



BRIEFING PAPER

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Directly-elected mayors

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Summary

Directly-elected mayors were first introduced by the *Local Government Act 2000*. A directly elected mayor and a cabinet is one of three different 'governance arrangements' or 'political management arrangements' available to local authorities: the others are a leader and cabinet, and the traditional 'committee system', where decisions are made by policy committees and approved by full council. Elected mayors may be introduced in England and Wales, but not in Scotland or Northern Ireland.

Initially, an elected mayor could only be created following a referendum in favour in the relevant local authority. Since 2007, local authorities have also been able to create an elected mayor by resolving to do so.

The majority of referendums on creating elected mayors have resulted in 'no' votes. Currently, 16 local authorities have elected mayors. This figure does not include the Mayor of London and the Greater London Authority, which are covered by separate legislation and have quite different powers to local authority mayors.

The 2010 Coalition agreement committed to holding mayoral referendums in the 12 largest cities (by population) in England. Both Leicester and Liverpool subsequently established mayors following resolutions by their respective city councils. A third city, Bristol, voted 'yes' in a referendum held in May 2012 and elected its first mayor in November 2012. The remaining nine cities rejected the mayoral system in May 2012.

Mayors do not have powers over and above those available to non-mayoral local authorities.

Separate notes are available on the Mayor of London and the [Greater London Authority](#) (SN/PC/5817), and on the directly-elected mayors in areas such as Greater Manchester and Liverpool City Region, which have been proposed as part of devolution to local government in England.

1. Elected mayors: legal provisions

1.1 Introduction of elected mayors

The power to create directly-elected mayors of local authorities was introduced into England and Wales by the [Local Government Act 2000](#). Adjustments were made by the [Local Government and Public Involvement in Health Act 2007](#) and the [Localism Act 2011](#). A directly elected mayor and a cabinet is one of three different 'governance arrangements' or 'political management arrangements' available to local authorities: the others are a leader and cabinet, and the 'committee system', where decisions are made by policy committees and approved by full council.¹

Initially, the 2000 Act required local authorities with populations of over 85,000 to adopt one of three systems: a mayor and cabinet, a mayor and council manager, or a leader and cabinet. These were to replace the traditional 'committee system', perceived by Government to have become unwieldy and inefficient. Authorities with a population under 85,000 were permitted to retain a slimmed-down version of the committee system. Whichever system was adopted, local authorities were required to establish at least one overview and scrutiny committee to hold the executive to account (see the Library briefing paper on [Overview and scrutiny in local government](#)). The system as introduced in 2000 has been adjusted since (see below).

The rationale for elected mayors – and for separate executives in local authorities more generally – was to make it clearer to councillors and public alike where the responsibility for a particular decision lay. Both the 1997-2010 Labour government, and the then Conservative opposition, favoured increasing the numbers of directly-elected mayors, although more local referendums have rejected the idea than have favoured it. The Labour Government expressed disappointment in the 2006 local government white paper, *Strong and Prosperous Communities*, that only 12 local authorities had by then adopted the "strongest leadership model, an elected mayor".²

The first election of a directly-elected mayor may take place separately from elections to the council, either in May or October. The second election of the mayor must take place alongside the council; the mayor's first term may be shortened (to a minimum of 23 months) or lengthened (to a maximum of 67 months) to achieve this.³

Local authority mayors do not have additional powers over and above those available in authorities using the leader and cabinet model or the committee system.

¹ Guidance on the issues that local councils may wish to take into account when considering a change in governance arrangements is available from the Centre for Public Scrutiny's 2014 paper [Rethinking Governance](#).

² DCLG, *Strong and Prosperous Communities*, 2006, p. 55

³ See the [Local Authorities \(Elected Mayors\)\(Elections, Terms of Office and Casual Vacancies\)\(England\) Regulations 2012](#) (SI 2012/336), regulations 3 and 4

Local authorities in Scotland and Northern Ireland are not covered by these provisions, and have no power to introduce a directly-elected mayor. Similarly, these provisions do not apply to parish and town councils in England or community councils in Wales.

1.2 Legal provisions as of 2012

Several changes to the system have taken place since its introduction, including:

- The mayor and council manager option has been abolished;⁴
- In England, authorities may now resolve to introduce an elected mayor, whilst in Wales, a referendum is still required;⁵
- Authorities using the leader and cabinet model **must** elect their leader for a four-year term;⁶
- Authorities of any population size may reintroduce the committee system if they so choose. Previously, the option of retaining a slimmed-down committee system was restricted to authorities with a population of under 85,000. Authorities may also hold a referendum on moving to a committee system, or simply choose to reintroduce it. Several authorities have since moved from an executive system to the committee system;⁷
- Referendums may be held on any change in governance arrangements, not only a move to an elected mayorality;⁸
- The length of time that must elapse between referendums in a local authority has been extended from five to ten years.⁹

In Wales, some alterations were made by the [Local Government \(Wales\) Measure 2011](#):

- The only permissible forms of executive are a leader and cabinet or a mayor and cabinet (i.e. the committee system may not be used);
- A referendum is required either to establish or abolish an elected mayor (in practice, together with the previous provision, this means that governance arrangements in Wales can only be modified via a referendum);
- Holding a referendum on proposed new executive arrangements is subject to their approval by the Welsh Ministers;
- The length of time that must elapse between referendums remains at five years.

1.3 Other types of mayor

Where a directly-elected mayor is introduced, it is normal for an existing 'lord mayor' or ceremonial mayor to continue to exist separately. This

⁴ See [Local Government and Public Involvement in Health Act 2007](#), schedule 3. The only authority that adopted this system was Stoke-on-Trent. When it was abolished, Stoke held a further referendum, in which the electorate opted for a leader and cabinet instead of a mayor and cabinet system.

⁵ This change was introduced in part 3 of the [Local Government and Public Involvement in Health Act 2007](#).

⁶ [Local Government and Public Involvement in Health Act 2007](#), s.67

⁷ [Localism Act 2011](#) schedule 2.

⁸ For instance, Fylde Borough Council held a referendum in May 2014 on moving to the committee system, following a petition.

⁹ [Local Government and Public Involvement in Health Act 2007](#), section 69

type of mayor carries out a ceremonial role and is normally the chair of the local authority, not its leader or part of its executive. The legislation described in this briefing has no effect on this type of office.

The powers of the Mayor of London derive from the Greater London Authority Acts rather than general local government legislation (see [Library briefing paper SN/PC/5817](#)). S/he acts as a strategic and regional coordinator rather than as the leader of a local authority; and the relationship to the London Assembly is not the same as local authority mayors' relationship to their council. S/he also has ultimate responsibility for transport, policing and fire services in Greater London. However, the boroughs run most public services in London.

1.4 'Metro-mayors'

A number of new directly-elected mayors are due to be established as of May 2017, under 'devolution deals' agreed between the Government and selected local areas. Further details of the devolution deals are available in the Library briefing paper [Devolution to local government in England](#).

These new directly-elected mayors will be introduced via orders under the *Cities and Local Government Devolution Act 2016*. They are distinct in law from mayors of local authorities. They will form part of, and chair, the 'combined authority' in each of the areas in question. Therefore, these mayors will cover more than one local authority area. In some council areas (e.g. Liverpool, Salford, Doncaster), in future both a local authority mayor and a combined authority mayor may exist. The terms 'conurbation mayors' or 'metro mayors' have been used in the past when such changes have been proposed.¹⁰

1.5 Provision for delegation of additional powers

As noted, local authority mayors do not automatically have more powers than are available to authorities with other forms of executive. However, part 1 chapter 4 of the [Localism Act 2011](#) provides for the transfer and delegation of "local public functions" to "permitted authorities" – i.e. local authorities in England or combined authorities. This would enable additional functions to be transferred to specific authorities which had elected mayors if the Government so chose. These powers have not been used so far.

¹⁰ See the [Government response to the Heseltine Review](#), 2013, p. 47; City Growth Commission, [Powers to Grow](#), 2014, p. 26; Centre for Cities, [Breaking Boundaries](#), 2014, p. 17

2. Referendums and time limits

Under the 2000 Act, any local authority wishing to establish a mayoralty required a 'yes' vote in a local referendum. The 2007 Act changed this, permitting local authorities to adopt a mayor by resolution. However, an authority can still choose to hold a referendum on the issue. Alternatively, authorities can be obliged to hold a mayoral referendum if 5% or more of the local electorate sign a petition demanding one (see section 3). The Government may also compel an authority to hold a referendum. The result of a mayoral referendum is binding on a local authority.

The *Localism Act 2011* permitted a referendum to be held on abolishing an elected mayor, subject to time limits; and for a referendum to be held on establishing a leader and cabinet, or on using the committee system. Six authorities have held referendums on whether to retain their mayoral system, of which three have voted to retain the mayor and three to abolish it (see Appendix 2).

Authorities which have changed their governance arrangements as a result of a referendum can only make a further change following a further referendum.¹¹ Where a local authority has held a referendum on its governance arrangements, a further referendum may not be held for ten years (five years in Wales). Conversely, where a mayor has been created by resolution of the council, five years must elapse before the council may resolve to abolish the mayor.¹² However, there is no time limit on holding a referendum (whether initiated by the council or by a petition) **to reverse a decision made by a resolution**.

The [Localism Act 2011](#) prevented a local authority from holding a second referendum if it had been required by the Government to hold a referendum and voted for an elected mayor. This provision was removed by section 20 of the [Cities and Local Government Devolution Act 2016](#). Bristol City Council was the only authority affected by this provision.

2.1 The referendums of May 2012

The Conservatives' policy paper, *Control Shift*, published in February 2009, signalled an intention to legislate to hold a referendum in each of England's twelve largest cities outside London.¹³ The 2010 Conservative manifesto carried over this commitment. It said:

We have seen that a single municipal leader can inject dynamism and ambition into their communities. So, initially, we will give the citizens in each of England's twelve largest cities the chance of having an elected mayor. Big decisions should be made by those

¹¹ *Local Government Act 2000* s9M (2) (b), inserted by schedule 2 of the *Localism Act 2011*

¹² *Local Government Act 2000* s5KC (4), inserted by schedule 2 of the *Localism Act 2011*

¹³ Conservative Party, [Control shift: returning power to local communities](#), February 2009

who are democratically accountable, not by remote and costly quangos.¹⁴

The Coalition's *Programme for government* promised "...to create directly elected mayors in the 12 largest English cities, subject to confirmatory referendums and full scrutiny by elected councillors".¹⁵ The city councils covered were: Birmingham, Leeds, Sheffield, Bradford, Manchester, Liverpool, Bristol, Wakefield, Coventry, Leicester, Nottingham and Newcastle-upon-Tyne.¹⁶ Subsequently, Leicester and Liverpool resolved (in December 2010 and February 2012 respectively) to establish elected mayors.

Referendums in the ten remaining cities took place on 3 May 2012. Voters in nine rejected a mayoral system of governance. Bristol was the only city to vote in favour of a mayor: its mayoral election was held on 15 November 2012. The results of the referendums are set out in Appendix 2.

¹⁴ Conservative Party, *Invitation to join the Government of Britain*, 2010, p.76

¹⁵ [The Coalition: our programme for government](#), 2010, p.12

¹⁶ Information given in: DCLG, [Localism Bill: creating executive mayors in the 12 largest English cities: impact assessment](#), January 2011, p.8. The city of Sunderland was not included, despite having a larger population than Newcastle-upon-Tyne, because it had held a referendum in October 2001 which had rejected a mayoral system.

3. Petitioning for a change in governance arrangements

Local electorates have had the right to petition for the creation of a directly-elected mayor since the passing of the *Local Government Act 2000*.¹⁷ Since the passage of the *Localism Act 2011*, a petition may also be presented to introduce a leader and cabinet system or committee system.

A number of referendums have been held as a result of petitions (see Appendix 2). There are also instances where a local authority has pre-empted a growing petition campaign by resolving to hold a referendum. Examples of this include the referendums held in Torbay (in 2005) and the Isle of Wight.

The minimum threshold for a valid petition is 5% of local government electors registered in the local authority's area. Each local authority must publish its "verification number", i.e. the number of electors which represents 5% of registered electors, each year.¹⁸ The formalities of a petition, e.g. the requirement for each sheet to contain the name of the local authority and the constitutional change which is being sought, are also covered in regulations.¹⁹

The signatures on the petition must be collected over a maximum period of 12 months. Each signature must be dated; any signature which is over 12 months old is not counted when determining whether the verification number has been met.

Once a petition has been validated, the referendum must be held 'no later than' the next 'ordinary day of election'. This is the first Thursday in May each year (irrespective of the electoral cycle in the local authority in question).²⁰ If this is less than four months away, the next ordinary day of elections would be used. A local authority is free to choose to hold the referendum earlier than this if it so chooses.²¹

The legislation is not clear on whether an electronic petition to create a mayor would be valid. Regulation 10 of the [Local Authorities \(Referendums\) \(Petitions\) \(England\) Regulations 2011](#) makes references to 'each sheet' of the petition, but does not contain any specific provisions about electronic petitions. It is for the local authority in question to decide whether a petition meets the legal requirements for validity.

The required petition statement is set out in a schedule to the regulations. However, it is advisable for would-be petitioners to seek

¹⁷ See the [Local Authorities \(Referendums\) \(Petitions\) \(England\) Regulations 2011](#) (SI 2011/2914).

¹⁸ Ibid., regulation 4

¹⁹ Ibid., regulation 10

²⁰ The regulations use the definition of 'ordinary day of election' found in section 37 of the *Representation of the People Act 1983*.

²¹ See paragraph 16 of the [Local Authorities \(Referendums\) \(Petitions\) \(England\) Regulations 2011](#) (SI 2011/2914).

advice from the local authority on the petitioning process, including such matters as the precise wording to be used.

Appendix 1: List of elected mayors

Local authority	Name	Party	Last elected
Bedford BC	Dave Hodgson	Liberal Democrat	2015
Bristol CC	Marvin Rees	Labour	2016
Copeland BC	Mike Starkie	Independent	2015
Doncaster MBC	Ros Jones	Labour	2013
Leicester CC	Sir Peter Soulsby	Labour	2015
Liverpool CC	Joe Anderson	Labour	2016
LB Hackney	Philip Glanville	Labour	2016 (by-election)
LB Lewisham	Sir Steve Bullock	Labour	2014
LB Newham	Sir Robin Wales	Labour	2014
LB Tower Hamlets	John Biggs	Labour	2015 ²²
Mansfield DC	Kate Allsopp	Independent	2015
Middlesbrough BC	Dave Budd	Labour	2015
North Tyneside MBC	Norma Redfearn	Labour	2013
Salford CC	Paul Dennett	Labour	2016
Torbay UA	Gordon Oliver	Conservative	2015 ²³
Watford BC	Dorothy Thornhill	Liberal Democrat	2014

²² John Biggs was elected at a by-election on 11 June 2015, following the election of independent Mayor Lutfur Rahman being declared void on 23 April 2015. The next Mayoral election in Tower Hamlets will take place in 2018.

²³ Torbay's mayoralty is to be abolished as of May 2019.

Appendix 2: Mayoral referendum results

Council	Result	Date	For	Against	Turnout	Type of ballot
Berwick-upon-Tweed	No	7 Jun 2001	3,617	10,212	63.8%	
Cheltenham	No	28 Jun 2001	8,083	16,602	31.0%	All postal
Gloucester	No	28 Jun 2001	7,731	16,317	30.8%	All postal
Watford	Yes	12 Jul 2001	7,636	7,140	24.5%	All postal
Doncaster	Yes	20 Sep 2001	35,453	19,398	25.0%	All postal
Kirklees	No	4 Oct 2001	10,169	27,977	13.0%	Normal
Sunderland	No	11 Oct 2001	9,593	12,209	10.0%	Normal
Hartlepool	Yes	18 Oct 2001	10,667	10,294	31.0%	All postal
Lewisham	Yes	18 Oct 2001	16,822	15,914	18.0%	All postal
North Tyneside	Yes	18 Oct 2001	30,262	22,296	36.0%	All postal
Sedgefield	No	18 Oct 2001	10,628	11,869	33.3%	All postal
Middlesbrough	Yes	18 Oct 2001	29,067	5,422	34.0%	All postal
Brighton and Hove	No	18 Oct 2001	22,724	37,214	31.6%	All postal
Redditch	No	8 Nov 2001	7,250	9,198	28.3%	All postal
Durham City	No	20 Nov 2001	8,327	11,974	28.5%	All postal
Harrow	No	7 Dec 2001	17,502	23,554	26.0%	All postal
Harlow	No	24 Jan 2001	5,296	15,490	36.4%	All postal
Plymouth	No	24 Jan 2001	29,559	42,811	39.8%	All postal
Southwark	No	31 Jan 2002 Mandated	6,054	13,217	11.2%	Normal
Newham	Yes	31 Jan 2002	27,263	12,687	25.9%	All postal
West Devon	No	31 Jan 2002	3,555	12,190	41.8%	All postal
Shepway	No	31 Jan 2002	11,357	14,435	36.3%	All postal
Bedford	Yes	21 Feb 2002 Petition	11,316	5,537	15.5%	Normal
Newcastle-under-Lyme	No	2 May 2002	12,912	16,468	31.5%	Normal
Oxford	No	2 May 2002 Petition	14,692	18,686	33.8%	Normal
Hackney	Yes	3 May 2002	24,697	10,547	31.9%	All postal
Stoke-on-Trent	Yes	3 May 2002 Petition	28,601	20,578	27.8%	Normal
Mansfield	Yes	3 May 2002 Petition	8,973	7,350	21.0%	Normal
Corby	No	26 Sep 2002 Petition	5,351	6,239	30.9%	All postal
Ealing	No	11 Dec 2002 Petition	9,454	11,655	9.8%	
Ceredigion	No	20 May 2004 Petition	5,308	14,013	36.3%	
Isle of Wight	No	5 May 2005	28,786	37,097	62.4%	
Torbay	Yes	14 Jul 2005	18,074	14,682	32.1%	
Fenland	No	14 Jul 2005 Petition	5,509	17,296	33.6%	
Crewe and Nantwich	No	4 May 2006 Petition	11,808	18,768	35.3%	
Darlington	No	27 Sep 2007 Petition	7,981	11,226	24.7%	
Stoke-on-Trent (leader)	No	23 Oct 2008	21,231	14,592	19.2%	

In Stoke-on-Trent's 2008 referendum, a Yes vote was for a leader and cabinet; a No vote was for a mayor and cabinet.

Corby was the last all-postal ballot to be held.

Sources: Colin Rallings and Michael Thrasher, *British Electoral Facts 1832-2006*; local authority websites;

House of Commons Library, Local Elections 2012, RP12/27

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Mayoral referendums (contd.)

Council	Result	Date	For	Against	Turnout
Bury	No	3 Jul 2008 Petition	10,338	15,425	18.3%
Tower Hamlets	Yes	6 May 2010 Petition	60,758	39,857	62.1%
Great Yarmouth	No	5 May 2011 Petition	10,051	15,595	36.0%
Salford	Yes	26 Jan 2012	17,344	13,653	18.1%
Birmingham	No	3 May 2012 Mandated	88,085	120,611	27.7%
Bradford	No	3 May 2012 Mandated	53,949	66,283	35.2%
Bristol	Yes	3 May 2012 Mandated	41,032	35,880	24.1%
Coventry	No	3 May 2012 Mandated	22,619	39,483	26.2%
Leeds	No	3 May 2012 Mandated	62,440	107,910	30.3%
Manchester	No	3 May 2012 Mandated	42,677	48,593	24.7%
Newcastle-Upon-Tyne	No	3 May 2012 Mandated	24,630	40,089	32.0%
Nottingham	No	3 May 2012 Mandated	20,943	28,320	23.8%
Sheffield	No	3 May 2012 Mandated	44,571	82,890	32.1%
Wakefield	No	3 May 2012 Mandated	27,610	45,357	28.3%
Doncaster (retain)	Yes	3 May 2012	42,196	25,879	30.7%
Hartlepool (retain)	No	15 Nov 2012	5,177	7,366	18.0%
Middlesbrough (retain)	Yes	26 Sep 2013	8,674	6,455	15.1%
Copeland	Yes	22 May 2014 Petition	12,671	5,489	33.9%
Bath and North East Somerset	No	10 Mar 2016 Petition	8,054	30,557	29.0%
North Tyneside (retain)	Yes	5 May 2016	32,546	23,703	36.6%
Torbay (retain)	No	5 May 2016	9,511	15,846	25.3%
Guildford	No	13 Oct 2016 Petition	4,948	20,639	24.9%

In Bath and North East Somerset's 2016 referendum, the choices were between a leader (councillor chosen by other councillors) OR a mayor

In North Tyneside's 2016 referendum, the choice was between option A (a mayor) and B (one or more committees made up of elected councillors)

In Torbay's 2016 referendum, the choice was between a mayor OR a leader who is an elected councillor chosen by a vote of the other elected councillors

Sources: local authority websites, "North Tyneside to keep mayor after more than 32,000 people vote to retain position", *Chronicle* newspaper, 6/5/2016

Referendum to change to committee system

Council	Result	Date	For	Against	Turnout
Fylde	Yes	22 May 2014 Petition	11,934	8,706	34.2%
West Dorset	Yes	5 May 2016 Petition	16,534	8,811	32%

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