with relevant secondary legislation and Parliamentary approval of the necessary Order.
27. In addition to a process of transferring powers to mayors, we are carrying out a separate discussion with the eight core cities, Birmingham, Bristol, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield and their Local Enterprise Partnerships. These have been asked to identify those key policy areas that are fundamental to supporting economic growth in the city regions. Negotiations between city representatives and the Government will culminate in both sides agreeing a deal about how best to deliver positive outcomes to take advantage of economic opportunities in the city regions.

28. It is thus in this essentially “bottom up” way that we are proposing that the fundamental question of “what can a mayor do for a city” is to be addressed. We want to hear now, particularly from the people who live and work in the cities where mayors are planned, their views on this proposed approach for giving powers to mayors. We would also welcome at this stage any initial ideas about the services and powers that they might like to see decentralised to a mayor.

## Responding to the consultation

29. **We want to hear your views about what how best to give powers to a mayor if one is elected** in Birmingham, Bradford, Bristol, Coventry, Leeds, Liverpool, Manchester, Newcastle upon Tyne, Nottingham, Sheffield and Wakefield, and indeed to the mayor of Leicester.
30. **We are also inviting you to let us have your initial ideas about what powers you might wish to see transferred to a mayor**, if one is elected in your city. In considering such ideas, we would ask you to have regard to the context we have described above. In particular, if you put forward such ideas, we would also ask that you:
- set out the benefits this would bring to the city and its people
  - describe why the mayor would be the most appropriate level for this responsibility; and
  - how the Localism Bill's criteria of promoting economic development or wealth creation or an increase local accountability in relation to the function would be met.
31. Whilst we are in particular seeking views from those who live and work in a particular city about what powers should be transferred to a mayor of that city, it is of course open to all to comment about any city, or indeed to comment about powers that might be transferred to mayors in the mayoral cities generally.
32. Your response must be received by **3 January 2012** and may be sent by email to: [MayorsConsultation@communities.gsi.gov.uk](mailto:MayorsConsultation@communities.gsi.gov.uk)
- Responses may also be returned to:
- Mayoral Policy Team  
Communities and Local Government  
Zone 3/J1  
Eland House  
Bressenden Place  
London SW1E 5DU
33. Please title your response 'City Mayors – consultation'. Individual responses will not be acknowledged unless specifically requested.

34. Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond. It would be helpful if you could make clear in your response whether you represent an organisation or group, and in what capacity you are responding.
35. Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

## What will happen to your responses

36. After the consultation has concluded, we will consider very carefully all the responses that we have received. We expect to make an initial announcement in response to the representations we receive in January 2012. Our proposed approach for giving powers to mayors envisages that the mayors themselves will have an important role in the process, and hence we would not expect decisions on specific powers for decentralisation to mayors to be made until a mayor is elected.
37. The Department of Communities and Local Government, will process your personal data in accordance with the Data Protection Act and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.
38. Are you satisfied that this consultation has followed the seven criteria set out at Annex B? If not, or you have any other observations about how we can improve the process, please inform the DCLG Consultation Co-ordinator. The postal address is:

Zone 4/J2  
Eland House  
London SW1E 5 DU

39. The e-mail address is: [consultationcoordinator@communities.gsi.gov.uk](mailto:consultationcoordinator@communities.gsi.gov.uk)

### Publication of responses – confidentiality and data protection

40. Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).
41. If you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.



# Annex A: List of consultees

## Local authorities

Birmingham City Council  
Bradford Metropolitan District Council  
Bristol City Council  
Coventry City Council  
Leeds City Council  
Leicester City Council  
Liverpool City Council  
Manchester City Council  
Newcastle City Council  
Nottingham City Council  
Sheffield City Council and Wakefield Metropolitan District Council

## Local stakeholders

Chambers of commerce  
Parish and town councils  
Chief constables  
Chief fire officers  
Local probation boards  
Local Enterprise Partnerships  
Integrated transport authorities  
NHS foundation trusts  
NHS health trusts  
Police authorities  
Universities and colleges  
Voluntary sector organisations  
Youth justice boards

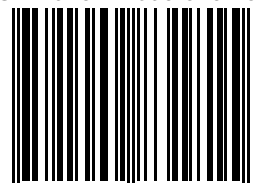
## Annex B: The seven consultation criteria

This consultation document and consultation process have been planned to adhere to the Code of Practice on Consultation issued by the Better Regulation Executive in the Department for Business, Innovation and Skills (BIS) and is in line with the seven consultation criteria, which are:

1. Formal consultation should take place at a stage when there is scope to influence the policy outcome;
2. Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible;
3. Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals;
4. Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach;
5. Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained;
6. Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation;
7. Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

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