Rebuilding local democracy: the accountability challenge in English devolution

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Foreword

Jennifer Williams, The Financial Times

Ask anyone in England outside London about mayors, a decade ago, and they would have conjured up images of ceremonial robes, chains and ribbon-cutting at the summer fete – the placid, centuries-old activities of the traditional lord mayor.

For many, that will still be the case. But increasingly people are also likely to picture Andy Burnham railing at the government from the steps of Central Library, or Ben Houchen promising to revive steel-making on Teesside. Metro mayors are, seemingly, not only here to stay but about to proliferate in numbers, as new figureheads spring up this year in North Yorkshire, the East Midlands and the North East, while Hull and East Yorkshire and Greater Lincolnshire will follow suit in 2025.

With that comes all the complexities of building new institutions, plus altered political dynamics locally and with the centre. But it also prompts a fundamental question: how can we – how should we – hold these mayors to account in between elections?

That question has been on my mind ever since the ground zero of metro mayor events, Greater Manchester's 2014 devolution deal. It has more recently been on the government's mind, too. The announcement of 'trailblazer' devolution deals for Andy Burnham and his counterpart in the West Midlands, Andy Street, came with the promise of a 'single pot' of funding for functions including skills and transport, as well as the ability to borrow against business rates in the long term. Financial autonomy is the holy grail for those looking to take long term transformative decisions locally. But with those powers now comes an explicit requirement from the centre: with extra devolution must come extra scrutiny.

As a result, the areas have spent some time wrangling over precisely what that should look like. Thanks to the lobbying of Conservative MPs on Burnham's patch, deeply unhappy about the Labour politician repeatedly throwing rocks at them from their own back yard, parliamentarians will be involved in the process one way or the other, almost certainly in some kind of select committee scenario carried out jointly with local councillors.

It is the start of a more formalised structure of scrutiny intended to recognise that, increasingly, these mayors oversee considerable levels of taxpayer expenditure, have their own borrowing and - albeit very limited - tax-raising powers and in some cases oversee police forces, vast regeneration projects and large urban transport networks.

You can debate the merits of Westminster politicians being the ones to carry out that scrutiny process, which at face value seems the antithesis of devolution. Meanwhile Whitehall is pathologically disinclined to ever let go, so there is always a risk that over-burdensome questions from the centre also negate the point of the exercise.

Yet there is a genuine weakness, one which will only come more into focus as further powers are handed out, in our ability to clearly identify what mayors are actually doing, spending or delivering. Westminster has centuries-old parliamentary processes designed to provide checks and balances to the executive, as well as an army of lobby journalists following every

utterance of every minister. Nowhere outside of London has anything approaching those two things. And if I'm honest, my observation of existing scrutiny structures in devolved mayoralties has not always inspired much confidence.

Mayoral scrutiny, of course, relies on people like me asking questions in the first place. Alongside scrutiny structures and elections themselves, journalism is the other crucial dimension to this process; even the physical act of being in the back of a local authority meeting as a reporter often changes the dynamic of what is said. Politicians and officials behave differently when they know they are being watched. I won't rehearse all of what has happened to local news in the last decade. But its diminishing capability as the internet has disrupted its business model has, tragically for communities up and down the country, played out in exact parallel to the waning powers of local government. As newspapers have lost journalists, councils have lost funding, the local government sector has become a less attractive place to work, major financial mistakes have been made in the name of budget-balancing and the market that supposedly audits their accounts has all but collapsed.

So, the local state has fallen to its knees at the exact time the journalistic eco-system that used to question it has perilously weakened. That is particularly the case outside of big cities, where it is even harder to make the finances of a newsroom stack up. And mayors are increasingly being created in exactly those places.

The good local politicians mourn the loss of journalistic questioning, because they understand it is integral to them making their arguments. The bad ones celebrate it, revelling in the ability to hoodwink a time-pressured or inexperienced reporter, or simply say anything they like on social media without consequence.

Equally, mayors and proponents of devolution need to not shy away from inevitable weaknesses in what is an evolving and iterative new tier of government. If you believe decisions really are better taken locally then presumably you have sufficient courage in your convictions to answer questions about them. Building strong new institutions will take time, but we've done it before and there's nothing etched in stone that says we can't do it again.

Local government, of course, is an old institution that needs rebuilding. Although ministers like to talk up mayoral devolution as a separate dimension to local government, in reality the two are intertwined. The quality of councillors, the strength of local leadership and the experience of council officers is all crucial to good decision-making by mayors. But it becomes much harder when the sector has been starved and infantilised over an extended period.

If none of those arguments pass muster in central government, then perhaps ministers could consider this: scrutiny is in their own interests, as the financial chaos in local authorities such as Birmingham and Thurrock has demonstrated. Central government did not sit up and pay attention to what was happening in these places – and in some cases appears to have not known at all – until it was too late. It is a salient and timely lesson in why all of this matters, as we enter a new chapter in English devolution.

NB an extended version of this introduction will be published as an essay in a forthcoming collection from CAPE/UoM.

Executive summary

The fostering of economic growth and productivity at a place-based level requires well-designed and well-functioning devolved institutions. This report identifies four different types of accountability and explores each of these in turn in relation to the emerging model of English devolution. These are: top-down accountability, which is the prevailing form in the British context: bottom-up accountability, which is far less developed here compared to many other states; inward accountability, which operates primarily through the institutionalised relationship between the mayor and the local authority leaders; and outward accountability which concerns how these authorities relate to their local communities and voters. Discussing each of these in turn, we identify the limitations of inward and outward accountability in relation to the emerging model of English devolution.

We advance a number of key recommendations based upon the analysis set out in the body of this paper. These include proposals to:

- **Re-design the scrutiny function in Combined Authorities, creating directly elected scrutiny committees where there are more advanced devolution deals.** Government should stipulate statutory minimum standards across the country. And there should be dedicated members on four- or five-year terms, dedicated resources to support this system, and an expanded research and public engagement function in relation to scrutiny. For Level 4 devolution deals ('trailblazers') and above, a directly elected scrutiny committee should be created.

- **Publish an explicit menu of governance options for MCAs and set out a democratic process for choosing and changing models of leadership.** All options should include a directly elected leader and representation from local authorities, but different places will need different executive arrangements.

- **Change the mayoral voting system back to the supplementary vote model, and place the Electoral Commission in charge of overseeing any future changes.** As we argue, the recent move towards first-past-the-post is a step backwards in terms of local accountability.

- **Revitalise local media as an anchor for public accountability and democratic life** by taking forward and building on the recommendations of numerous reports advocating adequate, targeted and long-term funding mechanisms to facilitate and support the inevitable transformation of the sector, while also addressing existing geographical inequalities in local media access and quality.

Improving accountability as the English devolution model is developing is vital if we want to tackle some of the causes of the decline of local democracy and for UK government to deliver on the missions of improving economic growth, productivity and living standards across England. For policymakers – both locally and nationally – getting accountability right is a multi-faceted and complex challenge. Bringing together separate debates about citizen engagement, local media, business and employer leadership, accountability to Westminster, and mechanisms for scrutiny under the heading of 'improving accountability,' should ensure more joined up and systemic thinking in this area.

1. Introduction

Over the course of the last decade, Combined Authorities -- mostly led by directly elected mayors and sitting between local councils and Whitehall -- have been introduced in different parts of England, following the establishment of the flagship Greater Manchester Combined Authority in 2011. In addition to the Greater London Authority, there are now nine such bodies, and by 2025 there will be a total of sixteen regional mayors across England. There are signs that the leadership of the main party of opposition, Labour, is coming to terms with the institutions established by the Coalition and Conservative governments of recent years, and may well commit to retaining these structures and establishing more of them in the coming years (as the Conservative Party has also promised to do).

This suggests that an important 'inflection point' in the story of England's ever-changing pattern of governance has been reached. But there is still considerable debate, and on-going disagreement, about some of the key features of these new institutions – most notably about whether their leaders should be directly elected by local residents (rather than chosen by elected local politicians). There is controversy too about what should be the right method to use in these elections. And concerns have been expressed about the adequacy of the mechanisms introduced to hold these new mayoral leaders to account, an issue that has been thrown into stark relief by controversy over the Teesworks funding deal overseen by Ben Houchen, mayor of Teesside. An independent report commissioned by central government concluded that "the systems of governance and finance in place" in the Tees Valley Combined Authority "do not include the expected sufficiency of transparency and oversight".[1]

These issues all touch upon different aspects of political accountability, and this is the broad focus of this TPI Insights paper. It considers the importance of accountability and the range of mechanisms and processes that might strengthen devolution in England. As new deals are struck and institutions created, and existing ones enhanced, this is a vital and rapidly evolving agenda. Our attention in developing this report is to stimulate further discussion in this area.

The accountability question is a particularly important one to explore given the stress placed in government and wider policy circles upon the assumption that a more coherent and comprehensive model of English devolution will help the central state tackle some of the major challenges associated with improving economic growth and addressing lagging productivity. Only if these devolved authorities are perceived as democratically legitimate bodies, and their leaders able to wield their powers competently and effectively, while also being subject to appropriate and transparent scrutiny, will they become an established part of the governing landscape. If they do, they can play a major role in the development and implementation of the place-based policy that is widely thought necessary to tackle England's flagging regional economies.

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[1] Independent Review Report: South Tees Development Corporation and Teesworks Joint Venture, 29 January 2024; https://www.gov.uk/government/publications/independent-review-report-south-tees-development-corporation-and-teesworks-joint-venture/independent-review-report-south-tees-development-corporation-and-teesworks-joint-venture-executive-summary-and-recommendations

It is true that the question of who holds mayors and their administrations to account has become a salient one in recent months, but this has emerged as a narrowly conceived focus upon what additional controls and scrutiny opportunities need to be established at the centre for those authorities that have, through the recent 'trailblazer' deals, been given a small number of additional powers. But if accountability is conceived solely in terms of how central government can ensure that local leaders do not misspend funds, step beyond their formal responsibilities, or become too demanding of central government, we will miss some of the most important challenges and issues associated with the development of these new institutions.

The neglect of some of the wider relationships and democratic aspects of governance associated with the idea of accountability is both telling and unfortunate. As a good deal of the research literature on the creation of new institutions of governance illustrates, one of the requisite conditions for their longevity is the degree to which they come to acquire legitimacy in the eyes of the people they serve. Yet, in the English case, such a focus has been rather neglected in studies that give emphasis to the sub-optimal regional economic outcomes associated with England's highly centralised model and the lack of autonomy available to its second-tier cities. In reality, however, the resources and powers necessary for achieving economic growth are bound together with the strength and capacity of local institutions and their democratic legitimacy. Improving growth, productivity and living standards is intertwined with building or improving local institutions, politics and democracy.

This paper therefore brings into focus the importance of these authorities' relationships with local people and stakeholders, and asks what accountability should mean in this context. What are the institutional forms which a deeper sense of connection, engagement and accountability might require? Should we be focusing more on what needs to be done to recreate thriving locally rooted civic cultures alongside new institutions, leaders and powers? And, beyond this, might it be useful and democratically healthy to think about ways in which central government should see itself as in some ways answerable to devolved governments and leaders?

This paper adds to the body of evidence created by The Productivity Institute and others on the importance of the links between institutions, governance, productivity growth and economic development in places.[2] The evidence suggests that having well-designed and well-functioning devolved institutions can make a major contribution to the fostering of economic growth in a wide range of places. We therefore take as a point of departure the viewpoint that an over-centralised governance system has hampered economic growth and development in many parts of the UK. The rest of this paper will henceforth focus squarely on the institutional

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[2] Michael Kenny et al., 'Regional productivity, inequalities, potential causes, and institutional challenges', Productivity Insights Paper No. 026 (The Productivity Institute, 2024); Dan Turner et al., 'Why hasn't regional policy worked? The views of leading practitioners', M-RCBG Associate Working Paper No. 216 (Harvard University, 2023); Phillip McCann et al., 'The fiscal implications of levelling up and UK governance devolution', Productivity Insights Paper No. 008 (The Productivity Institute, 2021); Andy Westwood et al. 'Levelling up, local growth and productivity in England', Productivity Insights Paper No. 005 (The Productivity Institute, 2021).

and governance challenges arising in transitioning to more devolved forms of UK governance, especially in England.

As we set out below, a large body of research conceptualises accountability in multi-level governance systems as constituted by the relationships that develop between various agencies and institutions in government. It emerges, on this view, from a complex web of relations that link together many institutions at different scales. Accountability dynamics flow up as well as down, and filter out between institutions as well as being developed, or inhibited, through engagements with the wider public, including through the important role of local and regional media where it exists and has the capacity for scrutiny.

By approaching accountability in this multi-dimensional fashion, we can start to think differently about the reforms that may be required to address England's centrally dominated, fragmented and opaque governing landscape.

In order to clarify and unpack these issues, this report identifies and concentrates upon four different types of accountability dynamic:

- Top-down accountability, which describes the way in which local authorities and combined authorities answer to central government.

- Bottom-up accountability, which flows the other way, and is present when central government must, in some respects, be responsive and accountable to local and regional leaders. This is a model that is largely alien in the UK but is more familiar to federal states like the USA and Germany.

- Inward accountability, which is the set of processes that operate within and between local institutions to ensure that they function effectively. It usually entails the institutionalisation and operation of effective scrutiny mechanisms.

- Outward accountability, which describes the way in which political institutions are responsive to, and acquire legitimacy from, citizens and civil society. This primarily involves accountability to the public through local elections and other forms of political participation and engagement, but it also includes ongoing engagement with community groups, businesses, and local media.

Disentangling these four modes of accountability and identifying how they operate in England, enables us to home in on some of the barriers and distortions associated with the predominant emphasis on tightening up top-down lines accountability. Below we consider some of the challenges associated with each of these dimensions of accountability and consider ways of bolstering the 'inward' and 'outward' dimensions which have been particularly neglected in the current model of English devolution.

FIGURE 1

Four modes of accountability

Central government holds local leaders to account	Central government is held to account by local leaders	Local institutions are accountable through seperated powers	Local leaders are held to account through democratic processes
TOP-DOWN ACCOUNTABILITY	**BOTTOM-UP ACCOUNTABILITY**	**INWARD ACCOUNTABILITY**	**OUTWARD ACCOUNTABILITY**
Local decisions are regulated and monitored by central government	Local leaders scrutinise and challenge central decisions	Scrutiny between mayors, council leaders and committees	Local leaders face scrutiny from local people/institutions

The report is structured as follows. In Chapter 2, we consider the existing dominance of top-down accountability, which is reinforced through funding, monitoring, and political oversight, and in turn contributes to a weakening of local institutions. Chapter 3 then considers bottom-up accountability, which is largely absent in the UK system but is emerging in embryonic form as a result of the devolution process. In Chapters 4 and 5 we turn to what we see as the crux of the problem. Chapter 4 considers inward accountability, assessing the governance and scrutiny arrangements in mayoral authorities, while Chapter 5 considers outward accountability, reflecting on the health of their democratic ecosystems. In the final chapter of the report, we make a series of recommendations to intervene in England's top-down accountability framework and begin to rebuild its local democratic culture.

2. Top-down Accountability: Answering to Whitehall

Chapter summary

The constitutional principles of parliamentary sovereignty and ministerial accountability, which are central to the British system of government, mean that the key accountability relationship is between the UK state and the different forms of government that have been created by parliamentary authority. This quintessentially top-down ethos relates in England to local government and the combined authorities that have been established. At the heart of this system is the assumption that accountability is about *spending public money*, rather than broader notions of being democratically accountable or accountable for wider societal outcomes. Central government uses funding models, monitoring, and political oversight as mechanisms to reinforce this model of accountability. And, over time, this reinforces this centralised pattern.

FIGURE 2

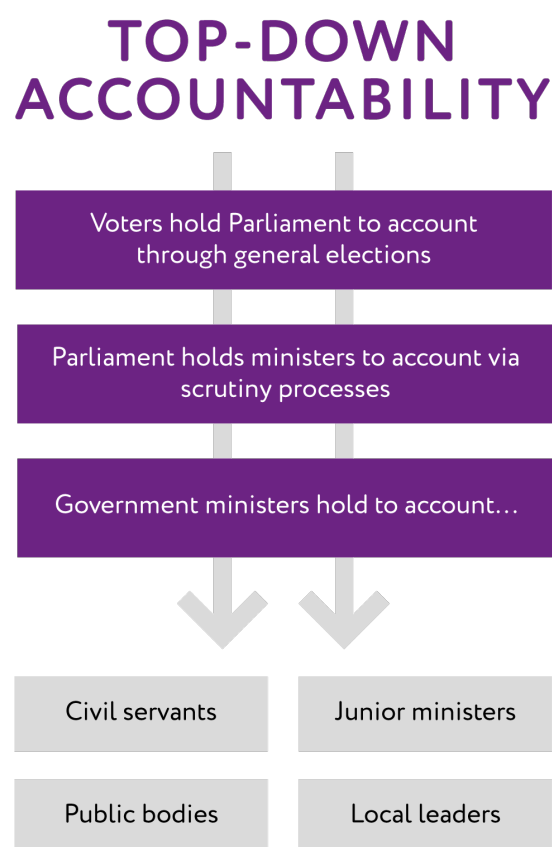**Top-down accountability**

Answering to the centre

While there have always been disagreements about the precise meaning and limits of parliamentary sovereignty, it clearly establishes Westminster as the primary locus of democratic decision-making. Ministerial accountability, another core ethos within the British constitution, holds that "ministers have a duty to Parliament to account, and be held to

account, for the policies, decisions and actions of their departments".[3] This has helped create a chain of command model whereby junior ministers are answerable to senior ministers, who are answerable to Parliament, which is in turn answerable to the people. These chains of command go down into the civil service and public bodies, creating a vast web of accountability that traces back to Parliament's authority. At the same time, the specific accountability for public spending has a more complicated structure, in which the Permanent Secretaries of departments are the 'accounting officers' for spending. Local and mayoral authorities are acknowledged to be accountable to local people for their spending, but DLUHC is ultimately responsible for maintaining the overall system in which this operates.[4]

FIGURE 3

The process of top-down accountability

TOP-DOWN ACCOUNTABILITY

Voters hold Parliament to account through general elections

Parliament holds ministers to account via scrutiny processes

Government ministers hold to account…

Civil servants

Junior ministers

Public bodies

Local leaders

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[3] Erskine May, para 11.40
[4] DLUHC Accounting Officer System Statement, June 2023;
https://www.gov.uk/government/publications/dluhc-accounting-officer-system-statement-2023/dluhc-accounting-officer-system-statement-2023

In England, while councillors, councils, and mayors have their own democratic legitimacy through local elections, sub-national government has no enshrined 'constitutional status'.[5] Its powers are in principle 'borrowed' from the centre and could in theory be rescinded by any further British government. The lack of constitutional protection is one reason why central government can so readily reform, reorganise, oversee, and intervene in local government.[6]

It is worth considering some of the forms which these oversight powers take. As Ferry and Sandford argue, "hierarchical accountability remains an omnipresent mechanism of central control" in England.[7]

Box 1. Australia's federal constitution. Australia's political system is based on the Westminster system of government, replicating many of the UK's constitutional features. However, unlike the UK, Australia has a written constitution that since 1901 gives significant political autonomy to its six states through a federal system. This effectively splits the sovereignty between state-level and national-level government, with each having a certain remit laid out in the constitution. This breaks the centralised accountability chains that are common to many Westminster-style systems, and that are particularly prominent in the UK.

In the UK, central government uses a range of mechanisms to hold lower tiers of government to account. While all national governments oversee and coordinate subnational tiers, given that this is entirely necessary in any well-functioning state, the UK has a particular problem with over-sight and coordination mechanisms often (though not always) being utilised as tools for centralised control. A set of assurance, audit, and data functions exist that form the basic structure of top-down accountability, but these are often mobilised in through – and in in aid of – political power dynamics. It is worth considering three key aspects of these asymmetrical relationships. There are administrative mechanisms designed to enforce top-down accountability lines. These are typically through funding arrangements, which we consider below. There are also mechanisms geared towards monitoring and evaluation, with central government holding other tiers of government to account through the setting of targets. And, third, there are political mechanisms through which agencies of central government offer oversight and scrutiny. We consider each of these in turn.

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[5] David Richards and Martin J Smith, 'Devolution in England, the British Political Tradition and the Absence of Consultation, Consensus and Consideration', *Representation* 51, no. 4 (2015): 385–401, https://doi.org/10.1080/00344893.2016.1165505; Michela Palese, 'Democracy Made in England Where Next for English Local Government?', 2022; Colin Copus, 'British Local Government: A Case for a New Constitutional Settlement', *Public Policy and Administration* 21, no. 2 (2006): 4–21, https://doi.org/10.1177/095207670602100202.

[6] David Wilson and Chris Game, *Local Government in the United Kingdom* (Bloomsbury Publishing, 2011).

[7] Laurence Ferry and Mark Sandford, 'Developing "Place Leadership" When Hierarchical Accountability Is Omnipresent: The Case of English Sub-National Government', *Journal of Public Budgeting, Accounting & Financial Management* 34, no. 4 (1 January 2021): 557–65, https://doi.org/10.1108/JPBAFM-06-2021-0094.

Funding arrangements

Combined Authorities' core funding largely comes from 'devolution deals', multi-decade agreements with central government to manage a range of devolved budgets. One of the common complaints from local leaders is their inability to move money between these different budgets, with accountability running back up to Whitehall through its different departments.[8] The 'trailblazer deals', announced in relation to Greater Manchester and the West Midlands Authorities in 2023, promised to merge these different funding streams together into single pots, although in practice they allow local leaders to move only a certain percentage of funding received between each pot. Other accountability mechanisms also apply to combined authority spending. As Hoole et al observe, "decisions on how funding is spent requires the application of HM Treasury's Green Book that limits local autonomy over resource allocation and confines spending to a strict central framework of project evaluation".[9]

The deployment of competitive funding pots allows central government to choose priorities for investment and then hold local leaders to account in terms of the delivery of these chosen projects, effectively relegating local involvement to the role of implementation agency. At the same time, the core funding available to local authorities has been in steady decline, following the gradual reduction of the size of grants received from central government. Local councils are responsible for delivering critical public service functions, such as social care, despite having no control over levels of funding.[10] The same is true for a suite of policies aimed at improving economic growth and productivity. Given low levels of public engagement with councils (discussed further below), a situation emerges "where direct, or indirect, accountability to elected representatives has largely disappeared into an opaque structure where central government controls the purse strings but there is no obvious accountability for how that money is spent".[11]

Monitoring and evaluation

The close monitoring of local policymaking has long been a feature of centralised accountability chains in the UK, as the centre seeks to retain oversight of the budgets and powers of subnational institutions. And yet in this area, central government has weakened its own strategic capability by the decision to abolish the Audit Commission in 2010. This was an overt policy decision, taken in the name of dismantling perceived top-down dominance of local authorities. Yet, the Audit Commission's eventual closure in 2015 created a vacuum in terms of performance monitoring, with very little data available to the government or the public on the quality and scope of local government services from other sources.

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[8] Jack Newman et al., 'Mechanisms of Metagovernance as Structural Challenges to Levelling up in England', *Regional Studies* Early view (2023): https://doi.org/10.1080/00343404.2023.2217215.

[9] Charlotte Hoole, Simon Collinson, and Jack Newman, 'England's Catch-22: Institutional Limitations to Achieving Balanced Growth through Devolution', *Contemporary Social Science,* Early view (2023): https://doi.org/10.1080/21582041.2023.2203122.

[10] Mark Sandford, 'Local Government in England: Structures' (House of Commons Library, 2022), https://researchbriefings.files.parliament.uk/documents/SN07104/SN07104.pdf.

[11] Carmel O'Toole and Adrian Roxan, *Local Democracy, Journalism and Public Relations: The Changing Dynamics in Local Media and Public Sector Communications* (Routledge, 2019), 5.

There has been a capacity and skills gap in terms of analysing the data that does exist, and citizen auditors have not been able to substitute for this.[12] This also points to a conflation of the Audit Commission's traditional audit responsibilities that supported robust local financial management, efficiency and value for money with top-down performance management. There is an important debate to be had here about the appropriate balance between robust external audit and performance monitoring and whether these functions are fit for purpose in the current accountability architecture. The current crisis of local government finance suggests this is a public conversation that needs to happen.

Box 2. The Audit Commission was established in 1983 to deliver independent audit of local authorities, evaluate the effectiveness of local public services and produce national 'value for money' reports based on the principle of economy, efficiency and effectiveness. Although initially entirely self-funded through audit fees, its remit expanded into that of an inspectorate body through Best Value, Comprehensive Performance Assessment and then the short-lived Comprehensive Area Assessment inspection regimes. Critics argued it became a creature of central government, was increasingly overly bureaucratic and expensive for local authorities to comply with inspection processes. It became associated with New Labour's 'top-down' targetry and was abolished by the Conservative-led Coalition government in 2010.[13] The recent creation of an Office for Local Government (Oflog) provides an opportune moment to reflect on the benefits of the Audit Commission's work producing transparent comparable data, delivering cross-sectoral learning, improving understanding of value for money and promoting not only top-down but also supporting inward and outward accountability.

In 2023, a new system for monitoring local government performance was created: the Office for Local Government (Oflog). Its three declared objectives are to provide citizens with important information about their council, to give local leaders a better understanding of their own performance, and to increase central government's understanding of local council performance. To achieve these, it seeks to build a dashboard of metrics that indicate comparable performance across a range of policy sectors. There are concerns that without operational independence, and with a narrow focus on scorecards, Oflog could be a tool for reinforcing centralised accountability chains, especially given that the data will only improve local accountability if it is actively communicated to the public by government and the media.[14] At the same time, if Oflog monitoring is primarily used by central government to intervene in cases of serious local failures, then it could potentially enable less interventionist approaches to top-down accountability. This reflects a dilemma for central government

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[12] Laurence Ferry et al., 'Local Government', In: Peter Murphy et al. (eds) *Public Service Accountability: Rekindling a Debate* (Palgrave, 2019).

[13] Timmins and Gash, 'Dying to Improve', March 2014; https://www.instituteforgovernment.org.uk/sites/default/files/publications/Dying%20to%20Improve%20-%20web.pdf

[14] Rhys Clyne and Stuart Hoddinott, 'What Does the Office for Local Government Need to Succeed?' (Institute for Government, 2023).

concerning whether such monitoring amounts to a general health check which enables the centre to decide when to intervene only in the most severe cases, or whether it takes the form of more enhanced centralised control, which is closely tied to incentives, rewards, and punishments.

Box 3. Transparency and performance reporting in New Zealand

New Zealand's new 'service performance reporting'[15] is a central plank of its transparency and accountability agenda. It gives equal weight to performance and financial information in public sector reporting requirements. Unlike many models, SPR is not top-down or prescriptive about how public bodies tell their performance story. Public bodies must provide contextual information about the organisation, what it is trying to achieve, and how, but it is down to the organisation itself to report appropriate information that is relevant and accessible to service users. Performance information is assessed against the following qualitative criteria: relevance; faithful representation; understandability; timeliness; comparability; and verifiability. Performance information is externally audited to ensure it complies with the principles of the SPR Standard.

This development reflects a wider body of reforms in New Zealand that are broadly linked to the decision to promote long-term 'well-being' as a guiding principle of public investment and financial management.[16] Local government reform, for example, is intended to embed local government in the well-being agenda, enhance local democracy, ensure the impact on local government is considered in funding decisions, and draw up a memorandum of understanding between local and central govt after each election to ensure effective partnership, among other reforms.[17]

Political oversight

The concern with strengthening top-down accountability mechanism extends into the political realm, for instance the government's recent announcement that committees of local MPs will be formed to scrutinise the work of combined authorities with 'trailblazer deals'. Given that MPs are already significantly stretched by their constituency responsibilities, as well as their parliamentary and party duties, it is unclear how effective such committees will be. There is also a major question around the suitability of members for this task. MPs do not necessarily have an understanding of the complexities of the local government landscape and there are other actors in the system who are potentially much better placed to perform this scrutiny role. Finally, the geographies of Westminster Constituencies do not align neatly with

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[15] New Zealand Treasury, 'Service Performance Reporting Standard', December 2021; https://www.treasury.govt.nz/sites/default/files/2021-12/service-performance-reporting-standard-pbe-frs-48.pdf

[16] New Zealand Government, 'Wellbeing Budget 2023'; https://2023.budget.govt.nz/budget/2023/wellbeing/approach/index.htm

[17] Future of Local Government; https://www.lgnz.co.nz/reforms/future-for-local-government/

the geographical boundaries of local authorities, meaning that it is not always clear who the 'local MPs' are in any given area. Ultimately, the decision to turn to MPs as scrutinisers of combined authorities represents a significant strengthening of the top-down accountability chain, and reflects the tendency to neglect the challenge of establishing effective scrutiny mechanisms at the local level, as we discuss below.

Over-centralisation

The predominance of top-down accountability mechanisms within the UK's political system is both a reflection and driver of its centralised governing model. The constitutional conventions of 'parliamentary sovereignty' and 'ministerial accountability' are the anchors of a web of vertical accountability chains. Centralisation in the UK needs to be understood not just in terms of the capacity of parliament, and especially the executive, to exercise control over the country's multitude of public agencies and layers of government, but also in terms of more fundamental assumptions about its role as the ultimate source of democratic legitimacy. In essence, the lines of accountability flow upwards in a system where the democratic mandate is established at the heart of central government.

One consequence of this model is that local administration in England, and the system by which it is funded, monitored, incentivised, and deployed by the centre, have been in an almost constant state of flux for a number of decades.[18] Successive governments have tried to solve a variety of problems through its reorganisation, and have tended to leave a half-finished job before the pendulum swings back and a new programme of reform is undertaken.[19] The consequence is a complex and fragmented system, which is in turn more unstable and more liable to be reformed, as shown in Figure 4. There are of course other factors at play in driving this cycle forward, not least the wider culture of political short-termism underpinned by the distinctive features of Westminster government, but the dynamic illustrated in Figure 4 remains an important driving force in central-local relations.

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[18] Emma Norris and Robert Adam, 'All Change: Why Britain Is so Prone to Policy Reinvention, and What Can Be Done about It' (Institute for Government, 2017); Diane Coyle and Adam Muhtar, 'Levelling up Policies and the Failure to Learn', *Contemporary Social Science,* Early view (2023): https://doi.org/10.1080/21582041.2023.2197877.

[19] Andy Pike et al., 'Decentralisation: Issues, Principles and Practice' (CURDS, Newcastle University, 2016).

FIGURE 4

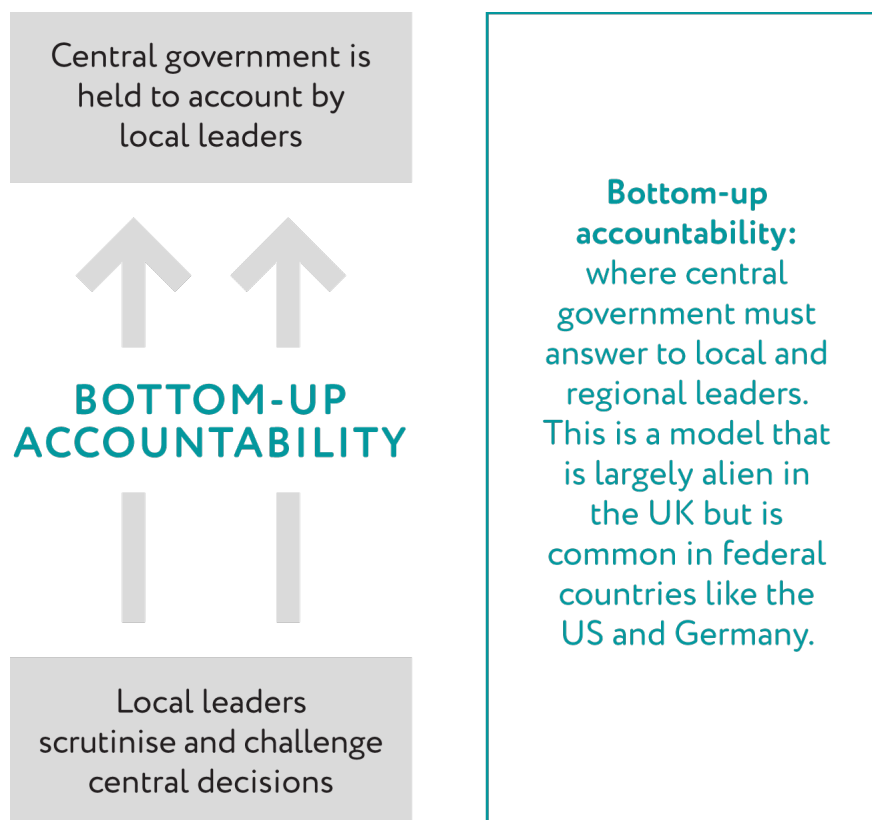**The fragmented cycle of local government administration and reform**
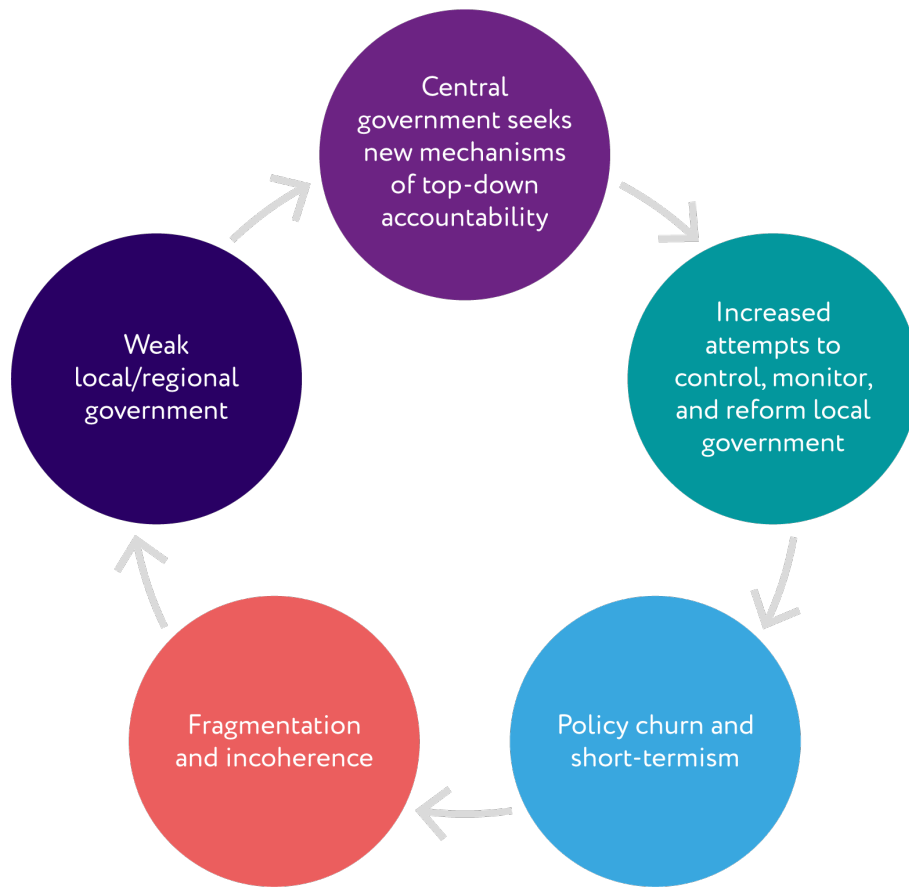
3. Bottom-up accountability: an alien concept in England

Chapter summary

Local and devolved elections create an alternative source of legitimacy, and provide a counterpoint to UK's top-down model of accountability. Unlike in many other countries, the UK lacks formal institutions to manage central-local relations or to provide local government a voice within the centre of British government. While the Scottish Parliament has been able to establish its own form of bottom-up accountability, and at times offer challenges to central government over aspects of its remit, in England bottom-up accountability has historically been impossible due to the weak status of local government and its lack of constitutional recognition. There are undoubtedly informal kinds of power available to England's metro mayors, and these can help them call central government to account. However, without formal channels, this is likely to be variable over time and between different places, and is already resulting in some mayors becoming much more influential than others.

FIGURE 5
Bottom-up Accountability

Central government is held to account by local leaders

BOTTOM-UP ACCOUNTABILITY

Local leaders scrutinise and challenge central decisions

Bottom-up accountability: where central government must answer to local and regional leaders. This is a model that is largely alien in the UK but is common in federal countries like the US and Germany.

Bottom-up accountability in action

Because local leaders are also elected representatives, they too acquire degrees of democratic legitimacy, although how this stands in relation to that of MPs in the House of Commons is one of the many hazy parts of the British constitutional model.[20] The notion of parliamentary sovereignty assumes that Parliament embodies the sovereignty of the people, but the existence of local democratically elected leaders suggests that popular sovereignty feeds into the governing system in multiple ways, and that there are different forms and sources of democratic legitimacy in play.

These different democratic mandates at times sit in an awkward relationship. One example is the tendency for central government to seek to abolish or reorganise local authorities, which has over time eroded local government's (informal) constitutional standing. Another example arises when central government seeks to exert control over a policy area that is within the remit of local government, with central politicians often seeking opportunities for political capital even when an issue is beyond their remit. In both cases, these tensions have sometimes led to battles played out in the courts.[21] And, over time, central government overreach has contributed to a growing feeling of mutual distrust between the national and local levels of government.[22] Such tensions arise in all multi-level systems, but unlike in England, most countries have agreed procedures for managing and adjudicating these disagreements.

Box 4. International examples of bottom-up accountability. In the US, one of the core principles of the constitution is the rights of its constituent states. Enshrined in the Tenth Amendment, this gives particular powers to states that cannot be taken or overridden by the federal government. In Germany, the sixteen states or Länder are listed in the preamble of the constitution where 'the people' are appealed to as residents of the Länder. This is reflected in Germany's legislature, with the upper house, the Bundesrat, containing delegates from the states rather than directly elected members.

International examples of bottom-up accountability do not provide ready-made models for the UK to follow because they typically reflect the existence, and entrenchment, of key constitutional principles which do not exist in the UK. However, there are lessons that might be drawn from these relationships, and comparisons serve to highlight that, in most federations and confederations, bottom-up forms of accountability play a much more significant and recognised role, with associated institutions tasked to ensure that the centre is made accountable to subnational institutions that are in turn accountable to the people.

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[20] Ian Bache and Matthew Flinders, 'Multi-Level Governance and British Politics', In: Ian Bache and Matthew Flinders (eds) *Multi-Level Governance* (Oxford University Press, 2004), 93–106.

[21] Edward Wood, 'Local Government Review in England' (House of Commons Library, 1995).

[22] Jack Newman et al., 'Delivering Levelling-Up: Don't Turn on the Taps without Fixing the Pipes' (LIPSIT, 2021), https://lipsit.ac.uk/wp-content/uploads/2021/09/FINAL-Levelling-up-Report-digital.pdf.

Across the world, different institutional designs offer different means of institutionalising this principle.

Box 5. Formalising bottom-up accountability in political institutions. In Austria, much like in Germany, the upper house, the Bundesrat, represents the nine Austrian States. While members of the German Bundesrat are selected by state governments, in Austria members are elected by state assemblies. Belgium operates a similar system, with 50 members of its Senate elected by regional parliaments – the other 10 being selected by those members. Each of these systems has slightly different ways of formalising bottom-up accountability, but each gives local leaders representation within the national system of government. There are more substantial variations in the power afforded to these upper chambers, with the weakness of Austria's Bundesrat leading to suggestions that it is closer to a unitary rather than a federal state.[23]

Political institutions that give local leaders a voice and role in national politics are notably absent in the UK context. The Westminster system does not give any official platform or status to devolved or local leaders. The First Ministers of the devolved administrations lack any form of representation in the executive or legislative process, although they are incorporated within a system of intergovernmental relationships that has recently been remodelled.[24] Local authorities and combined authorities have no official role in influencing central government policy. And these characteristics of the UK's governing model reflect, in part, the weakness of the ethos of bottom-up accountability within it.

However, even though it is not formalised, or officially recognised, bottom-up accountability is in play in the UK context. The Scottish Parliament has a legally accepted status within the UK constitution (as is also true of the *Senedd* in Wales), with Scotland's sense of nationhood underlining its significance as an alternative source of democratic legitimacy.[25] The Scottish Parliament is not accountable to the Westminster Parliament for decisions made in the areas of devolved competency. Bottom-up accountability therefore arises in the policing of the complex, asymmetric, and dynamic boundary between devolved competencies and central government's 'reserved' competencies.[26] The Scottish Parliament and the other devolved administrations have at times challenged Westminster's perceived overreach with increasingly frequent recourse to the Supreme Court, which is responsible for making decisions about the devolved/reserved boundary.

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[23] Ferdinand Karlhofer and Günther Pallaver, *Federal Power-Sharing in Europe* (Nomos Verlag, 2017).

[24] Nicola McEwen et al., 'Intergovernmental Relations in the UK: Time for a Radical Overhaul?', *The Political Quarterly* 91, no. 3 (2020): 632–40, https://doi.org/10.1111/1467-923X.12862.

[25] Anthony King, *The British Constitution* (Oxford: University Press, 2007).

[26] Aileen McHarg, 'The Contested Boundaries of Devolved Legislative Competence' (Institute for Government and Bennett Institute for Public Policy, 2023).

This is an important example of how bottom-up accountability is an unavoidable feature of multi-level political systems, and a *de facto,* and rarely acknowledged, feature of the UK constitution. Where bottom-up accountability lacks constitutional clarity and institutional formalisation, as in the policing of the boundary between devolved and reserved competencies, disagreements increasingly take the form of public, political disputes.[27] Indeed, in recent years, and particularly through the Brexit process, there has been an increased tendency for central government to encroach upon areas of devolved competency, a reflection of the relatively weak standing of this mode of accountability in the British model.

The failure of bottom-up accountability for English local government

Outside England, devolved governments have acquired a considerable degree of democratic legitimacy, even if the precise terms of their relationship with central government remain ambiguous on a number of fronts. It is also the case that central government is in some senses called to account by these legislative bodies, and the latter are in turn accountable to a territorially bounded section of the UK population. This relatively weak, but non-negligible, line of bottom-up accountability has led some commentators to characterise the UK as a 'quasi-federal' state, although events since the Brexit crisis of 2016-19, and the passage of the Internal Market Act in particular, have led others to question the adequacy of such a characterisation.[28]

In England the UK government continues, in effect, to govern as a unitary state.[29] The "middle layer" devolved institutions that have been established are incomplete and sit in a highly asymmetrical relationship with central government. And the absence of any constitutional protections for local government limits both the autonomy[30] and stability[31] of subnational governance arrangements in this context. There are examples of England's local governments seeking to challenge central government's authority in the courts, such as Lancashire's resistance to unitarisation in the 1990s, but these represent exceptional attempts to find ways of counteracting central government authority. Without a clearly recognised place within the UK's constitutional order, and with no institutionalised voice within the formal structures of central government, England's local councils and newly created devolved authorities have had negligible opportunities to establish or exercise bottom-up forms of accountability.

The potential collective power of local authorities is weakened too by the complex structures of local government and the tensions that exist between different types of authority. The ability of all local authorities to speak with one voice is undermined by the differences between them, differences between county councils, district councils, unitaries, metropolitan borough, those in combined authorities and those that are not, and so on. The Local

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[27] McHarg.

[28] Bache and Flinders, 'Multi-Level Governance and British Politics'.

[29] Jack Newman and Michael Kenny, 'Devolving English Government' (Bennett Institute for Public Policy and Institute for Government, 2023), https://www.bennettinstitute.cam.ac.uk/wp-content/uploads/2023/04/Devolving-English-Government.pdf.

[30] Arianna Giovannini, 'Why Is a Devolution Framework Needed to "Level up", and What Should It Look Like?', IPPR, 22 December 2021, https://www.ippr.org/blog/why-is-a-devolution-framework-needed-to-level-up-and-what-should-it-look-like.

[31] Palese, 'Democracy Made in England Where Next for English Local Government?'

Government Association serves as the voice for local authorities in this context, but without any official role in holding central government to account, it falls a long way short of the rights afforded this tier of administration in other countries. While the LGA performs other functions, such as cross-regional policy learning and policy research, its effectiveness as an advocate for local government is limited by the nature of the partisanship that shapes British party politics, as well as its lack of institutional standing within the governance system.

Bottom-up accountability is often enhanced by the existence of a stock of democratic legitimacy which enables these 'lower' governmental institutions to hold higher authorities to account. And there is no equivalent in the English setting to the strongly established feelings of nationhood in Scotland and Wales which undergird the position of the devolved legislatures. In England there is the potential for such feelings to develop around familiar place-attachments – for instance to cities or counties – but these do not have the depth of national forms of identity, and have not shaped coherent demands for devolved government. Nevertheless, there may well be foundations in place from which ideas of bottom-up accountability might grow.

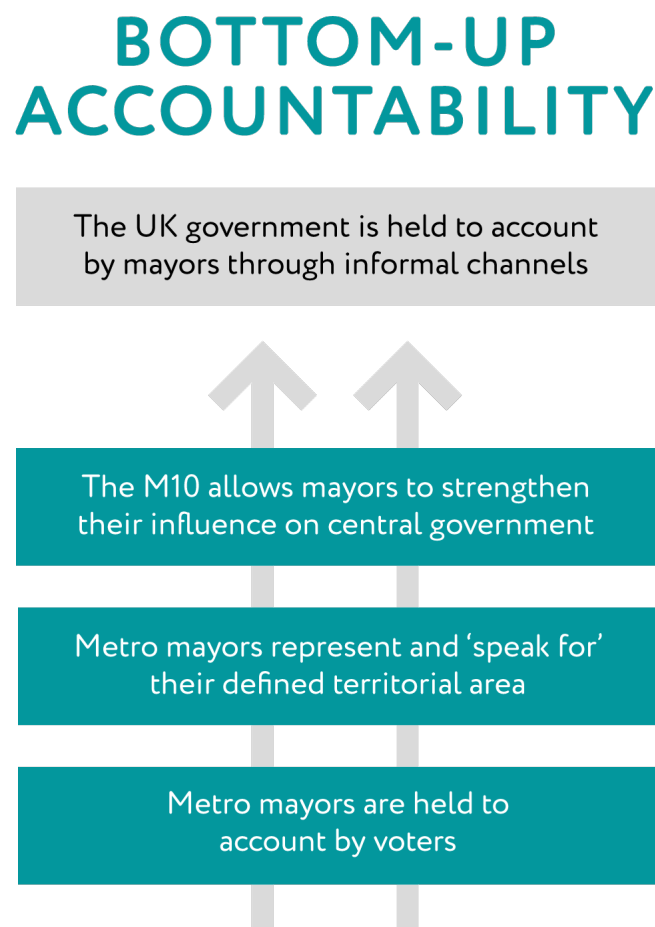## The 'soft' power of the metro mayors

A striking feature of the emerging model of Combined Authority devolution is the 'soft power' that some of the metro mayors have been able to deploy, despite the limited responsibilities held by these mayoral leaders. And this comes by dint of being the acknowledged leader of, and voice for, a locality. For instance, when Greater Manchester's leader Andy Burnham staged an impromptu press conference outside Manchester town hall to protest against the local lockdown that the British government wanted to introduce in the North West, in October 2022, he experienced a notable surge in popularity, and even acquired the nickname 'King of the North'. And it is unlikely that a backbench MP would have been able to wrest concessions from a Prime Minister as did Conservative Mayor of the West Midlands, Andy Street, when he made public his opposition to Rishi Sunak's decision to cancel the HS2 rail project in September 2023.

These 'metro mayors' tend to be more independent of their own party machines than MPs are, going out of their way, when it suits them, to dissent from their parties' London-based leaderships. They have gained a platform of sorts, based on their capacity to speak for their 'place', that allows them to intervene directly in the national political debate, holding the government to account through the informal channels both privately and increasingly through wider public discourse and media exposure.

The ability of these mayors to put some pressure on central government seems gradually to be growing as these new institutions become an ever more familiar part of the governing architecture. They have considerable, tacit legitimacy as directly elected leaders of their large jurisdictions. This gives them an ability to 'speak for' an area that cannot be matched by other political leaders, including MPs. As more and more of these figures appear, as new deals come on stream, there is a real potential for this growing cohort to exercise an influential collective voice. This is illustrated in Figure 6.

Currently, the mayors do come together in a loosely organised organisational body, known as the M10, which will likely be expanded in 2024 and 2025 as new mayors are elected. It is also possible to envisage the emergence of pan-regional groupings of mayors working together to speak for a politically salient geographical area, such as Yorkshire or the North of England.[32] If such coalitions do emerge, they could well provide a further impetus to establish a bottom-up line of accountability to central government.

FIGURE 6
The embryonic process of bottom-up accountability

BOTTOM-UP ACCOUNTABILITY

The UK government is held to account by mayors through informal channels

The M10 allows mayors to strengthen their influence on central government

Metro mayors represent and 'speak for' their defined territorial area

Metro mayors are held to account by voters

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[32] Ryan Swift, 'The Politics of Northernness: An Investigation into the Framing and Politicisation of the North of England' (University of Leeds, 2023), https://etheses.whiterose.ac.uk/33220/.

The inequalities of bottom-up accountability

A crucial difference between the top-down accountability of the Westminster system and the bottom-up form of accountability that may emerge as mayors grow in stature and influence, is that the former follows written (if uncodified) rules and procedures and established conventions, while the latter operates mainly through personal relationships and soft power within a largely unregulated, and fundamentally imbalanced space. Informal channels of accountability can be more productive, according to some commentary, "promoting deliberation between critical actors horizontally and vertically," and they can often complement formal processes.[33] However, informal accountability processes are often lacking in transparency and democratic legitimacy, shutting out the public and potentially arousing further mistrust in the political process.[34]

Equally, mayors may have different personal and political capacities to hold central government to account and these differences may accentuate further existing inequalities. Andy Burnham, an already established national political figure, has been quite impactful at calling government to account, and so too Andy Street, mayor of the West Midlands authority, and Sadiq Kahn as mayor of Greater London. And yet, all of them have been easily overridden by government in high-profile disputes in recent years.

And there is clearly a hierarchy of influence among the metro mayors both in government and their respective parties. The relative standing of these leaders derives from a combination of other factors, including the cohesion of the publics they represent, the economic prospects and significance of their area, the size of their population, and how well they are linked to Whitehall (a factor which means that mayors who belong to the governing party have an inbuilt advantage). There is also of course the charisma and personal influence of the mayor themselves, which is likely to vary significantly across places and over time.

This is yet another domain in which there is a risk that more devolution actually results in greater inequality between different parts of the country – fiscal devolution being another – rather than less.[35] Those mayors trying to hold the centre to account, whether through behind-the-scenes Whitehall connections or public interventions via the national media, are often doing so as part of an on-going bargaining game with the centre. And it is in order to offset the risk that well established regional leaders from wealthier parts of the country are able to do better in these bargaining rounds than others, a number of modern constitutions include mechanisms designed to offset regional inequality.

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[33] Sarah Ayres, 'A Decentred Assessment of the Impact of "Informal Governance" on Democratic Legitimacy', *Public Policy and Administration* 37, no. 1 (2022): 22–45, https://doi.org/10.1177/0952076720904991.

[34] Ayres.

[35] Anthony Breach, Stuart Bridgett, and Olivia Vera, 'In Place of Centralisation', n.d.

Box 6. Balancing regional representation. In the US Senate, each state is allocated two Senators regardless of their population, territorial size, or any other inequalities. This equalisation counterbalances the House of Representatives, where states are allocated representation according to their population. This constitutional design specifically responds to concerns about political regional inequality. Similarly, in Australia, which has many of the features of a Westminster system, the Senate seeks to ensure parity between the states so that their interests receive equal recognition within the legislative process. In those systems where upper houses are more clearly characterised by bottom-up accountability, as in Germany, Austria, and Belgium, representation of the regions is linked to their population size. This raises similar problems regarding unequal influence, but those issues are negotiated through formalised processes that are linked to more acute sensitivities to place-based inequalities.
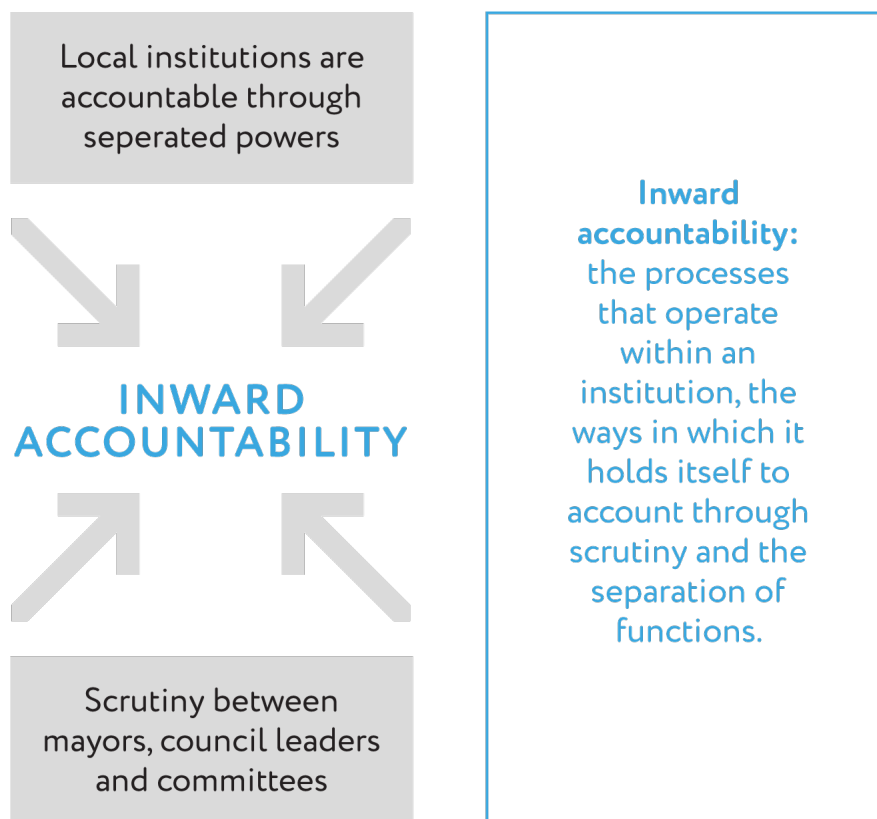
4. Inward accountability: strengthening the devolved institutions

Chapter summary

Accountability in Mayoral Combined Authorities (MCAs) operates primarily through the relationship between the mayor and the local authority leaders. This works in Greater Manchester, but applying this model elsewhere has had unintended consequences relating to variations in the number, type, leadership, and political make-up of the constituent local authorities. In the absence of institutionalised political opposition to elect mayors, there is an important trade-off between consensus building and effective scrutiny which needs to be more explicitly acknowledged. A separate, important accountability mechanism comes in the form of the 'scrutiny committees' that have been introduced in most combined authorities. Despite recent changes, these still lack powers, resources, and recognition. The London Assembly model offers significant advantages in this regard but is not necessarily a suitable template for other places. Elsewhere, the new county deals like those in Norfolk and Suffolk operate very differently from MCAs and risk being entirely missed from the MCA scrutiny debate.

FIGURE 7
Inward accountability

Local institutions are accountable through seperated powers

INWARD ACCOUNTABILITY

Scrutiny between mayors, council leaders and committees

Inward accountability: the processes that operate within an institution, the ways in which it holds itself to account through scrutiny and the separation of functions.

The structure of mayoral combined authorities

There are long-established inward accountability processes in the British governing system, many of which have been exported to other parts of the world.[36] For example, the expectations of a minister to answer to Parliament, or of the Prime Minister to face a regular grilling by MPs in the chamber, or the ability of select committees to call witnesses. But these have been more challenging to establish in relation to the emerging tier of regional government in England. The agencies established by the New Labour governments to co-ordinate regional economic growth – the 'Regional Development Agencies' (RDAs) – were widely criticised for lacking effective accountability mechanisms.[37]

The basic accountability model that was devised at the time of the creation of the Greater Manchester Combined Authority in 2011 was notionally employed in relation to most of the other authorities established in subsequent years.[38] The Greater Manchester Combined Authority emerged as a partnership between 10 constituent authorities, and its accountability model rested upon the idea of local authority leaders holding the new directly elected, city-regional mayor to account. Its key features were as follows:

- The MCA is made up of a group of constituent local authorities;
- Each constituent authority appoints one of their elected councillors (usually the leader) to serve as a member of the MCA board;
- A mayor is directly elected across the geography, and holds a set of discrete powers as well as being chair of the MCA board;
- All other powers and functions are exercised collectively by the board;
- The mayor distributes portfolios amongst the members of the MCA board;
- A set of audit and scrutiny committees oversee MCA activities.

(From the Greater Manchester Combined Authority Constitution, 2023)

The inward accountability function served by this model arises through the interplay between the mayor, as directly elected leader, and the members, as indirectly elected representatives of the constituent territories. While the mayor has some functions exercised independently of the MCA members, the vast majority of their responsibilities – including all those relating to spending – require the agreement of the members as representatives of the constituent local authorities. As a result, inward accountability depends on consensus building. Indeed, at the heart of this model is the idea that the relationship between mayor and local authority

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[36] Philip Norton, 'Is the Westminster System of Government Alive and Well?', *Journal of International and Comparative Law* 9, no. 1 (2022): 1–24; Rachel Ashworth, Stephanie Snape, and Sundeep Aulakh, 'Plugging the Accountability Gap? Evaluating the Effectiveness of Regional Scrutiny', *Environment and Planning C: Government and Policy* 25, no. 2 (April 2007): 194–211, https://doi.org/10.1068/c55m.

[37] A Harding, S Wilks-Heeg, and M Hutchins, 'Regional Development Agencies and English Regionalisation: The Question of Accountability', *Environment and Planning C: Government and Policy* 17, no. 6 (1 December 1999): 669–83, https://doi.org/10.1068/c170669; Jack Newman and Nigel Gilbert, 'The Role of the Private Sector in Subnational Governance: Learning Lessons from England's Local Enterprise Partnerships', *Local Economy* 37, no. 1–2 (16 May 2022): 66–83, https://doi.org/10.1177/02690942221098615.

[38] Francesca Gains, 'Metro Mayors: Devolution, Democracy and the Importance of Getting the "Devo Manc" Design Right', *Representation* 51, no. 4 (2015): 425–37, https://doi.org/10.1080/00344893.2016.1165511.

leaders works best when a spirit of cross-party consensus and a willingness to compromise prevail.

Further accountability functions for these authorities are fulfilled through the establishment of audit and scrutiny committees, which we explore in more detail below. Their most apparent difference to British central government, or indeed local councils, is the absence of an institutionalised role for a political opposition. Below we reflect further on the implications of this absence.

Disseminating the 'Manchester model'

An important – and insufficiently posed – question in this context is whether the Manchester accountability model is suitable for authorities elsewhere. As different commentators have observed, the GMCA was rooted in a very distinctive historical experience of cross-borough collaboration,[39] and in the close relationships forged between its Chief Executive Howard Bernstein and Chancellor George Osborne.[40] The transposition of the Manchester model to places with very different back stories has raised a number of challenges.

The first of these relates to the structure of the constituent local authorities. Figure 8 shows the different kinds of local authority that are incorporated within existing MCAs. Greater Manchester, the West Midlands, West Yorkshire, and South Yorkshire are made up entirely of metropolitan boroughs, which are unitary authorities with a history of working together at a city-wide level. But transposing the GMCA model to authorities that incorporate different kinds of local authority has caused problems. For instance, when a two-tier authority becomes part of an MCA, as is the case with the Cambridgeshire & Peterborough authority, or where the MCA includes county, district, and unitary authorities, as will be true of the prospective East Midlands authority, it is not clear that this is the best recipe for coherent governance.

Box 7. Cambridgeshire and Peterborough. In the Cambridgeshire and Peterborough Combined Authority (CPCA), the MCA model is tested by the existence of the two-tier Cambridgeshire County Council sitting alongside the single unitary authority of Peterborough. The CPCA board is made up of the mayor and representatives from Cambridge County Council, each of its five district councils, and the Peterborough unitary authority. This creates complex dynamics not considered in the Manchester model. For example, the power dynamic between county and districts is flipped because the MCA treats each equally, giving the districts a notional five-to-one advantage over the county-wide authority. Various consequences have played out in recent years as a result of the unusual make-up of the CPCA.

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[39] Geoff Bates et al., 'Policy "R&D", Capacity and Advocacy in English Combined Authorities', *Local Economy*, 38, no. 3 (2023): 226–241, https://doi.org/10.1177/02690942231207308.
[40] Gains, 'Metro Mayors'.

FIGURE 8

MCA Constituent Councils
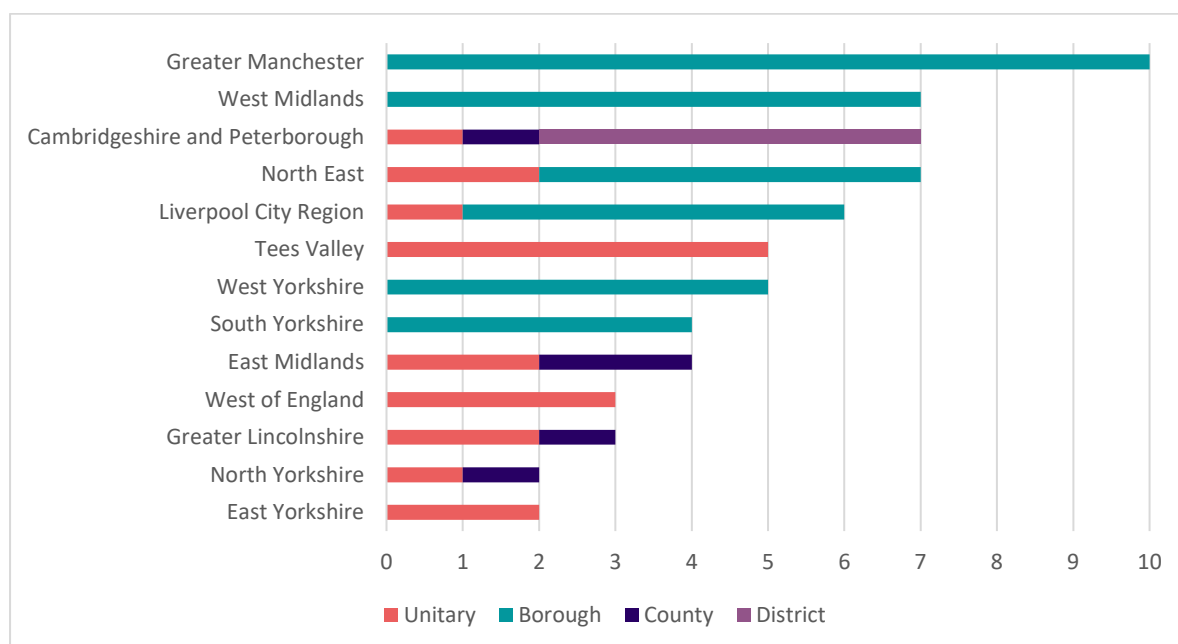
A different challenge affecting some MCAs, for instance, the West of England Combined Authority (WECA) and Liverpool City Region Combined Authority (LCRCA), arises from the co-existence within their jurisdictions of elected city and city-regional mayoral leaders. [41] Since the Local Government Act passed in 2000, local authorities have been able to diverge from the Westminster-style cabinet and leader model used in most councils, and instead opt for a committee system or a directly elected leader (see Figure 9).

In a small number of cases, this has meant that there are elected city mayors operating in the same jurisdiction as city-regional ones, a situation that has caused a degree of public confusion and generated criticism locally. This has been the case in both WECA and LCRCA. Both of these city mayoral roles have since been abolished -- the former by a local referendum and the latter after a period of consultation. In Leicester, the directly elected mayor of the local authority has effectively vetoed the creation of a metro mayor for the wider region.[42] However, in Greater Manchester and the Tees Valley, the existence of local elected mayors has not created the same kinds of challenge. Whether there is room in this emerging model for elected mayors at different geographic scales within the same devolved jurisdiction remains to be seen, but the complexity and potential confusion generated by these overlaps for local residents is a significant issue, particularly in relation to the challenges associated

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[41] John Fenwick and Lorraine Johnston, 'Leading the Combined Authorities in England: A New Future for Elected Mayors?', *Public Money & Management* 40, no. 1 (2020): 14–20, https://doi.org/10.1080/09540962.2019.1622344.

[42] Jessica Murray, 'Joint East Midlands Mayor Plan Would "Consign Leicestershire to Division Two"', *The Guardian*, 5 September 2022, https://www.theguardian.com/politics/2022/sep/05/joint-east-midlands-mayor-plan-would-consign-leicestershire-to-division-two

with devising the right kind of outward accountability mechanisms, which are discussed in the following Chapter.

FIGURE 9
Local Executive Arrangements in MCAs
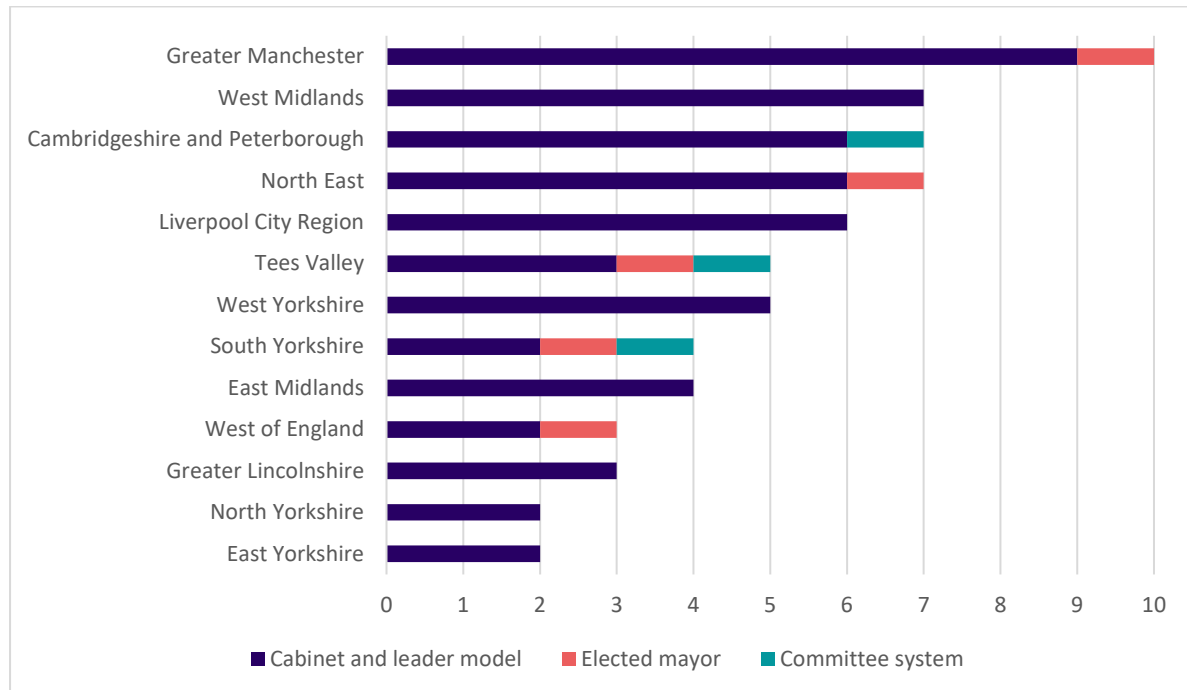
A third challenge arising from the transfer of the Manchester model to other contexts concerns the number of constituent authorities that make up an MCA. In Greater Manchester, the way in which the accountability dynamic operates between the mayor and the leaders of the ten constituent local authorities – most of whom are in the same political party as the mayor – is not replicable when there are three constituent authorities (as with WECA), or indeed two as in the newly created North Yorkshire and East Yorkshire authorities. In practical terms, this makes filling the MCA portfolio roles immensely challenging. But more importantly, this can create the conditions for entrenched conflict and political paralysis. One solution pursued in some new deals, including the East Midlands, is to allow constituent authorities to nominate additional MCA board members. And this mechanism will be used to give district authorities representation, without giving them the full membership they have in the Cambridge and Peterborough model.

Box 8. West of England. The West of England Combined Authority (WECA) is closer to the Manchester model in the sense that it is made up only of unitary authorities. However, there are two intersecting difficulties in WECA. Firstly, there are only three unitary authorities, making a cabinet of four including the mayor. There are questions as to whether this is too few authorities to ensure that inward accountability functions efficiently, and there have been problems in WECA's governance, including difficulties passing budgets. The second difficulty, and the more likely source of WECA's problems, is the close power balance between four political parties across the three constituent authorities. Bath and North East Somerset is dominated by the Liberal Democrats. South Gloucestershire was until recently led by the Conservatives, though is now balanced between the three main parties. Bristol was dominated by Labour but is now balanced between Labour and the Greens. The interaction between the MCA structure and party politics varies across the country, and currently the structure of WECA does not seem able to support the local balance of power.

The experience of WECA in implementing the MCA model raises important questions about the party-political balance of these authorities, and how representative their Executives are. As Figure 10 shows, Labour is politically unassailable in Greater Manchester, meaning that accountability dynamics are largely conducted between members of the same political party. While there may well be a downside to this as the mayor faces no significant political opposition in his daily work, it does have the advantage of making consensus-building easier. In Manchester even the audit and scrutiny committees reflect Labour's dominance.

FIGURE 10

Party representation in Greater Manchester Combined Authority
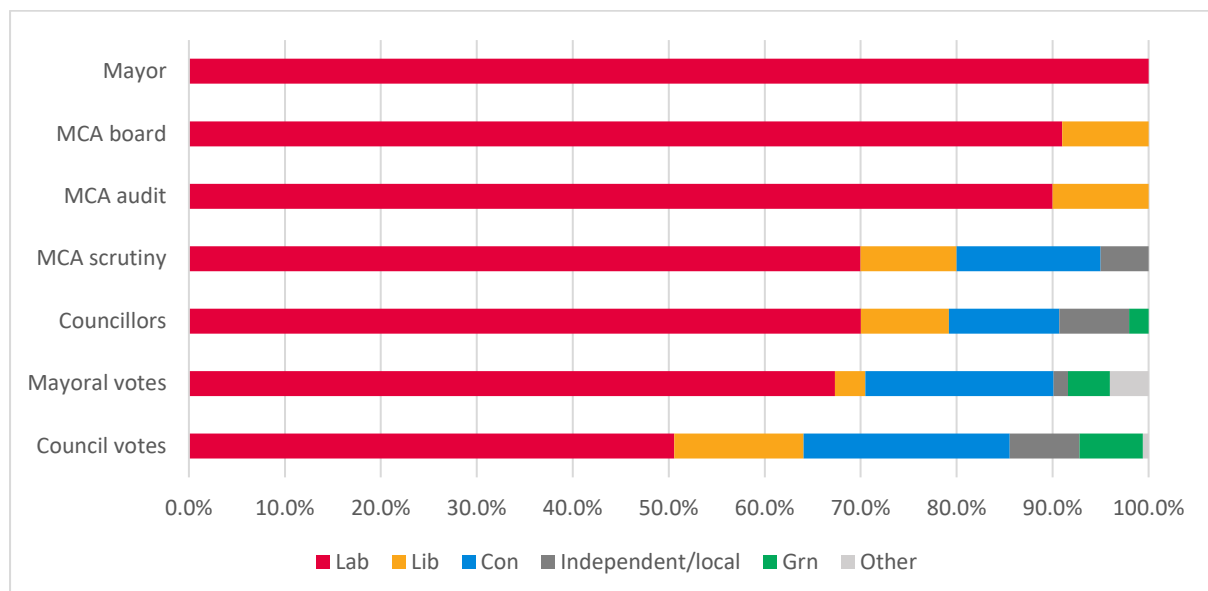
In WECA by contrast, a very different political pattern has emerged, with two parties represented at Executive level, and the scrutiny and audit committees including four different political parties. And there has been a huge challenge to establish the spirit of consensus-building upon which this model ultimately rests. In all of these institutions, there is a trade-off to be achieved between cross-party working and effective political scrutiny, and as more mayors come on stream there is a real need for a more informed debate, in central government, about how best to strike this balance, and a good case for a more systematic exploration of whether there is a case for more variability in terms of accountability structures and scrutiny mechanisms.

FIGURE 11

Party representation in West of England Combined Authority
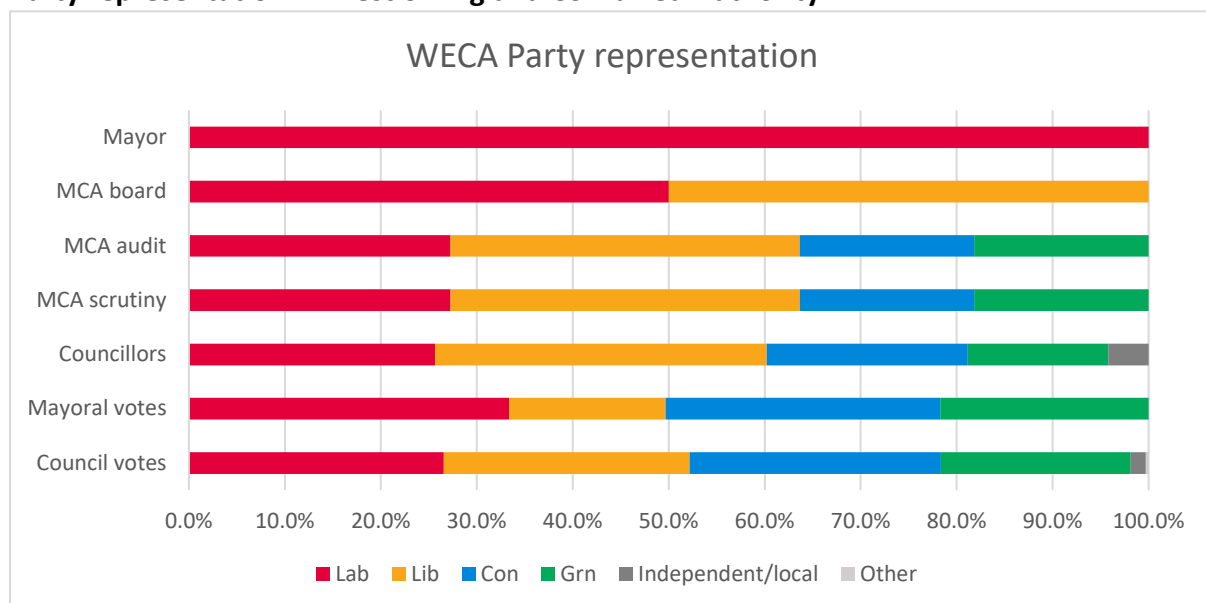
Box 9. Metropolitan governance in Auckland, New Zealand. In 2010, Auckland underwent major reform to its metropolitan governance, with the merger of local councils into a single authority with a directly elected mayor and elected governing body of 20 members. Local boards were created at the local level of government.[43] This contrasts with the Manchester model, where local authorities pool powers and in some ways are further empowered by the creation of MCAs. In Auckland, there are the same tensions common across England's MCAs between the local and regional levels and between the different local areas. Auckland's model has the advantage of reducing the impact of these tensions on policymaking, but this comes with an upward transfer of power and at the expense of more localised forms of government.

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[43] Ian Shirley et al., 'The Governance of Auckland: 5 Years On', A report commissioned by The Committee for Auckland (The Policy Observatory, 2016).

New developments in MCA scrutiny

In addition to the political relationships discussed so far, inward accountability is also achieved through the work of MCA committees. The role played by these bodies varies somewhat, but, in simple terms, each MCA has two main committees that perform a scrutiny function. First, they have an Audit Committee, responsible for overseeing the financial and budgetary activity of the MCA and for considering good governance and high standards of conduct among members. Each authority also has a Scrutiny Committee, which reflects and reports on decisions and policy made by the mayor and/or the MCA board.

FIGURES 12 & 13

Scrutiny Committees across the Combined Authorities
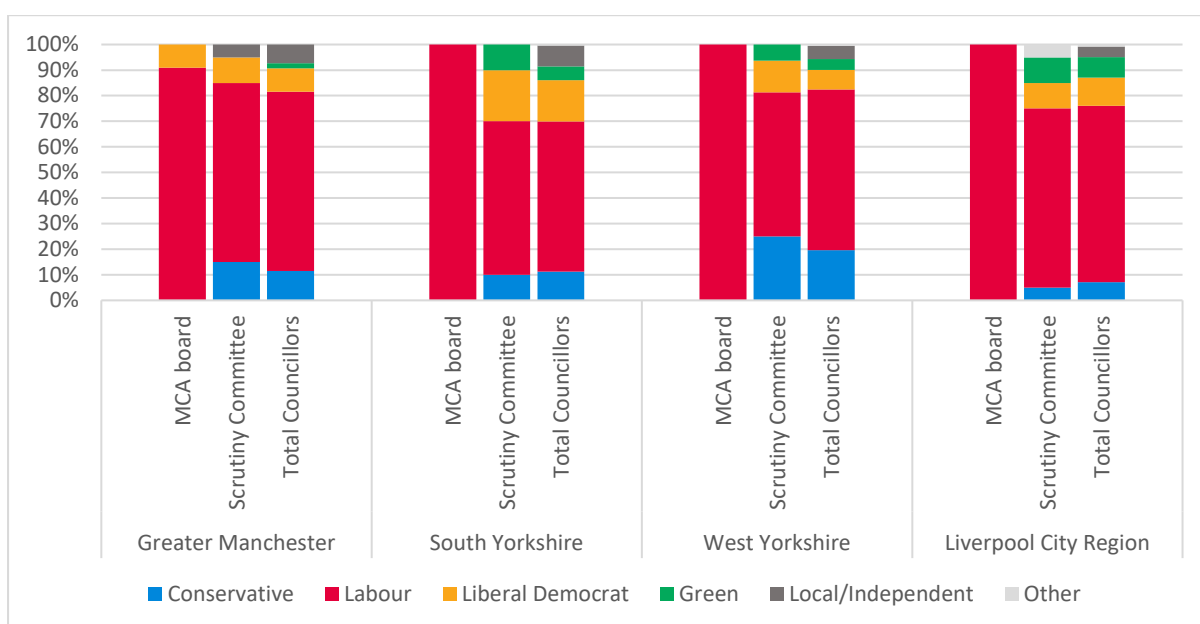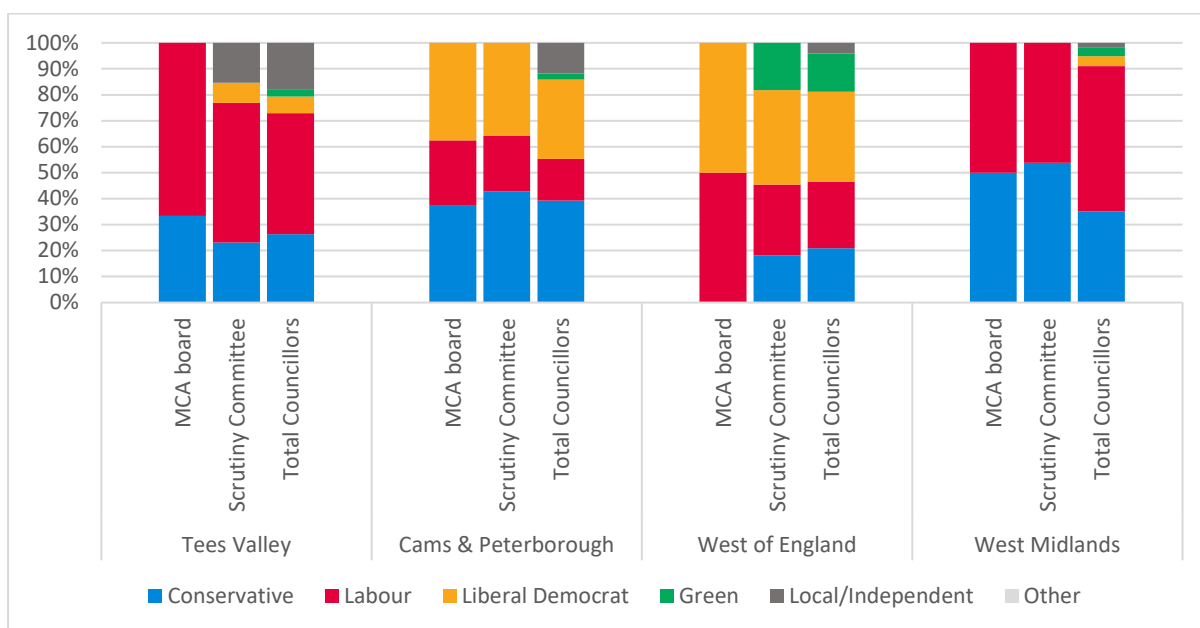
While a number of other committees exist for specific policy sectors, it is the Scrutiny Committee that is usually held to be the most important instrument for holding the Mayor and MCA Board to account, as indicated in central government's *English Devolution Accountability Framework* and its *Scrutiny Protocol*. The membership of these committees is made up of councillors from the constituent authorities. As shown in Figures 12 and 13, these largely align with the political balance in the constituent councils. However, what these figures also reveal is the tendency for Scrutiny Committees to be dominated by the same party that dominates the MCA board.

The efficacy of these inward accountability mechanisms has been widely criticised. The scrutiny committees are made up of councillors who often struggle to find the time to fulfil this scrutiny function on top of their existing arrangements, and may lack the expertise or interest to invest in these roles.[44] The absence of councillors at scrutiny meetings undermines the functioning of such committees, and often leads to many meetings being cancelled.[45] There are numerous examples of committees lacking the timely information to scrutinise decisions, especially budgets.[46] This is all underpinned by a general lack of prestige and recognition of committees and their members.[47] As a result, the committees undertake very few activities than would be generally recognised as scrutiny, beyond receiving reports and occasionally asking questions of officers.

In 2022, the GMCA commissioned the Centre for Governance and Scrutiny to evaluate the effectiveness of its scrutiny and audit committees. This report established the foundations for the reforms made in the 'trailblazer devolution deals' of 2023, which recommended that an additional transfer of powers should be accompanied by a strengthening of inward accountability mechanisms (as well as upward accountability ones). The main reforms it announced were as follows:

- The creation of a single 20-member scrutiny committee
- Properly remunerated members committed to 2-year terms
- Members appointed based on interests and skills
- Members to be given clear job description, receive training and support, have rights to access information, and have time to feed into the decision-making process
- Members to be politically and geographically representative
- Chair and deputy chair both to be from opposition parties
- Chairs to have a higher-profile with access to DLUHC ministers and powers to report concerns to DLUHC
- Committee to have sufficient resources to commission research and publicise findings

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[44] John Shutt and Joyce Liddle, 'Are Combined Authorities in England Strategic and Fit for Purpose?', *Local Economy* 34, no. 2 (1 March 2019): 196–207, https://doi.org/10.1177/0269094219839956.

[45] Akash Paun, Alex Nice, and Lucy Rycroft, 'How Metro Mayors Can Help Level up England' (Institute for Government, 2022).

[46] Paun, Nice, and Rycroft.

[47] Akash Paun, Duncan Henderson, and Peter Hourston, 'The Art of the Devolution Deal' (Institute for Government, 2023).

A further step forward came later in 2023, when the UK Government published the *Scrutiny Protocol,* which lays out a set of principles that should be followed by the scrutiny committee, including:

- Members and substitutes should be selected on experience and skill, and should be well trained and well informed
- Committees should be well-resourced and members should be remunerated through an independent panel
- Membership should be politically and geographically balanced, and the chair should be seen as independent and act apolitically
- Committees should produce regular performance monitoring of the MCA, provide pre-policy scrutiny, engage in deep dive scrutiny in key areas, and self-evaluate with annual reports
- Committees should invite external experts and key stakeholders, and build relationships with audit committees and local authority scrutiny committees
- The mayor and portfolio leads should engage formally and informally with the committee
- The committees should be a given a forward plan of key decisions, should be engaged early in the policy process, and, if necessary, have the power to 'call in' decisions

However, MCAs remain effectively responsible for their own scrutiny. The *Scrutiny Protocol* is non-statutory guidance explicitly described as a set of "should". Furthermore, there is no stream of funding from central government designed to resource the work of such committees. This creates strong political incentives for mayors and MCA boards to leave these bodies under-powered and under-resourced. While centrally mandated scrutiny mechanisms may seem to be another form of top-down interference, they would actually be an important step forward in terms of the quality of local scrutiny. Indeed, it is the weakness of scrutiny within MCAs, that has driven central government towards top-down solutions, like the proposed committees of local MPs. If central government instead seeks to mandate and fund stronger scrutiny arrangements *within* MCAs, inward accountability would be strengthened and micro-management from the centre would no longer be necessary (this is discussed further in our recommendations chapter below).

The main mechanism through which government can improve scrutiny is through deal-making, where the Trailblazer deals have included proposals for new scrutiny arrangements. The strengthening of local scrutiny mechanisms in the two regions covered by the trailblazer announcement is a sign that central government is waking up to the challenges of accountability in these cases, but as yet there has been little parallel thinking about arrangements in other authorities. The strength of inward accountability will be crucial for enabling further devolution of powers and budgets to MCAs, and these are likely to be the focus of public attention whenever questions are raised about a particular decision, policy, or investment.

This has come to the fore in the Tees Valley MCA in relation to complaints about the opaque nature of financial decisions and arrangements associated with the Teesworks.[48] The independent review found that decisions made in the Tees Valley "do not meet the standards expected when managing public funds". The review challenged the decision made at the time that the Tees Valley Overview and Scrutiny Committee could not investigate matters relating to Teesworks, but this reflects a more fundamental structural problem of the lack of separation between governance and scrutiny within MCAs, especially with the scrutiny committees lacking their own administrative structures. The 28 recommendations of the review included a call for the Centre for Governance & Scrutiny to "undertake a review of the [overview and scrutiny] function and produce recommendations". This is likely to repeat many of the findings of the equivalent review recently carried out in Greater Manchester, but it is another indication that more substantial reform of MCA scrutiny is required.

Beyond the Manchester Model

While the Manchester model has been prevalent in the thinking of those designing these new institutions, other models of accountability are also available, and may be worth consideration.

Greater London

Greater London's arrangements are, for instance, strikingly different to the MCAs. In London, there is no direct inward accountability relationship between the London mayor and the 32 London Boroughs. Instead, the much clearer and cleaner separation of powers between the GLA and the borough councils means that the Mayor of London is not required to seek consensus among local authority leaders. The mayor's cabinet, known as the 'deputy mayors', is instead composed of unelected officials chosen by the mayor and one member of the London Assembly.

London's mayor is also directly held to account by the directly elected 25-member London Assembly. This effectively operates as a scrutiny committee: "The Assembly holds the Mayor and Mayoral advisers to account by publicly examining policies and programmes through committee meetings, plenary sessions, site visits and investigations".[49] The Assembly is able to question the mayor and other senior officials on a monthly basis, which Assembly members describe as their most visible and important accountability tool. But they can also raise concerns if they feel that they are not able to question enough key decision-makers.[50] If it achieves a two-thirds majority, the Assembly can also amend and reject the mayor's policies and vote down their budget.[51] And the Assembly has a research budget to investigate policy issues and publish reports, much like Parliamentary select committees.[52]

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[48] Jennifer Williams, 'Taxpayer Support for Controversial Teesworks Project Set to Hit £650mn', *Financial Times*, 10 November 2023; https://www.ft.com/content/2de31f6e-1453-405b-bce2-28d38439ecf0

[49] London Assembly website: https://www.london.gov.uk/who-we-are/what-london-assembly-does

[50] London Assembly, 'Written Evidence Submitted by the London Assembly [OSG 117]' (Communities and Local Government Select Committee, 2017).

[51] Mario Washington-Ihieme, 'How the London Assembly Scrutinises the Mayor', *Centre for London* (blog), 18 January 2021; https://centreforlondon.org/blog/london-assembly-scrutiny/.

[52] Mark Sandford, 'The Greater London Authority' (House of Commons Library, 2022).

There are some advantages to this model in comparison with the Audit and Scrutiny Committees of most MCAs.

- First, there is a widespread concern in the latter that the scrutiny committees lack prestige and recognition, but in the GLA, Assembly members have a publicly recognised role.
- Second, and relatedly, GLA members work full-time in their scrutiny role, while this is typically a secondary or even tertiary function of local councillors serving on MCA Committees.
- Third, the London Assembly reflects the party preferences of the electorate, usually ensuring it is not dominated by a single party.
- And fourth, the GLA has a separate budget that can fund effective scrutiny functions.

Despite these strengths, the London Assembly structure has also been criticised for being ineffective and weak in relation to the powers held by the mayor, especially as these have gradually increased since 1999.[53] Given that the Assembly's veto powers can only be activated by a two-thirds majority (which is usually a very high bar to meet), the mayor's party only needs 9 of the 25 Assembly seats to avoid defeat (although it is worth noting that leaders have not always achieved this number).[54] The 'soft power' mandate exercised the Assembly is more significant than the audit and scrutiny committees of the MCAs, but for the most part the function and remit of this body are not well understood in London.[55]

Norfolk and Suffolk

The leaders of the county councils of Norfolk and Suffolk have both signed up to devolution deals that are due to be implemented in 2025 which are in key respects broadly similar to most other MCA deals in terms of their powers and budgets. There are also some similarities in their governance arrangements, with both being two-tier authorities that will be led by a directly elected leader and both requiring a two thirds majority to overturn mayoral budgets. However, unlike the MCAs and the GLA, these new county deals do not entail any other innovation in terms of their political structures. Both deals will be superimposed upon existing two-tier County Council structures. While the new directly elected leaders will be the first in England to operate at the county council level, they will be created in accordance with the Local Government Act 2000, which gave local authorities the ability to swap their traditional 'leader and cabinet' model for a 'committee system' or a 'elected mayor and cabinet'.

In key respects these new bodies represent the continuation of pre-existing local government structures, rather than a step towards a new regional-type model. And, as such, it is unlikely that the impetus towards cross-party working apparent in other authorities will emerge. The role of the district councils in the new arrangements remains somewhat ambiguous, although

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[53] Ben Worthy, Mark Bennister, and Max W. Stafford, 'Rebels Leading London: The Mayoralties of Ken Livingstone and Boris Johnson Compared', *British Politics* 14, no. 1 (1 March 2019): 23–43, https://doi.org/10.1057/s41293-017-0069-1.

[54] Andrew Blick and Patrick Dunleavy, 'Audit 2017: How Democratic Is the Devolved Government of London?', Democratic Audit, 2018; https://www.democraticaudit.com/2017/06/22/audit-2017-how-democratic-is-the-devolved-government-of-london/.

[55] Blick and Dunleavy.

there have been positive statements of intent about the changes they will bring. The official announcement declares that "the involvement of city, district and borough councils will be pivotal to the success of the devolution deal".[56] These new deals also acknowledge that those functions relating to planning will require collaboration with the district councils. The creation of the Norfolk Public Sector Leader's Board and the Suffolk Public Sector Leaders group will supply mechanisms through which the district councils can contribute to regional governance, along with other public sector leaders.

FIGURE 14

The process of inward accountability

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[56] DLUHC and Norfolk County Council, 'Norfolk Devolution Deal', December 2022; https://assets.publishing.service.gov.uk/media/638f69e38fa8f569f209d866/Norfolk_Devolution_Deal.pdf
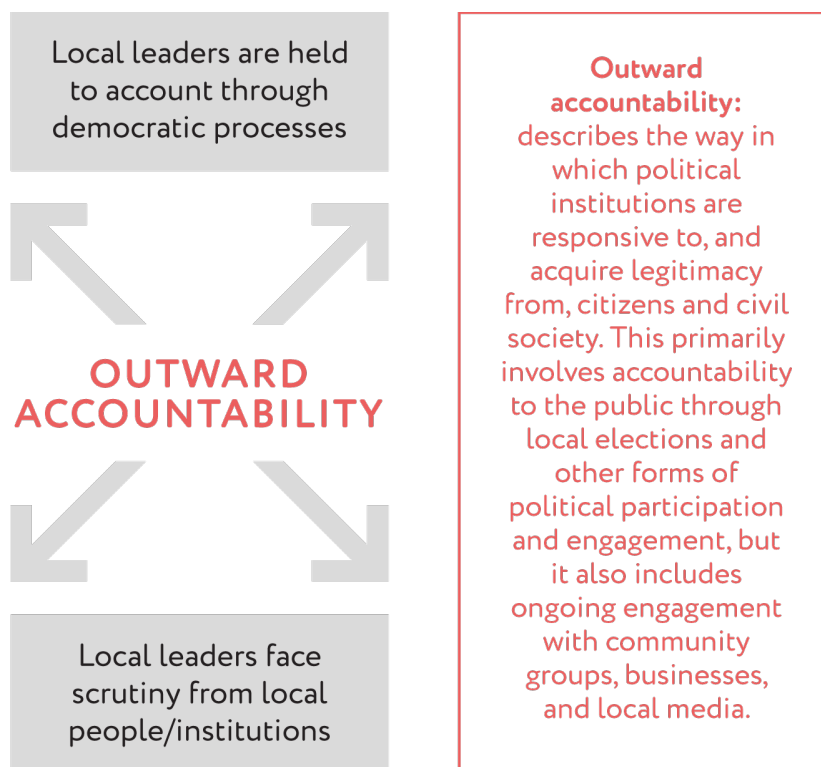
5. Outward accountability: answering to the people

Chapter Summary

MCAs are outwardly accountable through elections, local media, public participation, and external partnerships. Local election turnout is relatively low, compared to other countries, and there is in some places insufficient competition between the parties and too little responsiveness in some councils towards local people. In mayoral elections, the recent change to FPTP voting has weakened accountability processes, while mayoral combined authority boards often do not reflect local party preferences. Local media is the cornerstone of effective outward accountability, but it is in sharp decline on all measures, and what remains of it is unevenly distributed. Urgent intervention is needed to ensure local media can continue to facilitate local democracy. MCAs are increasingly using public engagement initiatives, though these are in their infancy. With regards to local partnerships, businesses are well represented, but a wider range of institutions need representation within MCAs.

FIGURE 15
Outward accountability

Local leaders are held to account through democratic processes

OUTWARD ACCOUNTABILITY

Local leaders face scrutiny from local people/institutions

Outward accountability: describes the way in which political institutions are responsive to, and acquire legitimacy from, citizens and civil society. This primarily involves accountability to the public through local elections and other forms of political participation and engagement, but it also includes ongoing engagement with community groups, businesses, and local media.

Local elections

Two types of election are important when considering how the outward dimension of accountability works in relation to Combined Authorities: the direct election of the mayor of the combined authority; and the election of councillors in local authorities whose leaders then form the MCA board.

Box 10. International evidence on low turnout. International research shows that voters are less likely to vote when it is unclear who is responsible for policy decisions and outcomes.[57] Given that England's administrative system is unusually complex and opaque, with responsibilities split between a wide range of elected bodies and government agencies, it is very likely that the absence of effective forms of local accountability is one of the drivers of low turnout. Other research has shown that areas with higher social capital are more effective in holding local leaders to account.[58] This means that more affluent areas tend to have stronger forms of democratic accountability, as well as higher turnouts. This creates a double effect of decreased accountability in more deprived wards and authorities. Analysis across different countries and scales suggests that neither left-wing nor right-wing parties lose out when turnout goes up.[59]

Various practical measures are shown to increase local turnout, including the timing and length of elections, and the range of available voting methods. There is evidence too that fiscal devolution has increased local turnout in both Canada and Spain.[60] Turnout is much higher when local elections are held at the same time as national elections, but this undermines the accountability function because voters' preferences are influenced by the election with the highest profile.[61]

Local authority elections in England generally have a lower turnout rate than the devolved nations, and a much lower one than European comparators.[62] And these established trends have weakened the democratic legitimacy of many local councils, with leaderships elected on turnouts of below 50%. Different adverse consequences of regular low turnouts, in democratic terms, are identified in the literature, and this phenomenon correlates with a

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[57] Brandon Beomseob Park, Nikolaos Frantzeskakis, and Jungsub Shin, 'Who Is Responsible? The Effect of Clarity of Responsibility on Voter Turnout', *West European Politics* 42, no. 3 (16 April 2019): 464–94, https://doi.org/10.1080/01402382.2018.1479497.

[58] Tommaso Nannicini et al., 'Social Capital and Political Accountability', *American Economic Journal: Economic Policy* 5, no. 2 (May 2013): 222–50, https://doi.org/10.1257/pol.5.2.222.

[59] Georg Lutz and Michael Marsh, 'Introduction: Consequences of Low Turnout', *Electoral Studies* 26, no. 3 (1 September 2007): 539–47, https://doi.org/10.1016/j.electstud.2006.10.001.

[60] André Blais, Eva Anduiza, and Aina Gallego, 'Decentralization and Voter Turnout', *Environment and Planning C: Government and Policy* 29, no. 2 (1 April 2011): 297–320, https://doi.org/10.1068/c1015r.

[61] Emanuele Bracco and Federico Revelli, 'Concurrent Elections and Political Accountability: Evidence from Italian Local Elections', *Journal of Economic Behavior & Organization* 148 (1 April 2018): 135–49, https://doi.org/10.1016/j.jebo.2018.02.006.

[62] Newman and Kenny, 'Devolving English Government', 2023.

decline in political influence among underprivileged groups.[63] If local leaders are not being held to account by a broad cross-section of local people, they are not sufficiently representative of the locality they serve and are thus operating with a diminished democratic mandate.

There is also continual debate about what is the most appropriate electoral system to use for local elections in England. First-past-the-post (FPTP) is particularly poor at converting voter preferences into representation within local authorities on a proportional basis. It is also prone to create 'one-party-states', whereby one political party is able to secure long-term dominance of a local council.[64] This kind of scenario significantly reduces the likely responsiveness of local leaders to local opinion. It is also another factor driving down turnout in local politics, because people are less likely to vote when they feel that their vote is less likely to matter. With low incentives to appeal to voters, councils are more likely to direct themselves towards bargaining with the centre.

FIGURE 16

England's local turnout compared [65]

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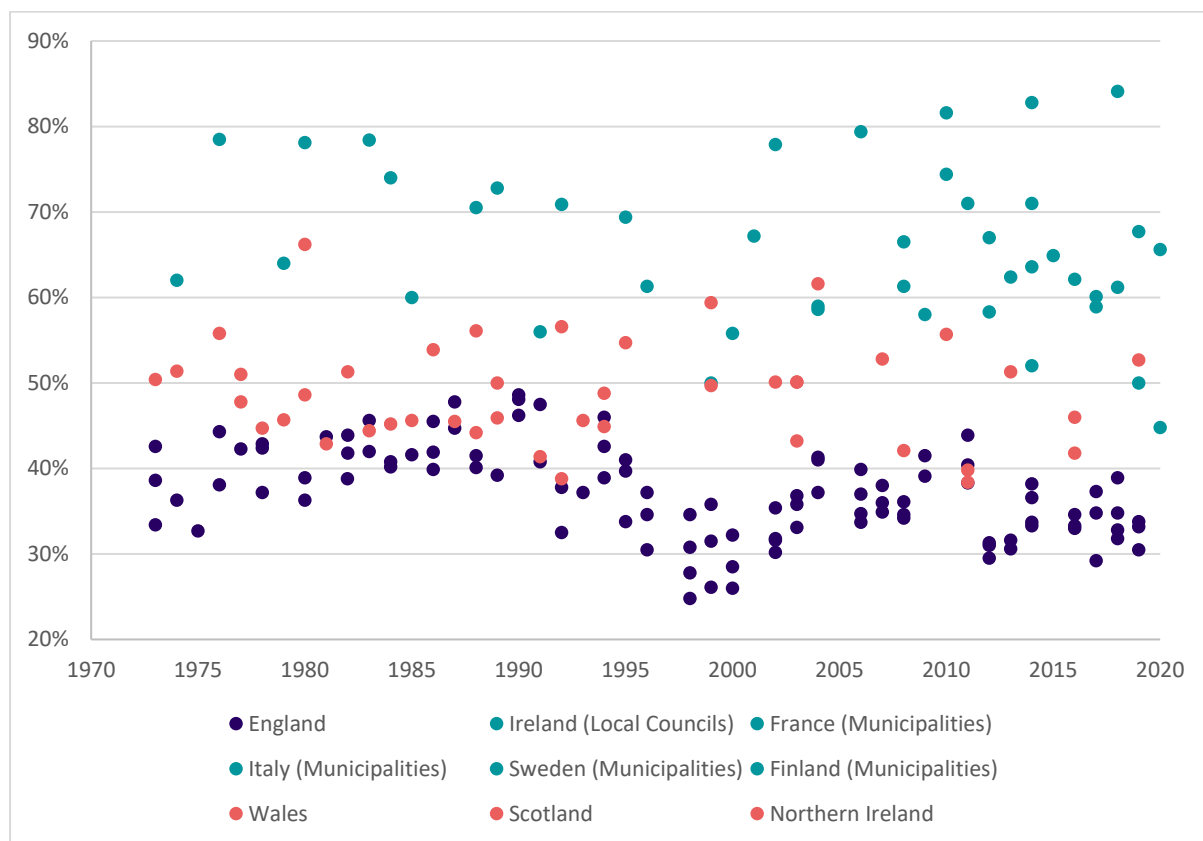
[63] Arend Lijphart, 'Unequal Participation: Democracy's Unresolved Dilemma', *The American Political Science Review* 91, no. 1 (1997): 1–14, https://doi.org/10.2307/2952255.

[64] Palese, 'Democracy Made in England Where Next for English Local Government?'

[65] Jack Newman and Michael Kenny, 'Devolving English Government' (Bennett Institute for Public Policy and Institute for Government, 2023).

As a result of the Elections Act of 2022, the mechanism used for mayoral elections in England has recently changed from the Supplementary Vote (SV), whereby voters choose a first and second preference, to FPTP, where voters choose one candidate only. FPTP was presented by the sponsoring minister as a 'fair and simple' system that 'ensures clearer accountability'.[66] In the *English Devolution Accountability Framework*, this reform is cited as an improvement to existing accountability mechanisms, supposedly "making it easier for the public to express a clear preference" and "reducing complexity for the voter and administrator".[67]

However, opposition parties opposed this change, arguing that it reflected a self-interested response by the Conservative party to the outcome of two different elections. In the 2021 Cambridge and Peterborough mayoralty election, a sizeable Conservative win on first preference votes (40.5% to Labour's 32.8%) was overturned after the transfer of second votes. This reversal was repeated in the North Wales PCC election of the same year, albeit overturning a smaller 2% difference in first preference votes between the Conservative and Labour candidates.[68] Whatever the motivation, the decision to abandon the SV system will have major consequences as the devolution process unfolds in England, and may well inhibit some of the main potential benefits of devolution.

In particular, the SV system is designed to encourage candidates to broaden their support base and conduct positive campaigns to reach voters who might not traditionally support them.[69] Following its introduction in the 2000 London mayoral elections, both voters and parties seem to have learned how to use SV more effectively over time. In 2016, for example, nine in ten voters used both their first and second preference. Around 90 per cent of votes cast were 'effective', meaning that these choices played some role in shaping the overall outcome. Turnout gradually increased, and the system was adopted successfully to elections elsewhere in England.

The consequences of moving back to FPTP are hard to gauge in precise terms. But it is likely to weaken cross-party support for winning candidates and make it less likely that they will command majority support.[70] It is also unlikely to have a positive effect on the operation of outward accountability and may well indeed have a negative effect. In their detailed analysis of the arguments advanced to justify this reform, Alan Renwick and Castillo-Powell[71] suggest that the decision to introduce FPTP has undermined accountability because while SV leads to

[66] HM Government, 'First Past the Post to be Introduced for All Local Mayoral and Police and Crime Commissioner Elections', September 2021; https://www.gov.uk/government/news/first-past-the-post-to-be-introduced-for-all-local-mayoral-and-police-and-crime-commissioner-elections
[67] DLUHC, 'English Devolution Accountability Framework', 2023, 3.11.
[68] Stephen Fisher, 'Reverse Electoral Reform: Why the Government Wants to Scrap the "Supplementary Vote"', *Prospect*, 21 May 2021; https://dlv.prospect.gcpp.io/politics/37637/reverse-electoral-reform-why-the-government-wants-to-scrap-the-supplementary-vote.
[69] Electoral Reform Society, 'Supplementary Vote', n.d.; https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/supplementary-vote/supplementary-vote/
[70] Patrick Dunleavy, 'The Reformed Electoral Systems Used in Britain's Devolved Governments and England's Mayoral Elections', In: Patrick Dunleavy et al. (eds) *The UK's Changing Democracy: The 2018 Democratic Audit* (LSE Press, 2018).
[71] Alan Renwick and Alejandro Castillo-Powell, 'Reforming the Mayoral Voting System: Do Minister's Arguments Stack Up?', October 2021; https://constitution-unit.com/2021/10/29/reforming-the-mayoral-voting-system-do-ministers-arguments-stack-up/

a tiny increase in spoilt ballots, tactical voting will have a far bigger effect on outcomes. "Electoral systems are fundamental parts of democracy and should be treated with great care", they argue. "Making changes based on flawed arguments can only do harm". More generally still, the speed with which this reform was enacted, and the absence of meaningful consultation with other parties, have been widely criticised.

More generally, there are some signs that mayors are becoming a more familiar and legitimate addition to the English democratic landscape. In particular, turnout rates in elections for these posts have increased -- if from a low base. [72] It has been suggested that this represents the process of bedding-in through which mayors will slowly establish themselves as a fixture of the political system and thus gain further public recognition.[73] However, the case of London may well represent a counterblast to such optimism. In that case, there were three consecutive increases in turnout, followed by some fluctuation, and turnout has never got over 45%.

FIGURE 17
Turnout in Mayoral elections
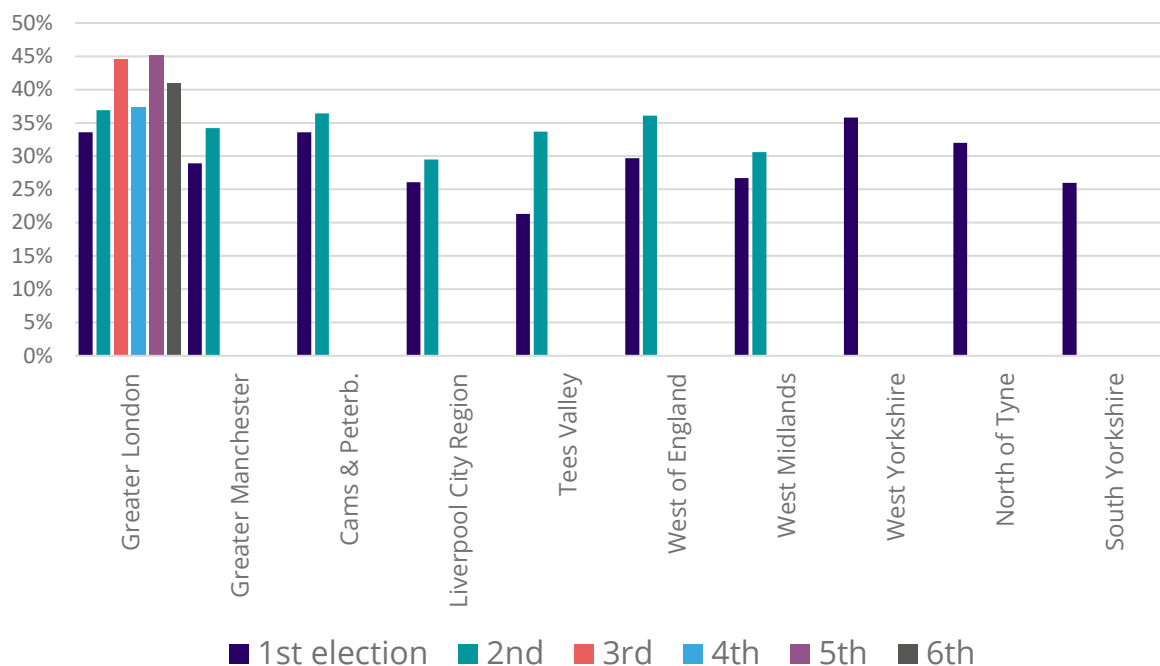
A different challenge in terms of representing local opinion is discernible if we compare the number of votes each party received in local elections with the composition of the MCA board on which the local councils are represented. There are variations in the representativeness of MCA boards, with a notable distinction between those dominated by Labour and those split between two or more parties. But all of them exclude parties that receive a significant proportion of the local vote. As shown in Figure 19, GMCA entirely excludes representation

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[72] Newman and Kenny, 'Devolving English Government', 2023; Paun, Henderson, and Hourston, 'The Art of the Devolution Deal'.
[73] Arianna Giovannini, 'The 2021 Metro Mayors Elections: Localism Rebooted?', *The Political Quarterly* 92, no. 3 (2021): 474–85, https://doi.org/10.1111/1467-923X.13036.

of the Conservative Party, even though it receives around 1 in 5 of the local votes across Greater Manchester. In WECA 47.8% of voters voted for a party in local elections that has no representation on the MCA board. And in South Yorkshire, Labour occupies 100% of seats on the MCA board but only received 37.6% of the vote in local elections. These discrepancies are particularly important given that MCA board is largely staffed by councillors who derive their legitimacy from local elections.

FIGURES 18 & 19

Party representation within MCAs
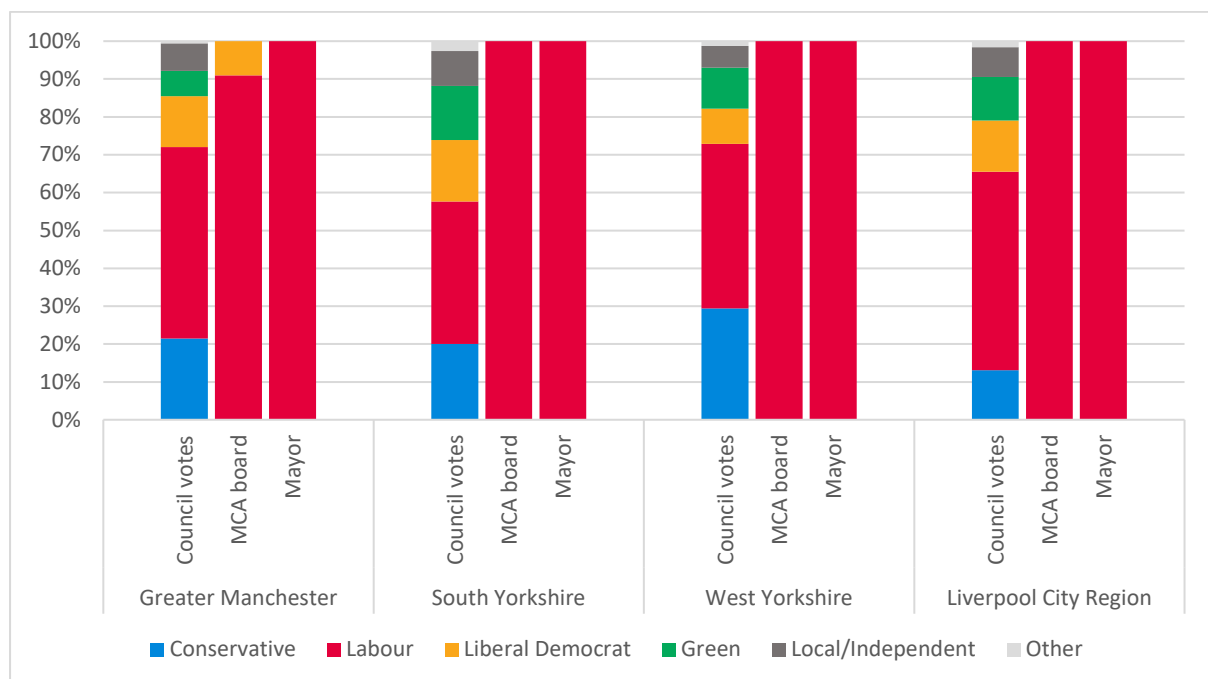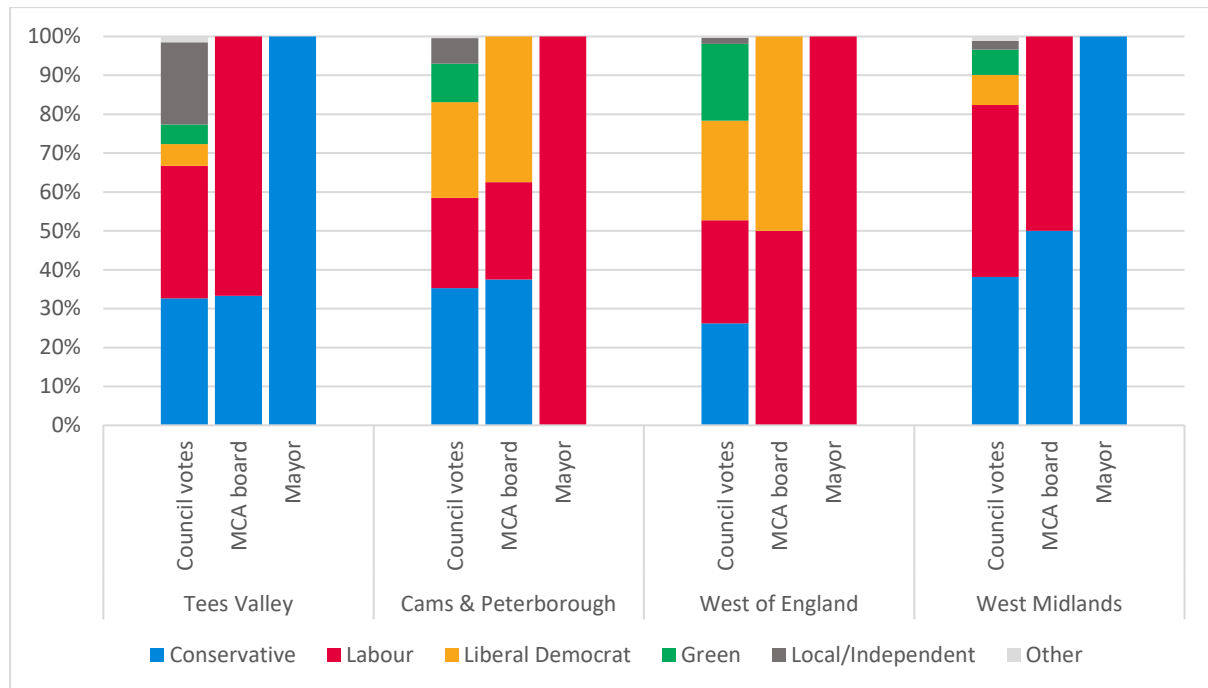
Finally, in addition to turnout levels and the method of electing local representatives, the effectiveness of outward accountability depends significantly on people's motivations to vote. The dominance of the main British political parties at the local level, the impact of FPTP and the tendency for the media to focus on national rather than local party politics – itself a product of the UK's highly centralised political system[74] – means that, to be successful, candidates must campaign on local issues whilst also relating national debates back to the communities they hope to serve. Local and national politics are therefore deeply intertwined, and very often this results in the squeezing out of the issues that local people care most about.

And, importantly, evidence suggests that distrust for national politicians grows significantly, the further away from Westminster that people's views are tested.[75] The ability of the metro mayors to present themselves as representatives of places that often feel neglected is therefore an important potential tool for addressing this deficit. More generally, these figures have the potential to enhance both bottom-up and outward modes of accountability.

Local media and the public understanding of local politics

The more that people are engaged with, and aware of, the decisions and records of local leaders, the stronger will be the chains of local accountability and democracy. And this in turn is likely to have a positive impact on the quality of local governance. A basic understanding of how to hold local officials and political institutions to account is a minimal condition for local government to function in democratic terms. However, the unusual complexity and opacity of England's fragmented patchwork of organisations and agencies responsible for service delivery has created a formidable barrier to this condition.[76] As new governance arrangements emerge, and existing institutions are reconfigured, the availability of high-quality information and media scrutiny to ensure public accountability will be increasingly important. Public understanding of decisions made by local policymakers is vital if unpopular and poorly planned initiatives are to be challenge and decision-making processes improved. Nowhere is outward accountability more effective than in responding to the failures of individual politicians. If local leaders are to be accountable to local people, communities need to know and care about local politics.

High-quality and accessible information is a critical aspect of a healthy accountability ecosystem. Oflog has a part to play here by making 'authoritative and accessible' data and information more transparent and improving availability to local citizens, sub-national government and the centre in the manner currently planned.[77] And this has the potential to

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[74] Rasmus K. Nielsen 'Introduction: The Uncertain Future of Local Journalism', In: Rasmus K. Nielsen (eds) *Local Journalism: The Decline of Newspapers and the Rise of Digital Media* (I.B. Tauris, 2015), 1-30.

[75] Jonathan Webb et al. 'Breaking the "Red Wall"', May 2022; https://www.ippr.org/blog/breaking-the-red-wall

[76] Newman and Kenny (2023)

[77] Oflog, 'Understanding and Supporting Local Government Performance', July 2023; https://www.gov.uk/government/publications/office-for-local-government-understanding-and-supporting-local-government-performance/office-for-local-government-understanding-and-supporting-local-government-performance

strengthen every aspect of accountability. As Mark Sandford[78] observes: "Good quality data and information aid both upward accountability and local electoral accountability". Accountability to central government may be easier to achieve but it is less effective in the longer term than accountability to local people. There have been various strategies to enhance transparency surrounding local public service performance in the past, such as the short-lived Oneplace website. This was designed to provide comparative data across a range of services in a local area in a format that was accessible to the public.[79] While an interesting model, it was not in place for long enough to judge its effectiveness. Alternative strategies intended to enhance transparency, including making raw data available to the public, look more like quick fixes when considered alongside abandonment of organisations like the Audit Commission. As Murphy et al[80] argue:

> …any significant loss of professional capacity and capability regarding information and its interrogation is unlikely to be made up for by an army of armchair auditors that critically analyse and interpret raw data – citizens may perceive that they have better things to do, even assuming they had the ability to do it.

As the Levelling Up White Paper argued, bolstering local scrutiny mechanisms through "appropriate forums for local media, local councillors and local residents to review the performance of authorities with devolved functions"[81] should therefore be part of the solution to these challenges. But this can also only take us so far if those doing the scrutiny are ill-equipped for the role.

Local journalists and newspapers have historically played a key role in transmitting information to citizens about local issues. However, as Jen Williams observes in the foreword to this paper, this is a sector facing a deep, and perhaps existential, crisis. The Cairncross Review,[82] commissioned by the then Prime Minister Theresa May, expressed significant concern about the implications of the collapse of traditional business models and advertising revenues for local newspapers. Titles have been lost, there are far fewer jobs in print journalism, and the local knowledge of journalists has declined as titles merge and offices become regional. Journalists who were once specialists in local government – attending council meetings, courts, building local connections and relationships etc. – have largely disappeared as a result. The Cairncross Review lamented this loss of 'public interest news' at the local level – referring primarily to democracy reporting and investigative journalism – which has been squeezed by target-driven, 'click-bait' news.

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[78] Mark Sandford, 'Metro Mayor's Accountability', October 2022; https://www.durham.ac.uk/business/research/centres/icopa/research-profile/case-studies/metro-mayors-accountability/

[79] https://webarchive.nationalarchives.gov.uk/ukgwa/20150211161619/http://archive.audit-commission.gov.uk/oneplace/Pages/default.aspx.html

[80] Peter Murphy et al. *Public Service Accountability: Rekindling a Debate* (Palgrave Macmillan, 2018)

[81] HM Government, *Levelling up the United Kingdom,* February 2022; https://assets.publishing.service.gov.uk/media/61fd3c71d3bf7f78df30b3c2/Levelling_Up_WP_HRES.pdf

[82] The Cairncross Review, *A sustainable Future for Journalism*, February 2019; https://assets.publishing.service.gov.uk/media/5c6bfcd4e5274a72b933311d/021919_DCMS_Cairncross_Review_.pdf

The Communities, Media and Sport Select Committee[83] described local journalism as: "…vital to democracy, enabling people to hold local government and public services to account for decisions that can affect their daily lives". The UK government similarly describes local and regional newspapers as: "vital pillars of our communities and local democracy".[84] The function they have played – labelled 'watchdog journalism' in the research literature – has been a vital element in many different local democratic eco-systems, with these journalists described as "the key actors demanding that leaders provide reasons for their actions, uncovering the abuse of power, and thereby triggering public outrage and legal actions".[85] Local media has also been flagged in both the *English Devolution Accountability Framework* and the MCA *Scrutiny Protocol,* but neither of these documents engages fully with the problem of local media decline, and neither offers any provisions for strengthening local media.

FIGURE 20

Total circulation per issue, regional publications
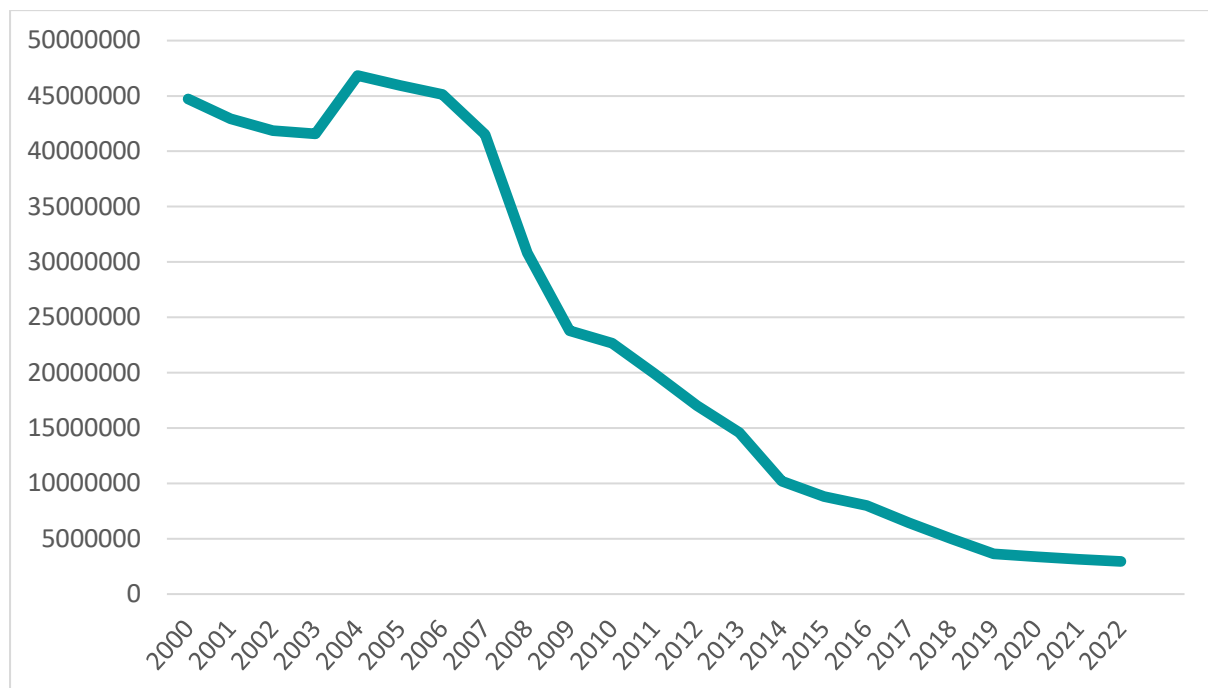
Source: ABC Regional Publication Data[86]

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83 DCMS Committee, *Sustainability of Local Journalism* HC 153, January 2023; https://committees.parliament.uk/publications/33635/documents/183838/default/

84 DCMS Committee, *Government Response to the Committee's Seventh Report,* HC 1378, May 2023; https://committees.parliament.uk/publications/39981/documents/195044/default/
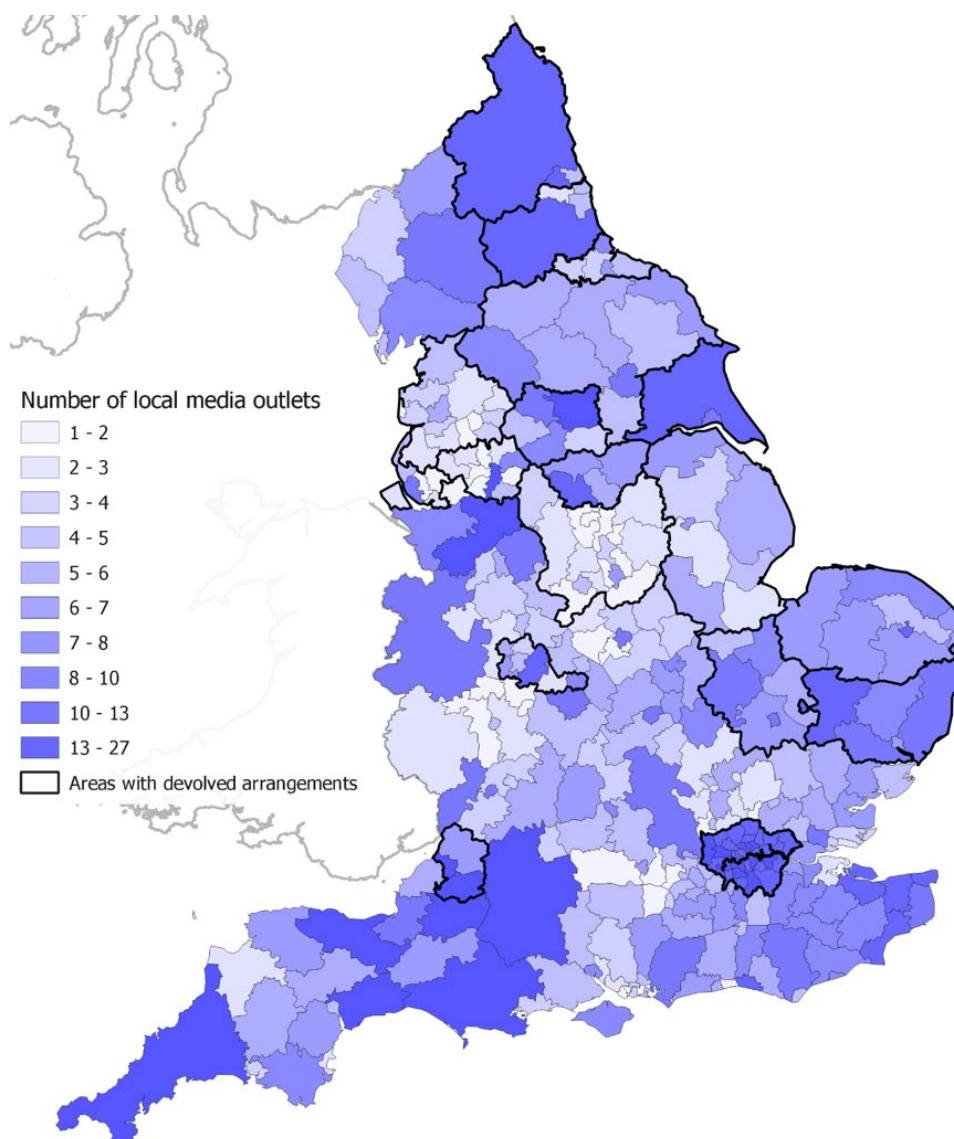
85 Pippa Norris, 'Watchdog Journalism', In: Mark Bovens et al. (eds) *The Oxford Handbook of Public Accountability* (Oxford University Press, 2014).

86 ABC Regional Publication Data; https://www.abc.org.uk/data/reports-and-certificates/regional-publications

Map of local media outlets per local authority

Source: Public Interest News Foundation - https://www.publicinterestnews.org.uk/

This decline in local media - and the role it has played in effective informal but often influential forms of local scrutiny - accelerated at the same moment as these new devolved authorities are appearing. The COVID-19 pandemic exacerbated the problem. In the last few months alone, Reach, the UK's biggest regional and local newspaper owner with hundreds of titles including the Birmingham Mail and the Manchester Evening News, has announced two rounds of job cuts, with some 330 jobs going in 2023 and a further 450 announced for 2024, amounting to 10 per cent of the remaining workforce.[87] Reach, which also owns the Daily Mirror and Daily Express newspapers, is struggling to find a sustainable business model for

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[87] Reuters, 'UK's Daily Mirror Owner Reach Plans 450 Jobs Cuts', November 2023; https://www.reuters.com/business/media-telecom/daily-mirror-parent-reach-plans-cut-450-full-time-jobs-2023-11-08/

local journalism. And as local print media wanes, a notable 'democratic deficit'[88] has emerged at the local level.[89]

In the UK, several studies point to a strong correlation between the loss of local media and existing spatial inequalities and deprivation.[90] Poorer areas are more likely to have lost local newspaper and reporting capacity. 4.1 million people live in 38 'news deserts' where local authorities are not served by a dedicated local news outlet. Significant 'news drylands' around large urban areas like Birmingham are also poorly served given the population size.[91] Figure 21 illustrates the significance of this deficiency in the context of the evolving geography of devolution.

FIGURE 22

The number and type of local media outlets in MCA regions

Source: Public Interest News Foundation - https://www.publicinterestnews.org.uk/

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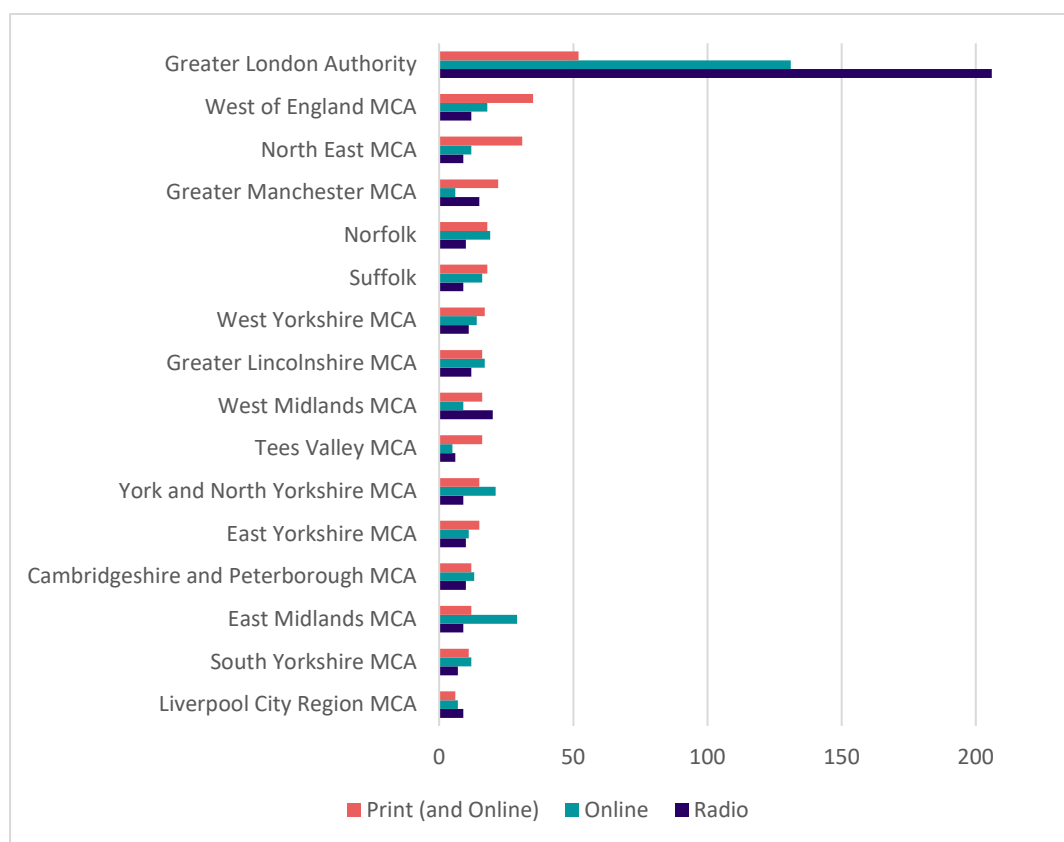
[88] Gordon Ramsay and Martin Moore, 'Monopolising Local News', May 2016; https://www.kcl.ac.uk/policy-institute/assets/cmcp/local-news.pdf

[89] Tony Lavender et al, 'Research into Dynamics of the Press Sector in the UK and Globally', May 2020; https://assets.publishing.service.gov.uk/media/5f7b4673e90e070dec5d9e29/Plum_DCMS_press_sector_dynamics_-_Final_Report_v4.pdf

[90] Agnes Gulyas, 'Local News Deserts', In: David Harte and Rachel Matthews (eds) *Reappraising Local and Community News in the UK: Media, Practice and Policy* (Routledge, 2021).

[91] Joe Mitchel et al., 'Deserts, Oases, and Drylands: Mapping the UK's Local News Outlets', July 2023; https://www.publicinterestnews.org.uk/_files/ugd/cde0e9_97c4fe55ab0c49a0a29f40937e71d216.pdf

As more devolved authorities are created, the public accountability and scrutiny roles that local media once occupied will become even more important, and the loss of such capacity will be keenly felt. Policymakers need to engage with the implications of this decline. Rather than viewing this trend as just another local business going to the wall, the decline of local media should be viewed as the loss of a key institution serving a variety of purposes in relation to local democratic culture. Adopting the language of the 'six capitals' framework set out in the Levelling Up White Paper, we might see local newspapers (and TV and radio) as vital parts of the institutional and social capital of a locality.

Box 11. The Manchester Mill and Birmingham Dispatch. Local media has survived best in more prosperous cities, which are also the places where new models are being developed, such as the online publications the Manchester Mill[92] and the Birmingham Dispatch.[93] As well as being new digital (or tech) businesses that reinforce the social fabric of the places they serve, these innovations are contributing to the health of local democracies by providing some of the scrutiny and challenge which was once the preserve of the traditional print media.

There are, however, significant questions about the extent to which this model can operate effectively everywhere. It may well be that the communities in 'media deserts' that are in the most need of the public accountability functions of local journalism will be left behind by these trends. There is already considerable variation in the quality of emerging news sources.[94] Despite the ever-increasing integration of digital technologies into the local media landscape, there remain striking place-based disparities in digital access and skills that could reinforce existing social inequalities, if left unaddressed.[95]

The importance of local media is increasingly recognised in British politics. The idea of providing support for new models of local media was, for instance, included in the Conservative Party's 2019 manifesto. But, despite the establishment of different revenue streams to support local media, the current funding model appears unsustainable. It is, in particular, over-reliant on the BBC Local Democracy Reporting Service – an initiative that provides funding from the licence fee and is managed locally through the BBC (though many roles are subcontracted to other local media organisations) – grants from big tech companies, philanthropy, uneven revenue from LA statutory notices and short-term (and insufficient) government funding.

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[92] The Mill, 'The Story Behind the Mill', May 2020; https://manchestermill.co.uk/p/the-story-behind-the-mill
[93] The Dispatch, 'Welcome to the Dispatch', n.d.; https://www.birminghamdispatch.co.uk/about
[94] Carina Tenor, 'Hyperlocal News: After the Hype', July 2018; https://www.lse.ac.uk/media-and-communications/assets/documents/research/Polis-Hyperlocal-News-report-Jul-2018.pdf
[95] The British Academy, 'Understanding Digital Poverty and Inequality in the UK', November 2022; https://www.thebritishacademy.ac.uk/documents/4427/Understanding_Digital_Poverty_and_Inequality_in_the_UK_full_report_2.pdf

The Cairncross Review recommended a local media innovation fund to further support and strengthen this capacity as the sector transitions to new financial and digital forms. Nesta, which administered the eventual scheme -- the Future News Pilot Grant – has taken an optimistic view of the various innovative ideas emerging across the local news landscape. But it also warns that long-term public investment is now essential if high quality, independent news is to remain at the heart of the local accountability ecosystem. This investment is needed to support the transition to new models of public interest news that works to the benefit of all communities.[96]

It is difficult to quantify the costs of the loss of local news for the local accountability ecosystem. Nevertheless, there is a widely shared consensus in political life that rebalancing the local media landscape is vital in order to ensure that poor decision-making does not go unchallenged and for the health of local democracy more generally. It is encouraging that the local press and media are highlighted in the Government's Scrutiny Protocol as having a key role to play in facilitating public accountability of devolved institutions in England.[97] However, this has not yet been translated into a policy programme designed to counteract the sector's ongoing decline. The government has said that it is exploring 'additional fiscal measures' but the 'current financial climate' is highlighted as an obstacle. If investment is forthcoming, the government has said it would build on the Future News Fund model, stating that if funding is brought forward, it would be with the aim of having a 'transformative effect' on the sector.[98]

Public participation

There is a third, important pillar of local democratic life that also needs emphasis – *citizen participation*. At both local government and Mayoral Combined Authority level, a range of participative methods are now being employed and trialled. The Local Government Association, for example, provides advice and guidance on a range of approaches to civic and democratic engagement, including citizen's assemblies, digital engagement, participatory budgeting, community organising and co-production of public services.[99] Elected mayors are an obvious aspect of experimentation in the more novel areas of public participation. Since their introduction, many have embarked on new forms of engagement and policy consultation. From Mayoral Question Times to Citizen Panels and Assemblies, there has been a proliferation of activities designed to boost public engagement and involvement in policymaking. In addition, many MCAs have also introduced a series of policy commissions and reviews using regional, national and international experts to develop policy and boost capacity.[100]

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[96] Vicki Sellick et al, 'Future News Pilot: End of Programme Report', August 2020; https://media.nesta.org.uk/documents/Nesta_Future_News_Pilot_Fund_End_Of_Prog.pdf

[97] DLUHC, 'Scrutiny Protocol', November 2023; https://www.gov.uk/government/publications/scrutiny-protocol-for-english-institutions-with-devolved-powers/scrutiny-protocol

[98] DCMS Committee, 'Government Response to Seventh Report'.

[99] LGA, 'Approaches to Civic and Democratic Engagement'; https://www.local.gov.uk/topics/devolution/devolution-online-hub/public-service-reform-tools/engaging-citizens-devolution-2

[100] Geoff Bates et al., 'Policy "R&D", Capacity and Advocacy in English Combined Authorities'.

Two key challenges face MCAs that wish to use participatory processes to engage local publics. Firstly, they are expensive, both in terms of time and resource.[101] And, secondly, there are concerns among local leaders that deliberative democracy is best suited to – or even the reserve of – local authorities, given that combined authorities operate at a larger spatial scale and have typically been geared to the pursuit of economic growth objectives.[102] There is, however, a clear imperative to give citizens more voice in relation to these new institutions and for mayors to understand better the dynamics and contours of local sentiment.[103] Citizens assemblies have been trialled in many different countries, and there are signs that some combined authorities are starting to see the merits of using them.[104] The West Midlands Combined Authority Greener Together Citizen's Panel[105] and the West of England Combined Authority Citizen's Panel on bus services[106] are recent examples.

Box 12. South Yorkshire Citizens Assembly. At the time of writing, the South Yorkshire Combined Authority is conducting a citizens assembly to address the region's response to the climate crisis. SYCA has committed to net-zero by 2040 and is using the citizens assembly to explore policies that will achieve this target. It is claimed that the citizens assembly "will be a key driver in devising policies to feed into the [Net Zero policy]", but it remains to be seen how significant this influence will be. It is essential that these engagement mechanisms do not become tokenistic strategies for claiming public engagement, and instead are used as genuine contributions to policymaking.

Another important mechanism for public engagement is the Mayors Question Time format, where the mayor faces questions from members of the public on a semi-regular basis. The GLA in London uses a model that is similar to Prime Minister's Questions in the House of Commons, while the model used in some of the MCAs is closer to the BBC debate show Question Time. This idea originated in Greater Manchester, but has since been replicated in other areas, including South Yorkshire and in the West Midlands.

Both the Trailblazer Devolution Deals and the English Devolution Accountability Framework highlight this kind of mechanism as an important part of the system of local accountability. However, because these events are self-selecting and largely unstructured, they cannot be

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[101] Brenton Prosser et al., 'Citizen Participation and Changing Governance: Cases of Devolution in England', *Policy & Politics* 45, no. 2 (2017): 251–69, https://doi.org/10.1332/030557317X14895974141213.

[102] Geoff Bates et al., 'Policy "R&D", Capacity and Advocacy in English Combined Authorities'.

[103] Palese, 'Democracy Made in England Where Next for English Local Government?'

[104] Sarah Allan and Rebecca Mckee, 'Why Do Citizens' Assemblies Work? Evidence from the Citizens' Assemblies on Brexit and Social Care.', *The Constitution Unit Blog*, 28 February 2019, https://constitution-unit.com/2019/02/28/why-do-citizens-assemblies-work-evidence-from-the-citizens-assemblies-on-brexit-and-social-care/.

[105] WMCA, 'Greener Together Citizen's Panel'; https://www.wmca.org.uk/what-we-do/environment/west-midlands-greener-together/greener-together-citizens-panel/

[106] West of England Combined Authority, 'Big choices: Citizen's Panels on Bus Services', January 2024; https://www.westofengland-ca.gov.uk/news/big-choices-citizens-panel-on-bus-services/

seen as alternatives to wider engagements with local publics. They are for the most part media set-pieces that only really have a meaningful accountability function if they are widely publicised and open to all. Currently, many are not broadcast via television or radio and, although they are filmed, the recordings are not readily available online. There is also significant scope for using other technologies to allow for wider audience participation.

In this context of innovation and experimentation surrounding public participation, the direction of travel toward greater public involvement in decision-making processes and wider engagement with communities is to be welcomed. Understanding of the effectiveness of these processes, however, is patchy and there is scope for cross-sectoral learning. Dialogue with the public is becoming an important accountability mechanism and will be enhanced by careful reflection on what works and best practice. It is also important to note that the devolution process in England, as in the devolved nations, is an ongoing gradual transfer of power, rather than a one-off political moment. And there is clearly scope for incorporating much greater public participation as this develops.

Box 13. Citizens Assemblies in Ireland

Since first being introduced in 2016, following the success of the 2012-14 Convention on the Constitution whose recommendations was endorsed in the 2015 referendum on marriage equality, Citizen's assemblies have become an important aspect of public participation in the democratic process. The aim is to being citizens together to engage with contentious legal or policy issues. [107] Citizen's Assemblies in Ireland are widely associated with the referendum on the Eighth Amendment of the Irish Constitution, which banned abortion. The proceeding Citizen's Assembly is said to have broken the deadlock, after overwhelming support for reform among its members.[108] To date, there have been a total of 9 Citizen's Assemblies, covering a wide range of issues from drug use to directly elected mayors through to climate change, biodiversity and the needs of an aging population. Many of the resulting recommendations have been less impactful, and many have been sidestepped by politicians, as was the case with a recommendation to lower the voting age to 16.

Citizen's Assemblies are not a panacea. They are, however, well suited to addressing those so-called 'wicked issues' that require more consensual and longer-term policymaking. But they are also costly – for the state and participants – and must be representative of the relevant community to be seen as legitimate.[109]

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[107] Citizen's Information, 'Citizen's Assembly', n.d.; https://www.citizensinformation.ie/en/government-in-ireland/irish-constitution-1/citizens-assembly/#fc82df

[108] Electoral Reform Society, 'The Irish Abortion Referendum', May 2018; https://www.electoral-reform.org.uk/the-irish-abortion-referendum-how-a-citizens-assembly-helped-to-break-years-of-political-deadlock/

[109] Katy Oglethorpe, 'Citizen's Assemblies: Fashionable Focus Groups or the Great Hopes of Democracy', May 2021; https://www.newlocal.org.uk/articles/citizens-assemblies/

Accountability to external institutions

Given their abiding focus on improving economic growth and productivity, it is important for MCAs to find new ways of engaging, both formally and informally, with local employers, voluntary groups and other organisations in order to develop a deeper understanding of their localities. This is especially so given that some LEPs have been absorbed into MCA structures, and as a number of these authorities have been granted powers relating to skills, innovation and trade.

The role of businesses in local government has been institutionally formalised for many years, with businesses playing an important role in RDAs since the 2000s. MCAs are broadly accountable to businesses through the business boards created following LEP-MCA mergers. This is a key relationship given that improving economic growth and productivity is the core rationale for English devolution. The very first paragraph of the *English Devolution Accountability Framework* states that business leaders will be one of the actors holding local leaders to account (alongside central government, other local politicians, and local people). But, as in other areas discussed in this report, this requires accountability and scrutiny at many levels and in multiple directions. Taking one important example, several MCAs have introduced local employment charters in order to improve pay and conditions - but also business support for improving investment, growth and productivity in firms.

FIGURE 23
The process of outward accountability

Accountability to local businesses through the 'business board'

Accountability to public and third sector insitutions

OUTWARD ACCOUNTABILITY

Accountability to the voting public via the ballot box

Accountability through public participation and consultation

The voices of local businesses being heard by local leaders may well lead to improved economic planning and more insight into the local economy. Equally there are risks that some voices are more heeded than others and that relations can become too close. There is also a notable absence of provision in MCAs for other local voices to be aired, in part to hold leaders to account. Educational institutions, community groups, trade unions, local charities, and other public bodies might, however, be convened (separately or collectively) to mirror the 'business boards' outlined in the *English Devolution Accountability Framework*. The absence of community-level institutions is a particular concern, given that these institutions are often on the frontline of solving policy problems and therefore need channels to engage with MCAs.

6. Recommendations

Less top-down and more bottom-up accountability

In this report, we have explained how the primacy of a top-down mode of accountability reinforces the over-centralisation of English governance. Central government often reaches for top-down accountability mechanisms in response to crises and failures in local governance, or the fears of both, but the longer-term consequence is a greater micro-management burden on the centre and a weaker and more fragmented local government landscape.

We argue that bolstering bottom-up accountability will be crucial in creating a new balance of power in England, and a less top-down model of governance. This entails the creation of institutions that formalise central-local relations and give local and devolved institutions an official role at the UK's political centre. This in turn will give them greater standing and more of a say in how the country is governed. It may also stimulate a more strategic approach to multi-level governance on the part of central government. The forms that such innovations might take are discussed elsewhere.[110]

However, for Whitehall and Westminster to loosen their reliance on top-down accountability mechanisms, and for bottom-up ones to be given the space they need to emerge, it will be necessary to undertake reforms to the inward and outward accountability relationships of MCAs. This will take time and it will require strategy, collaboration, and investment. In the recommendations set out below, we point to a series of important potential steps for bolstering both inward and outward forms of accountability.

Inward accountability

There are two big questions about inward accountability structures in MCAs: how the decisions are made and how the decisions are scrutinised. These two questions need to be considered separately, but it is also clear that the effectiveness of inward accountability in MCAs depends in part on the balance and separation of powers between the decision-making and scrutiny functions of these bodies.

The scrutiny function

While the recently announced trailblazer deals reflect central government's growing interest in accountability mechanisms, effective scrutiny remains a problem in all MCAs. The government's current approach to the scrutiny gap is to create new top-down mechanisms, in particular new parliamentary committees made up of local MPs. But there are good reasons, we argue, for it to focus much more effort on establishing effective scrutiny committees within these authorities.

Below we set up some key principles which it should apply in this area:

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[110] Newman and Kenny, 'Devolving English Government', 2023.

- **Scrutiny should be standardised across all MCAs** so that all regional leaders are properly held to account. Where variation is deemed to be necessary, it should align with the Devolution Framework, so that scrutiny arrangements are commensurate with the level of devolution awarded.
- **There should be a set of minimum scrutiny requirements** to which all areas must adhere – the government's *Scrutiny Protocol* could be the basis for this. However, to realise these minimum requirements, there is a need to revisit the basic structure of scrutiny committees.
- The following principles can help determine how MCA scrutiny committees should be structured. **Scrutiny committees must have**:
    1. Sufficient resources to conduct the functions laid out in the *Scrutiny Protocol*;
    2. Sufficient prestige and recognition to ensure its voice can be heard by local leaders, the local media, and the local public;
    3. A greater degree of political and geographical balance;
    4. A group of dedicated members who work full-time on their scrutiny role, and are well-trained and well-informed.

To realise the first principle, central government will need to **provide scrutiny committees with a dedicated funding stream**. It cannot rely on mayors funding their own scrutiny bodies. This funding will need to be sizable enough to employ researchers and analysts to support the work of the committee, and to deliver a range of public engagement and participation activities.

The realisation of the other principles will depend on how the Scrutiny Committee is composed.

- For most MCAs, it will be sufficient for these bodies to be composed of councillors, as currently happens. But, these councillors will need to be freed of some other duties (including outside work) and paid for their scrutiny work accordingly. A fair and transparent process will be needed for the selection of committee members, and they will need to reflect the political and geographical balance of their area. However, a group of councillors is likely to lack wider prestige, recognition and operational independence, and thus would be unsuitable for the more powerful MCAs.
- Therefore, **for MCAs on Level 4 and above in the UK government's devolution framework, we propose scrutiny committees of directly elected members**. Direct election from a public vote will give members sufficient prestige, recognition and operational independence, backed by public mandate. While political balance would be automatically ensured, geographical balance would need to be reflected in the electoral process. Members would need to be restricted in terms of their outside work to ensure neutrality and commitment to their role.

In either case, members should serve for four or five year terms as a minimum to ensure that they can gain sufficient training and expertise, and should be encouraged to seek to retain their post at the end of their term to ensure institutional memory. More effective scrutiny

will inevitably cost more money, especially if direct elections are involved, but this must be seen as an essential investment in the governance machinery. When considered against actual policy outcomes, the wastage caused by ineffective scrutiny is likely to be much more expensive. Scrutiny committees within MCAs require distinct budgets and administrative structures to ensure that they can properly hold mayors and local authority leaders to account. Scrutiny is especially important given that MCAs lack a traditional 'political opposition'.

The Decision-making Function

MCA decision-making works well in some areas but less so in others. The London model has a number of strengths but without a cabinet of council leaders holding them to account, the mayor can become disconnected from localities within their jurisdiction. The Manchester model works well in Manchester but cannot simply be replicated across the country. Different arrangements are needed in different areas to accommodate the underlying complexities of local government politics and geographies.

There are, however, certain underpinning principles that should underpin decision-making across all of England's devolved institutions.

1. **All decision-making bodies, we would argue, need a leader who is directly elected by local people**. This simple mechanism ensures a more effective mandate and very visibly gives a city-region a voice. Given the existing complexities of subnational government and the importance of public understanding, all of these directly elected leaders should be called the same thing -- 'mayors'. While this might be unpopular among some local leaders, it is crucial for public understanding of this emerging system.
2. **Significant representation from constituent authorities**, which more accurately matches the political and geographical make-up of those authorities, and an accompanying requirement for mayors to build consensus among local leaders.
3. **The ability to make decisions without being paralysed** by the accountability model that is introduced.

Central government should lay out a menu of options that meet these criteria and allow local areas to choose from them. What this menu should look like will need to reflect local circumstances across the country. Here we offer some indicative options, where the decision-making body (the MCA board) is composed of a mayor plus one of the following arrangements:

- The Manchester model: the leaders of the constituent local authorities *[used in most existing MCAs]*.
- The leader-nominee model: the leaders of the top-tier constituent authorities plus those nominated by each leader *[used in many of the new MCAs].*
- The mayoral-selection model: A body of (politically and geographically representative) councillors chosen by the mayor.
- The direct-election model: A body of (geographically representative) directly elected members.

- The indirect-election model: A body of (politically and geographically representative) councillors elected by all councillors in the region.

Initial arrangements are likely to be agreed in the deal-making process, but future changes could replicate the mechanisms of the Local Government Act 2000, which allow local authorities to choose their own executive arrangements from a pre-existing list. This will enable local people to have a say over their governance arrangements, a say that has currently been notably absent in the deal-making process.

Outward accountability

Outward accountability is currently the weakest part of the local democratic ecosystem. It will take time, resources, and strategy to reverse this trend. Central government should identify a specific department/team/agency responsible for supporting MCAs to build outward accountability. We think that there are three main areas that need to be prioritised: the voting system; forms and levels of public engagement; and the quality of local media.

Voting systems

While there may be scope for reconsidering the voting system used for local council elections, and a good case for a wider reflection on electoral systems across the UK, we offer here one simple recommendation in relation to voting systems for devolved English authorities:

- **Change the mayoral voting system back to the SV system**. This requires mayors to build a broader coalition of voters, typically and means that more votes count in the final result.

We would also propose **a role for the Electoral Commission in overseeing a cross-party negotiation on future reform**, and more generally on the process whereby local and mayoral electoral systems are altered. The current situation which gives immense authority to the party of government to determine the system that is used for these elections is clearly unsatisfactory.

Local media and public understanding

The English Devolution Accountability Framework argues that "Local and national news publishers, including the hyper-local press and citizen journalism, must be able to play a key role in facilitating public accountability", but offers little detail beyond this statement. We recommend that this becomes a key element within a wider accountability and scrutiny policy programme. Taking a lead from the 'six capitals' framework, and the missions set out in the Levelling Up White Paper, local media organisations should be considered a key element in the institutional and social capital of a place, as well as a vital seedbed for our democratic culture. We recommend a number of potential reforms in this area:

- o We support the spirit of the CMS Select Committee recommendation to **audit all public money spent on local media** to ensure that it is effectively deployed. While we note the government has rejected this recommendation, we still believe there is a need to provide greater transparency about policy priorities and how public

money is used to support local media. This includes recognising its fundamental supportive role in the devolution process.

- o We agree with the CMS Select Committee and Nesta that **more funding is needed to sustain public interest news**. For the government to achieve a 'transformative effect' it needs to bring forward a plan that reflects the importance of local media scrutiny of devolved institutions. If it is the government's position that local media provides an invaluable public interest function, we contend this will represent value for money in the medium-to-long term and should not be delayed.
- o **Any future investment should reflect the uneven geography of local news** provision and avoid exacerbating already existing inequalities in terms of media availability and digital literacy.
- o There needs to be **a more 'level playing field' between local media and technology platforms** in terms of tax (local and national) and regulation. There is a role for both DCMS and Ofcom here, but processes must have teeth and recognise that there are public interest arguments for supporting local media outlets.
- o As Oflog develops its Local Authority Data Tool, it is important that lessons are learned from previous transparency initiatives to **ensure that data is place-based, accessible and informative for the public**. This will necessarily involve consideration of the appropriateness of data presentation if it is to underpin a variety of accountability mechanisms for the centre, local government and the public.

Public engagement

As new mayoral institutions are created, new mechanisms for public engagement and consultation are being employed by devolved authorities. From local policy and strategy consultations, standing community panels to citizens assemblies, Mayors and CAs are experimenting and piloting new forms of citizen engagement. And this includes attempts at direct communications with voters and stakeholders such as Mayoral Question Times and regular appearances on local radio stations (e.g. 'Ask Andy' in GM). Rather than assuming that the centre can determine the best models for local engagement, we argue that four key principles should be adopted in this area:

- **Give MCA Scrutiny Committees the powers and resources to conduct public engagement activities**.
- **Let Mayors and local institutions lead and innovate** and promote existing practice in local government where numerous less high-profile but potentially effective tools of public engagement are underway.
- Ensure that there are institutions capable of **evaluating success and sharing best practice across the country**. In the short to medium term, the responsibility and necessary resource to exercise this function could be given to the LGA. In the longer term, a representative body of mayors could take responsibility for this function.
- **Prioritise the local media landscape** as a route to ensuring that public engagement activities are able to attract public attention and stimulate local debate.

Summary of recommendations

MCA Scrutiny	1. **Standardise scrutiny arrangements for MCAs**:
	   a. Require Level 1-3 deals to have scrutiny committees made up of local councillors.
	   b. Require Level 4+ deals to have a directly elected scrutiny committee.
	2. **Develop a mandatory minimum standard for scrutiny**, based on the *Scrutiny Protocol*.
	3. Provide Scrutiny Committees with **a ringfenced budget**, sizable enough to employ sufficient research and support staff.
	4. Ensure that **members serve four or year terms full-time,** renumerated accordingly.
	5. Where members are selected, ensure a **fair and transparent selection** process.

MCA Decision-making	6. **Give MCAs more flexibility in choosing their executive arrangements**.
	7. All should adhere to three principles:
	   a. A directly elected leader
	   b. Representation from **constituent authorities** that is more in line with their political and geographical balance
	   c. Processes that **avoid political deadlock**
	8. MCAs should choose from **a menu of options** on how to constitute the MCA board:
	   d. The Manchester model (currently most common)
	   e. The Leader-nominee model (currently less common)
	   f. The Mayoral-selection model (new proposal)
	   g. The Direct-election model (new proposal)
	   h. The Indirect-election model (new proposal)
	9. Future changes from one model to another should **replicate the provisions in the Local Government Act 2000**

Voting systems	10. Change the mayoral voting system, **reverting to Supplementary Vote** 11. Task the Electoral Commission with overseeing **a cross-party group to approve future reform** of local and mayoral voting systems
Local media	12. Bring forward plans to **increase investment in local media** that match its rhetoric about its role in public accountability. 13. Provide **greater transparency surrounding the use of public money** to support local media's scrutiny function. 14. Design public investment plans that **address the uneven geography** of, and inequalities associated with, local news provision. 15. Ensure there is **a level playing field** between local media and multi-national digital technology platforms.
Public engagement	**16. Give MCA scrutiny committees responsibility for public engagement** 17. Allow MCAs to **innovate and promote best practice** in local government 18. Ensure there is **institutional capacity** to share best practice 19. **Prioritise local media** to support local engagement