

Leader and Cabinet or Elected Mayors

Some background information as to how Birmingham City Council is currently run and the options facing voters at the referendum:



Birmingham is divided into 40 electoral wards, which are used to elect 120 local councillors (three per ward), representing over one million people. This will remain the same irrespective of the result of the referendum.

The present system: Leader and Cabinet

Birmingham City Council is not run by a Leader, but by a Leader and Cabinet. The Leader comes from the party with the largest number of councillors (and might be from the majority party in a coalition) and is chosen by councillors from that party. Although the full council must ratify their election, in reality this is a formality. By law, the Leader then has the power to appoint their own Cabinet, although some political parties allow their councillors to elect the Cabinet.

The Cabinet makes most day-to-day decisions. However, those covering annual budgets, strategic policies, the local development framework, as well as various other plans, go before the full council, where they are approved, amended or rejected by a simple majority vote. In practice councillors tend to vote along party lines but the option is there for them to vote against their Leader or Cabinet. Councillors can also hold a vote of No Confidence in a Leader and, if carried, thereby remove them from office.

The Council also has several statutory committees. These are: Overview and Scrutiny, Planning and Licensing.

The proposed Mayoral system:

The Mayor is elected by a direct vote in which the entire electorate of the city may participate, just as with a President. Mayors may not necessarily be from the largest political party, and they may be from none (i.e. an independent).

The Mayor has responsibility for council decisions made during their four-year term of office. They are responsible for the same types of decisions that are currently taken by the Leader and Cabinet. The Mayor must appoint a Cabinet (sometimes called an Executive), consisting of between two and nine members, from amongst the elected councillors. They may also appoint two deputies. As with the current system, the Mayor may delegate decisions to the Cabinet, but in practice, because Mayors are directly accountable to the electorate, and can't be voted from office in between mayoral elections, they often choose to retain more powers for themselves.

Annual budgets, strategic policies, the local development framework, as well as various other plans have to be approved by at least one-third of the full council, rather than a majority, as under the Leader and Cabinet system. Conversely, to amend or reject the Mayor's policy plans requires at least two-thirds of the full council to vote against.

In addition to the council's normal powers being transferred to a Mayor, central Government says that they will grant Mayors extra powers. What these are will only be determined after both the referendum and any subsequent mayoral election has taken place. At that point these additional powers will be negotiated between individual cities and central Government, in what are termed 'city deals.'

Neither councillors nor the electorate have the power of recall over the Mayor and the Mayor does not have to resign, even if they lose a confidence vote.

The same range of statutory committees that exist under the Leader and Cabinet system are retained under the mayoral system (i.e. Planning, Licensing, Overview and Scrutiny). However, while councillors' overview and scrutiny rôle remains theoretically the same, their reduced ability to remove the Mayor or amend mayoral policies is likely to affect how empowered they both are, and feel, vis-à-vis scrutiny.

The Referendum process:

There have been previous attempts to introduce a mayoral system. A high profile media campaign in 2006/7 to raise a petition of the 5% of the electorate then needed to trigger a mayoral referendum attracted only around 15,000 signatures from an electorate of more than 700,000.

On May 3rd voters in 10 English cities, including Birmingham and Coventry, will be asked to decide in a referendum whether or not they wish their city to be run by an elected Mayor or a Leader and Cabinet. Local Government and Communities Minister Greg Clark recently stated that: *"Cities need to take charge of their own destinies; change must come from within, not without."*

There is no minimum turnout required for the referendum to be valid. If the electorate vote in favour of having a Mayor, an Act of Parliament would be required to reverse their decision. A mayoral election would be held on November 15th 2012, using the Supplementary Vote system (a form of second preference, transferable voting).

Further alternatives to the mayoral system:

Other changes to how the Council is run are possible under the Localism Act 2011. These could be ways of widening democratic accountability within the city.

The Localism Act permits councils with a Leader and Cabinet system to return to the Committee system (which provided local councillors with more input into the decision-making process than either the Leader and Cabinet or mayoral systems). This option is not available to cities that vote to have Mayors.

In summary:

Leader and Cabinet	Elected Mayor
Leader is elected by a vote of Councillors and can be removed by a vote of No Confidence.	Mayor is elected directly by the voters for a four-year term and cannot be removed during that time.
Leader is from the majority political party (or biggest party in a coalition).	Mayor may be from any political party, or none.
Leader must have a Cabinet; Cabinet takes collective responsibility for decision-making.	Mayor has an Executive, but is personally responsible for decision-making.
Changes or rejections to annual budget, strategic policies etc require approval from a simple majority of the full council.	Changes or rejections to annual budget, strategic policies etc require two-thirds of full council support (i.e. needs only one-third to approve).
Government may not necessarily grant extra powers to councils who reject the mayoral system.	Mayor can negotiate for extra powers with central Government via 'city deals'. Such powers have to further economic development or accountability.
Council can opt to change to mayoral system later, stay the same, or revert to previous Committee system.	For the council or electorate to abandon the Mayoral system and opt for a Leader/Cabinet or Committee structure requires an Act of Parliament.