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Decentralization London-style: The GLA and London Governance

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TRAVERS T. (2002) Decentralization London-style: the GLA and London governance, *Reg. Studies* **36**, 779–788. The Greater London Authority, consisting of a Mayor and Assembly, is an oddity: it is both a renewal of London city government and a component of the Labour government's devolution reforms which have set out some of the parameters for devolution to the other English regions. The GLA's powers are strategic and were limited by Whitehall resistance to devolution. Mayor and Assembly are supported by a common administration, which has resulted in some frictions. Policy delivery is in the hands of 'functional bodies' and/or the London boroughs and there is much scope for intervention by Whitehall. The GLA budget is modest, though it does have a limited fiscal autonomy in the form of a council tax precept and congestion charging. The GLA is significantly less powerful than devolved institutions in Scotland and Wales; the pattern of Whitehall resistance and a complex institutional environment in London hamper the capacity to bring about even modest change. Further reform is inevitable.

London   Devolution   Elected Mayor   City governance

TRAVERS T. (2002) La décentralisation à la mode de Londres: la GLA et la gouvernance de Londres, *Reg. Studies* **36**, 779–788. La Greater London Authority (l'autorité municipale responsable de l'agglomération de Londres), qui consiste en un Maire et une Assemblée, est bizarre: elle constitue à la fois une reprise de l'administration de la ville de Londres et partie intégrante des réformes du gouvernement travailliste en faveur de la régionalisation qui a formulé quelques-uns des paramètres pour le transfert du pouvoir aux autres régions d'Angleterre. Les pouvoirs de la GLA sont stratégiques et ils ont été limités par l'opposition de Whitehall à la régionalisation. Le Maire et l'Assemblée sont soutenus par une seule administration, ce qui a été cause de friction. La mise en oeuvre de la politique est entre les mains des 'organismes fonctionnels' et/ou des municipalités de Londres, et le champ d'intervention de Whitehall s'avère large. Le budget de la GLA est modeste, bien que doté d'une certaine autonomie fiscale quant à la perception des taxes locales et des frais d'encombrement. Les pouvoirs de la GLA sont beaucoup moins importants que ne le sont ceux des institutions régionalisées en Ecosse et aux pays de Galles; l'organisation de l'opposition à Whitehall et un milieu institutionnel complexe à Londres empêchent aucun changement. D'autres réformes sont inévitables.

Londres   Régionalisation   Maire élu
Administration municipale

TRAVERS T. (2002) Dezentralisieung auf Londoner Art: Verwaltungsbehörden von Großlondon und die Art und Weise der Verwaltung Londons, *Reg. Studies* **36**, 779–788. Die aus einem Oberbürgermeister und einer Versammlung bestehende Verwaltungsbehörde von Großlondon (Greater London Authority = GLA) ist ein Kuriositum: einerseits eine Wiederherstellung der Londoner Stadtverwaltung, andrerseits aber auch Teil der Dezentralisierungsreformen der Labour-regierung, die verschiedene Rahmenbestimmungen für die Dezentralisierung der anderen englischen Regionen aufge-stellt hat. Die Befugnisse der Verwaltungsbehörden von Gro-ßlondon sind strategischer Art; Grenzen wurden ihr durch den Widerstand der der Regierung in Whitehall gegen Dezentralisierung gesetzt. Oberbürgermeister und Ver-sammlung werden von einem gemeinsamen Verwaltungsap-parat unterstützt, was gelegentlich zu Reibereien geführt hat. Die Ausführung von Bestebungen liegt in Händen von 'Funktionskörperschaften' und/oder den Londoner Stadt-bezirken, was Whitehall reichlich Spielraum für Intervention läßt. Der Etat der GLA ist bescheiden, obwohl sie sich begrenzter finanzieller Autonomie in Form von Erhebung von Stadtsteuern und Gebührenzahlung gegen Straßenver-stopfung erfreut. Die GLA hat deutlich weniger Macht-befugnisse als dezentralisierte Institutionen in Schottland und Wales; das Zusammenspiel von Widerstand seitens Whitehall und einer komplexen institutionalisierten Umwelt in London behindert die Möglichkeiten, auch nur bescheidene Änderungen durchzusetzen. Weitere Reformen sind unvermeidlich.

London   Dezentralisierung   Gewählter Bürgermeister
Art und Weiser der Regierung einer Großstadt

INTRODUCTION

The Greater London Authority (GLA), like the capital itself, is an oddity in the context of efforts at devolution within the UK.[1] For a start, the creation of the GLA took place in the light of the abolition of the Greater London Council (which had existed from 1965 to 1986). The GLC itself was the latest in a long line of efforts to create effective city-wide government for the capital.[2] The Labour Party and the Liberal Democrats had been consistently in favour of recreating London-wide government ever since GLC abolition. Moreover, Greater London, unlike all other regions of the UK, is almost entirely built-up: the area is as much a city as a 'region'. London's region is the South East. Finally, the new institution of government set up in the capital in 2000 was very much less powerful than those created for Scotland and Wales in 1999.

However, the GLA is often described as an element in the Labour government's devolution and constitutional reform policies (for example, SCOTTISH OFFICE, 1997, Prime Minister's Preface). There is no doubt that by 2002 London was the only English region with an elected government. Inevitably, the experiences of the London Mayor and Assembly would be seen by the rest of England as some kind of leading indicator of what might or might not be done in, say, the North East. While it is not expected that other English regions will adopt a mayoral model, the distribution of powers and financial freedom to the GLA will certainly influence the debate about regional government beyond the capital.

The Greater London Council was abolished in 1986, leaving London as one of the very few major cities in the world without metropolitan government (TRAVERS *et al.*, 1991, pp. 64–66). Although the capital enjoyed relative economic prosperity in the years thereafter, pressure to replace the GLC remained. In the years running up to 1997, the Labour opposition moved from a commitment merely to reintroduce London-wide government to one where the form of institution would be radically different from those that had previously existed anywhere in British government. As the new government's 1997 Green Paper made clear, a directly elected Mayor would be the key feature of the capital's new governance arrangements (DEPARTMENT OF ENVIRONMENT, TRANSPORT AND THE REGIONS (DETR), 1997, p. 2).

THE GREATER LONDON AUTHORITY

A new Greater London Authority (GLA), consisting of a Mayor and Assembly, was elected on 4 May 2000. Ken Livingstone, who had been the final leader of the Greater London Council, was elected Mayor after a long and difficult contest (D'ARCY and MACLEAN, 2000). The GLA is unlike any previous local or regional government in Britain. For a start, the Mayor is elected for a single constituency of 'Greater London', an area with 7·3 million people and over 5 million electors. The Mayor is unique within British politics, combining representative and executive functions. The Mayor determines policies, sets the GLA budget and makes board appointments. The 25-member Assembly scrutinizes the activities of the Mayor.

The main responsibilities of the GLA are transport, police, economic development, strategic planning and the fire brigade. Other functions will include the environment, culture, media and sport, public health and inward investment. The GLA also has a general power to promote the economic and social development of the capital.

The four key functional responsibilities are in the hands of boards, most or all of whose members are appointed by the Mayor. These boards are: Transport for London; the Metropolitan Police Authority; the London Fire and Emergency Planning Authority; and the London Development Agency. Policies for these institutions are determined by the Mayor, who has a legal obligation to produce a number of strategies. Strategic planning, research and central administration are handled in a small core of GLA staff.

The Mayor also sets the budgets for each service and for the GLA as a whole. This overall budget is subject to a vote by the Assembly, though it is only possible to overturn the Mayor's budget if the Assembly can produce a two-thirds majority for an alternative one. In practice, the need to secure a two-thirds majority is a major hurdle. However, the 2001–02 budget round did produce a two-thirds majority against the Mayor, resulting in a negotiated reduction in the total. Notwithstanding its capacity to veto the budget, the Mayor is clearly powerful *vis-à-vis* the assembly.

The Greater London Authority Act gave the Mayor the power to appoint directly two political advisors (without competition) and up to 10 other officials (through a selection process led by the Mayor). The political advisors were to be personal appointments, though the other Mayor-appointed staff members would be subject to the normal rules of public institutions (i.e. appointment on merit). The GLA Act also gave the Mayor responsibility for appointing all or the majority of the board members of the four functional bodies within the GLA's ambit:

- Transport for London (TfL)
- London Development Agency (LDA)
- Metropolitan Police Authority (MPA)
- London Fire and Emergency Planning Authority (LFEPA).

In the case of TfL and the LDA, the Mayor appoints all board members. The TfL board may not include Assembly members, while the LDA board membership must include up to four Assembly or borough elected members. The Mayor appoints 12 of the 23 members

of the MPA and all 17 members of LFEPA. All 13 of the appointees to the MPA and nine of the LFEPA appointees must be Assembly members, who in each case must be appointed in proportion to the strength of party groups within the Assembly. The remaining 11 MPA appointments result from a complex set of arrangements based on those for police authorities elsewhere in the country. The other eight LFEPA members are drawn from the capital's elected borough councillors, though their names are subject to the Mayor's approval.

The Mayor would also appoint the members of a Cultural Strategy Group and could also set up and appoint members to any other groups, task forces and commissions desired. In addition to board appointments, the Mayor appoints the chief officer of TfL (the Transport Commissioner) and the first Chief Executive of the LDA. The Metropolitan Police Commissioner is a royal appointment (in reality, the Home Secretary), while the LFEPA board appoint the Chief Fire Officer. The Mayor must choose a deputy Mayor from among the 25 assembly members.

All of the GLA's staff – except the 12 mayoral appointees – were, as required by the legislation, appointed by the Assembly. This means the Chief Executive and other officials of the Authority are appointments of the Assembly rather than the Mayor. The Assembly appointed a committee to determine a staffing structure and employ its senior officers. The chair of the Appointments Committee (Len Duvall) consulted Mayor Livingstone about key appointments. In addition to the new senior officials appointed by the Assembly, the GLA inherited over 100 staff from predecessor bodies such as the London Planning Advisory Committee and the London Research Centre.

The Assembly was able, in making GLA staff appointments, to create its own policy, scrutiny or research capacity – either for each member, for party groups and/or for use by all members. Thus, the Assembly appointed the senior officials who would run the core GLA administration, but also created a corps of staff for themselves to assist in their scrutiny and policy-analysis roles. However, the Mayor determines the Assembly's budget.

The GLA Act required the Mayor to produce a number of strategies and to set annual budgets for the four functional bodies and the core GLA. These strategies and other policy directions were to form the basis of the operation of TfL, the LDA and a number of core GLA functions such as city-wide planning. The extent to which the Mayor can give policy or operational directions to the MPA or LFEPA is heavily circumscribed by the fact that each of these authorities had boards consisting either of politically-balanced groups of elected members (with their own electoral legitimacy) or of individuals not appointed by the Mayor. Moreover, the MPA and LFEPA are separately-constituted 'authorities' whose boards, rather than the Mayor, are expected to determine policy and make staff appointments. To make matters still more complex, the Metropolitan Police Commissioner remains responsible for 'operational' decisions.

The original decisions to constitute the GLA in this way were driven in part by a desire within central government to develop consensual working between the Mayor and Assembly and probably (though this is difficult to substantiate) by a concern within Whitehall not to give the Mayor of London too much unrestricted power. It is clear that the ministers and officials who worked on the GLA legislation were seeking to create a 'strong Mayor' for London, though at the same time they came under pressure from key government departments to maintain substantial powers within Whitehall to limit Mayoral autonomy. One way of limiting the Mayor's power was to create the complex web of boards, board appointments and, in particular, to make the Assembly responsible for appointing the senior GLA staff.

One of the most obvious lessons from London for any regional devolution in England is the way in which civil servants (and, presumably, ministers) in the Home Office and, to some extent, those responsible for transport and for economic development chose to limit the freedom of the new authority to act independently. Officials in the Scottish Office and Welsh Office would have had a strong incentive to ensure the new institutions created in Edinburgh and Cardiff were as powerful as possible because they were to become the administrators of the new devolved government. But in London, the relevant Whitehall departments were to lose virtually all the power the GLA would gain. It is small wonder that so many limits were placed on the GLA's freedom to operate. Despite efforts by the Government Office for London (which took the legislation through Parliament) to make the GLA strong, their colleagues in key service departments undermined its autonomy.

THE FIRST TWO YEARS OF THE GLA

No one could have known how the GLA Act would work in practice. British government institutions, at the national, regional and local level, tend to develop organically within their original legislative framework. The new London arrangements are no exception. Key features of the post-May 2000 administration at Romney House, the GLA's headquarters, are outlined below:

- The Mayor originally chose not to appoint two political advisors and the additional 10 staff potentially available to him. Instead he agreed with the Assembly to appoint a Mayor's Office from within the core GLA staff. Some Mayor's Office staff – the Mayor's closest advisors – were appointed on

contracts that run only for the four-year mayoral term.

- The Mayor appointed the boards of TfL, the LDA, LFEPA and his 12 members of the MPA within the first few weeks of the May election: TfL and LDA appointments (i.e. the two boards where individuals were not drawn from the Assembly or the boroughs) were subject to external advertisement and independent external assessment.
- The Mayor appointed the chief executives of the LDA, TfL and the board chairs of the LDA and LFEPA. The chief executive appointments were subject to external advertisement and independent external assessment.
- The Assembly created an Appointments Committee to determine an outline GLA staffing structure and then to make key appointments to the Authority. This committee appointed a Chief Executive for the GLA during the early autumn of 2000 and, over a period of time, made other senior appointments. The Chief Executive and other senior posts were subject to independent external assessment.
- The Assembly created a number of other committees to undertake policy-related and other scrutiny work. The Assembly also held regular plenary sessions and a number of one-off evidence-gathering meetings.
- The Mayor appointed an Advisory Cabinet consisting of a number of senior policy advisors, board chairs, Assembly members, the Chief Executive of the GLA and others from outside the Authority. However, it is important to note that this body had no executive function and, as a result, its perceived importance has been severely limited as compared, say, to the Mayor's Office.
- The Mayor has published a number of policy documents, starting with one on congestion charging. A draft transport strategy, a draft economic development strategy and two of the environment-related strategies have also been released. The Mayor appointed (as the law required) a Cultural Strategy Group. He also set up a number of other commissions and initiatives (e.g. on housing and on health).
- The Assembly undertook investigations and published reports on congestion charging, affordable housing, the aborted celebrations planned for 31 December 2000, buses, green spaces and a number of other issues. Other inquiries and investigations are under way.
- The Mayor published his budget for 2001–02 and, following amendments, the Assembly chose not to seek a two-thirds majority for an alternative. The budget set required an increase in precept of 22% over the 2000–01 level, largely to finance additional expenditure by the Metropolitan Police. A similar debate took place over the 2002–03 budget because of demands for additional cash for police and transport.
- People's Question Times were held during 2000,

2001 and 2002 in central London, Croydon, East Ham and in Kensington – attended by both the Mayor and Assembly members.

By the end of the first two years of the GLA's existence, both the Mayor and Assembly had – separately – reviewed their methods of operation. Day-to-day running of the Authority has made clear a number of strengths and weaknesses in the original legislation and has also made it possible to draw conclusions about the ways in which both the Mayor's Office, Assembly and GLA staff have developed. These conclusions are summarized below.

IMPLICATIONS OF THE POST-2000 ARRANGEMENTS FOR LONDON GOVERNMENT

The Mayor and Deputy Mayor

By the spring of 2002, the Mayor had appointed an office of about 35 individuals, including his closest advisors, administrative officers and secretarial staff. All of these staff are GLA officials, having been subject to the normal appointment procedures involving the Assembly's Appointments Committee. At the centre of the Mayor's Office is a small core of key individuals who act as the policy arm for the executive part of the GLA, though some of their activities have included more executive-style functions. These officers are the Mayor's most trusted advisors. They have immediate access to the Mayor and can be relied upon by those outside the central core of the Mayor's Office accurately to reflect the Mayor's policies and aspirations.

Such a core of key, trusted advisors is an inevitable part of a mayoral system of government. A single individual cannot realistically undertake all the tasks that in a parliamentary or traditional British local government system would be undertaken by a Cabinet or collective leadership. Experience of directly-elected officials in other countries, notably the US, suggests individuals elected as Mayors, governors or presidents tend to accumulate around themselves a group of paid (though occasionally unpaid) officials who can be trusted to provide loyal advice and to give policy directions to the chief officers of the key services for which the elected official is responsible. Indeed, the office of British Prime Minister has developed in recent years in such a way as to include presidential elements such as 'kitchen cabinets', political press officers, policy units and the like. A number of commentators have concluded the Prime Minister needs a separate department of state to operate effectively.

The first Mayor of London has understandably evolved a Mayor's office with a small number of close and trusted advisors. However, it is hard for those outside the GLA (or even those inside it) fully to understand the role of these advisors. For the sake of transparency and accountability, the identities and roles

of the crucial individuals who give policy directions on the Mayor's behalf will need, in the longer term, to be made clear. It would also be better for the individuals concerned if their importance to the London government system (and, in particular, that they speak with the Mayor's authority) were more widely understood.

It was thus to be expected that the Mayor of London would develop a core 'Mayor's Office' so as to be able to address the complex and varied problems of a city of seven and a half million people. The system of government created by the GLA Act required a Deputy Mayor – appointed by the Mayor – who had to be a member of the Assembly. It seems certain that those who drafted the legislation imagined the Mayor would select an Assembly member of the same party to be Deputy Mayor. In the event, an 'independent' Mayor had to select a deputy from one of four political parties that were not his own.

Regardless of the political affiliation of the Mayor and the various parties on the Assembly, it was inevitable that the appointment of another elected individual as Deputy Mayor would create different dynamics to the kind of deputies (e.g. those within the New York system of government) who were not themselves elected members. Even where a mayoral candidate decided to name a particular assembly candidate as his or her running mate in advance of an election, the uncertainties of the candidate selection process would make it difficult to be sure that a Mayor was able to choose exactly the right person to deliver the kind of executive support an elected Mayor requires.

The roles assumed by Deputy Mayors in city government systems analogous to the post-2000 London arrangements – notably New York – have made it possible for the Mayor to increase the power of the executive. Deputies, who are appointed by the Mayor (though not from the city council) take on portfolios of responsibilities and then get on with achieving the Mayor's policy objectives (KIRTZMAN, 2000). In the existing London Mayor's Office, a small number of key advisors – probably no more than three or four individuals – fulfil such 'deputy mayor' roles. They are far less visible than their importance might suggest.

One way of extending the capacity of the Mayor's Office would be for the Mayor to use some or all of the 12 political advisor and mayoral appointment posts originally envisaged in the GLA Act. In fact, Livingstone did use a number of these appointments during 2001. Such posts could in future be used to create special positions for leading advisors, possibly with new titles and job descriptions. They might also strengthen the Mayor's team with individuals who combined political and executive experience. The considerable demands (see below) on the small number of officials at the core of the existing Mayor's Office could then be spread more effectively – with the possibility that the Mayor could assume greater control over the functional

bodies – if their numbers were somewhat increased and the existing individuals were more widely recognized as being of 'deputy mayor' or 'assistant mayor' status.

Setting up the GLA

The Mayor and Assembly faced a demanding and unique job in the 18 months after May 2000. For the Mayor, Assembly and GLA as a whole it was necessary to set up – from scratch – a new administration for London. Unlike the new governments in Scotland and Wales, there was no predecessor department of state to provide an established administrative back-up for the GLA. A small transition team had been created before May 2000 to provide basic administrative support for the Mayor and Assembly members once elected. But, understandably, the transition team did not make any permanent senior appointments to the GLA. Nor was it possible before the 2000 election to determine appropriate structures for mayoral or assembly member needs.

A great deal of time had to be spent during 2000 and 2001 simply to put in place new officer structures and new appointments. Evidence from Toronto (where a new mayoral government system was introduced in 1996) suggests it can take over two years to make all the new appointments demanded by a new city government. Most senior posts were filled by the summer of 2001, within one year of the GLA having been created. However, some of the lower-level posts within the GLA and its functional bodies were still being filled early in 2002. Although all elected mayor systems are likely to require a significant turnover of senior staff when a new Mayor is elected, the position in London is complicated by at least two distinct features:

- Assembly (rather than mayoral) appointment of senior GLA officers
- post-Nolan procedures for ensuring probity in public appointments.

The fact that the Assembly is responsible for the appointment of all GLA officials responsible for delivering the Mayor's policy and budget decisions created the need for negotiations between the Mayor and Assembly about the administrative structure to be adopted. Individual short-lists of potential officers and appointments had (and have) to be the subject of informal negotiations between the two parts of the Authority. This process has taken place during 2000, 2001 and 2002, generally involving bilateral discussions between the Chair of the Appointments Committee of the Assembly and the Mayor. Inevitably, a process of this kind will be slower than if – as the logic of the 'strong mayor' model suggested – the Mayor alone appointed the senior GLA staff.

A second issue facing the Mayor and Assembly has been the requirement that many senior positions within

the GLA should be subject to full public employment procedures, including oversight by an independent external assessor. There are, of course, good reasons for processes of this sort that are intended to avoid any risk of corruption and/or nepotism. In the years since the establishment and first report of the COMMITTEE ON STANDARDS IN PUBLIC LIFE, 1995 (the Nolan Committee), national and regional government institutions have increasingly been expected to make senior appointments using the full range of protections against improper influences on their decision making.

However, the introduction of directly-elected Mayors into the British political system creates a potential inconsistency with the post-Nolan procedures. The Mayor of London and other elected officials who may be adopted elsewhere in the country are part of the government's efforts to 'modernize' local authority practices. The key idea behind the move to directly-elected Mayors was to make it clear to the local electorate who, precisely, is responsible for local public services. In a system with such transparent personal accountability, the use of lengthy appointment procedures might be thought to be less relevant.

If the Mayor has been elected – as is the case for the Mayor of London – to be the visible political executive, there would be a logic to allowing the office-holder to make appointments of individuals who directly reflected their needs and/or who represent particular constituencies of interest. This is certainly how, for example, state Governors and city Mayors in the US appoint their administrations. If Governors and Mayors were to make appointments subject to the British post-Nolan procedures, it would take far longer than at present to effect a change of government. In short, the post-Nolan requirements of senior official appointments may be inconsistent with the notion of direct personal responsibility implied by the office of Mayor.

The GLA staff, the Mayor and the Assembly

The GLA was set up in a different form from all other elected governmental institutions in Britain. Not only does it have a directly-elected chief executive figure, but also it must administer major public services at arm's length. The Mayor's powers over the functional bodies, as set out in the GLA Act, involve a mixture of generalized oversight and direct control. Transport, economic development, the police, and fire and emergencies are Mayoral responsibilities, though in each case the service must be run indirectly through an appointed board. A number of the difficulties inherent in the relationship between the Mayor and the functional bodies are considered in the next section. Another oddity in the GLA arrangements is the fact (described in an earlier section) that the Mayor does not appoint the key GLA staff who monitor the performance of the functional bodies. Instead, the Assembly make GLA staff appointments.

The decision to give the Assembly the duty to appoint GLA officials within a government system where the Mayor was the sole executive had a number of consequences. First and most obviously, the Mayor does not make any of the appointments of the GLA staff who are intended to write his strategies, prepare his budgets and oversee the performance of the functional bodies. Building a relationship of trust between GLA senior staff and the Mayor's Office proved difficult. There is clearly a difference of approach between, on the one hand, the core of the Mayor's Office (i.e. the Mayor's key advisors) who feel time-limited pressure to get things done for London and, on the other hand, GLA officials for whom there are imperatives to work on particular strategies and the day-do-day administration of the GLA.

The current arrangements require the executive (the Mayor) to be held to account by representative members (the Assembly). There are some parallels with the respective positions of the UK government and Parliament, where the House of Commons and the House of Lords (either the whole house or in committees) subject the executive's (i.e. the government's) activities to scrutiny and voting. Analogous arrangements have been set up within the Scottish Parliament and Welsh Assembly. However, under the GLA arrangements, the government (i.e. the Mayor) finds that the scrutiny element of the system (the Assembly) makes all the key civil service appointments. Such a system is unlikely to secure harmonious working relations between the parties involved.

Second, relationships between the Mayor and GLA officials are mirrored to a considerable extent by those between the Assembly and those same senior officials. Because senior officers within the GLA largely exist to deliver the Mayor's policies, budgets and services, it was – at least at first – hard for the Assembly to see such officers as being in a position to provide loyal and water-tight advice to Assembly committees and members. This problem was particularly acute where the Assembly and Mayor have widely divergent views on a subject. During 2000 and early 2001, matters were made worse by a short term lack of capacity within the GLA to provide Assembly committees with the advice and expertise needed to undertake particular inquiries. However, the creation of a formal position of Head of Scrutiny, plus a dedicated team of officers, ensured that this problem was largely removed during 2001 and 2002.

Third, the early difficulties faced by the GLA were not helped by the need to absorb staff from a number of predecessor bodies. This was a point made strongly by KPMG, 2001, (commissioned by the Mayor's Office) in their report *Delivering the Mayor's Policies*. Despite their best efforts, these inherited staff – with their particular skills and backgrounds – were not always seen as having the aptitudes or inclinations

required to run the country's first mayoral government system.

Perhaps the most obvious consequence of the difficulties outlined above was the reliance of both the Assembly and the Mayor on external consultants during 2000 and 2001. A number of Assembly inquiries were undertaken with external consultancy assistance. The Mayor's Office also used consultants and/or expertise within the functional bodies to produce draft strategies and other pieces of work. As the Assembly's Head of Scrutiny developed a capability to undertake more scrutiny in-house, the amount of work contracted out declined somewhat.

It is clear that a number of parties, including the Mayor, the Chair of the Appointments Committee and the Chief Executive of the GLA made considerable efforts in the first two years of the GLA to find ways of accommodating the needs of the Mayor's Office and, separately, of the Assembly, within the terms of the GLA Act. As the systemic difficulties of the Act have become clear, efforts have been made to create – as far as is possible – water-tight, confidential, officer sections for the Mayor and, separately, for the Assembly.

Only time will tell how effective such arrangements will be. However, under the existing law it will never be possible to get away from the legislative requirement that the Assembly, not the Mayor, must appoint all the senior GLA officials. In such circumstances, it is likely to continue to be difficult for the Mayor's Office to work as closely with these officials as would be desirable. Inevitably, the Mayor's Office will work directly with the functional bodies and their boards, to some extent cutting out GLA staff involvement.

The only way to avoid the difficulties described in this section would be to change the legislation so as to allow the Mayor to appoint the GLA staff responsible for delivering mayoral strategies, budgets and services. The Assembly, equally, would have to be given the right to set its own budget and make staff appointments needed to fulfil its legal obligations. There is no doubt that – as compared to the existing position – such changes would tip the balance of power within the GLA towards the Mayor, requiring a re-balancing of the relationship between the Mayor and Assembly. For example, the Assembly would probably need to be given greater powers to affect the budget and/or policy, possibly by an extension of their veto powers.

The Mayor and the functional bodies

Within the UK government, the Scottish and Welsh devolved administrations and local government in Britain, services are delivered – within politically-set policies – by departments staffed by officials. In some cases, such as the National Health Service or the Prisons Service, there may be an 'executive' body to provide day-to-day control. Other services are delivered through semi-autonomous boards. Health authorities,

regional development agencies, the Higher Education Funding Council for England and Learning and Skills Councils are examples of service delivery by appointed boards. But in all cases, central, regional and local authorities have maintained powerful bureaucracies to ensure control over service provision.

The Mayor of London was designed to operate in a very different way. It was envisaged there would be a small core of officials within the GLA (expected to be no more than 450 in total – though by 2002 their number had grown close to 600), but with virtually all of the service delivery undertaken by the functional bodies. The latter would have boards partly or wholly appointed by the Mayor and would enjoy some autonomy. As outlined above, the precise form of board appointments, chief executive appointments and accountability varies from functional body to functional body.

The arrangements for each functional body are different. While the desire for administrative tidiness is doubtless misconceived and fruitless, the system created at the GLA has a number of consequences:

- Two of the functional bodies (TfL and the LDA) are subject to reasonably direct mayoral control and assembly scrutiny
- The MPA and LFEPA are subject to more indirect control. Accountability for them is confused because their boards are largely or wholly composed of elected Assembly or borough members. Moreover, their chief officers and (in the case of the MPA, the chair) are not, as is the case for TfL and LDA, appointed by the Mayor
- Because a majority of MPA and LFEPA board members are drawn from the Assembly, no scrutiny committees have been set up by the Assembly to monitor MPA or LFEPA
- In the case of the MPA, accountability is split four ways: between the Mayor (who determines the police budget); the Assembly (which provides over half the MPA's membership, including the Chair, and which is responsible for budgetary scrutiny); the Home Secretary (who, in reality, appoints the Commissioner and who continues to assume some national policing responsibilities); and the Commissioner himself, who remains responsible for police service operational matters
- TfL and the LDA are subject to strategies determined by the Mayor, though in the case of the LDA, the fact that other regional development agencies in England are government-appointed bodies has produced, in effect, two accountability lines for the LDA – one to Whitehall and one to the Mayor
- The legislation does not require mayoral strategies for police or fire, though the MPA, in common with other police authorities, must produce a Police Plan
- The arrangements for control and oversight of the functional bodies are almost certainly sufficiently

different and complex to inhibit public understanding; it would be difficult for a member of the public fully to grasp the difference between, say, the Mayor's responsibilities for transport and those for policing.

The particular arrangements for each functional body derive from the different views taken within Whitehall about the new London government at the point the GLA legislation was being drafted. The Home Office evidently demanded – and got – a far lesser degree of mayoral control for the MPA and LFEPA than the DETR conceded for transport. There can be little doubt that the Mayor of London will find it harder to implement radical change to either the police or fire services under the existing legislative arrangements. The Mayor could realistically only use the control over the budget to bring about policy changes in these services. By contrast, transport could (subject to the final conclusion of negotiations about control of the Underground) be very directly changed by Mayoral demand.

If the Mayor of London is to be held to account for the performance of the capital's police and fire services, changes would have to be made to existing legislation. Indeed, to give the Mayor anything like the kind of control enjoyed by, for example, the Mayor of New York it would be necessary to change the traditional approach to police accountability enshrined in the relationship between the MPA, the Commissioner and the police service.

The Budget process

The GLA budget for 2000–01 was set by central government in advance of the May 2000 election. Thus, the first mayoral budget proposals for the GLA and the functional bodies related to the financial year 2001–02. As envisaged in the legislation, the Mayor put forward a draft budget document covering the core GLA, TfL, the LDA, the MPA and LFEPA. This draft was then the subject of negotiations between the Mayor and Assembly, resulting in a reduction to the budget and precept figures originally envisaged. The Assembly did not, in the event, seek to pass an alternative budget (which would, by law, have required a two-thirds majority).

There is no doubt that discussions between the Mayor and Assembly about the 2001–02 budget were heated and, at times, highly combative. Such a public debate about the Authority's budget (which, in gross terms, exceeded £4 billion) was undoubtedly a sign that the original intentions of those who drafted the legislation had been achieved. Discussions were widely reported in the media. The final budget meeting was well attended by the public and press. Far more public attention was given to the Mayor's budget and alternative propositions than would normally have been the case with a conventional local authority budget (or, for

that matter to the previous method of setting the police and transport budgets for the capital). Indeed, compared with parliamentary debates about the Chancellor's Budget and the annual finance bill, the GLA budget process was far more transparent and subject to open debate.

A similar process occurred in the spring of 2002 during which the 2002–03 budget was the object of Assembly review. In the second year's budget debates, the funding of transport (the Mayor of London's main service responsibility) was considered in detail. The Mayor's proposals to buy in traffic policing services from the Metropolitan Police, in particular, were subject to rigorous consideration. The Mayor's proposal to pay for additional police numbers – as in 2001–02 – was more easily accepted by the Assembly.

In both 2001–02 and 2002–03, the boroughs, through the Association of London Government, pressed the Assembly and Mayor to minimize the budget rise and thus to reduce the impact on the city-wide council tax precept. Unlike in Scotland and Wales, where no regional tax was set (indeed, in Wales none is available), the GLA does set an annual tax. In 2002–03, the precept is likely to exceed £500 million.

However, the fact the GLA precept represents only around 15–20% of gross income has the effect of causing small percentage changes in expenditure to have a magnified percentage impact on the overall precept. This effect is known as 'gearing'. In addition, although the Mayor has access to a tax source, it is harder for the Mayor to move resources from one budget head to another (e.g. from TfL to the MPA, or vice versa) than it would be for the government, the Scottish or Welsh administrations and for local authorities.

The Assembly

The above sections have considered some of the roles and activities of the 25 GLA assembly members. There is little doubt this part of the GLA found it difficult to determine a precise role during the first two years of the new Authority. Four factors above all others affected the Assembly's capacity to work effectively:

- the fact that the Mayor was not aligned to one of the four parties represented in the Assembly
- the small number of members
- the electoral method used (a form of proportional representation), which produced no majority party
- members did not need to form a 'leadership' to set budgets and run services.

The complex story of how Ken Livingstone became the first Mayor of London has been told elsewhere (D'ARCY and MACLEAN, 2000). He was not selected as the official Labour party candidate, stood as an Independent and won. The Assembly consisted of nine Conservative, nine Labour, four Liberal Democrat and

three Green members, which meant that none of them were members of the Mayor's 'party'. Although some assembly members, notably the Greens, had a reasonably close affinity to Mayor Livingstone, there was absolutely no sense in which the Mayor was part of any of the political groupings within the GLA.

The small total of assembly members, coupled with the form of proportional representation used, ensured that no party won more than nine seats in the Assembly. Given recent trends in London politics, even in a year when a particular party did exceptionally well, it would be surprising if it gained a majority of seats under such an electoral system (see TRAVERS, 1998, pp. xi–xvi). Thus, party groups will always be small. Whipping and the normal mechanisms of party groups will inevitably have different dynamics with such small numbers. Labour and Conservative party groups on the Greater London Council generally had between 30 and 50 members.

Moreover, the groups on the GLA are not required to form an 'administration' in the way that would be required in other major local authorities, or in the Scottish or Welsh governments. The Mayor is the executive part of the authority. Thus, while the Assembly must perform scrutiny and policy oversight functions, they are not under pressure to deliver budgets, executive control or policies. This lack of pressure to control the authority removes the need for a managed political leadership.

As a result of the above factors, the Assembly found it hard to develop a coherent role for themselves during their first two years. A small number of blockbuster reports were published, notably one on the Mayor's proposed congestion charging scheme. But generally there appeared to be a reluctance to pursue the detail of Mayoral policy implementation. Question time sessions with the Mayor produced short, combative, sessions (not unlike Prime Minister's Question Time in the House of Commons) rather than deep probing of particular mayoral policy. In the longer term, the Assembly will have to establish a far more visible role for itself.

CONCLUSIONS

The system of government in London is complex. There are, in effect, four different kinds of governmental institution: central government departments; government-appointed boards; the Greater London Authority; and the boroughs themselves. The public finds the system difficult to understand. Accountability for services such as the police, transport and strategic planning were, until the election of the Mayor and Assembly, buried within central government departments.

Borough government, on the other hand, is deeply entrenched. The boroughs have their origins in earlier, smaller units of civic administration. The City of London has existed in a broadly similar form since before the year 1000. Local, often parochial, interests are very important to borough councillors. There are no serious proposals to reform the boroughs, though the City of London's ancient franchise (which has continued to allow voting by businesses) was in the process of reform during 2002.

Ever since the GLC was abolished in 1986 there were proposals to create a new form of city-wide elected government. In 2000, yet another new form of London-wide authority was introduced – the fourth system in 35 years. The GLA, as has been stated above, is a part both of local and regional government in Britain.

A number of lessons of relevance to the rest of England emerge from the first two years of the GLA:

- The GLA, despite having a Mayor who is strong within the system as it operates, is a weak authority in terms of its service powers and financial capacity. Moreover many of the powers it has are circumscribed. If regional government were created for other parts of England with fewer functions or less power than the GLA, there is a risk such a reform would undermine the credibility of the new institutions.
- 'Consultative' and 'coordination' powers are not sufficient to ensure a regional authority can have authority. Only political institutions with legitimacy, powers and access to resources are likely to achieve very much.
- There is a real possibility of intense political disagreement between the regional and local government tier(s) over, for example, planning policy. While some political debate is healthy, there is a risk of serious and damaging intra-regional dispute.
- Whitehall rarely pulls back entirely from its various regional roles. In London, very few government institutions (e.g. the Government Regional Office, English Partnerships, Learning and Skills Councils) ceased to operate following the creation of the GLA in May 2000. There is a risk of governmental overload.
- Central government is unlikely to give regional government much financial freedom. Wales has none and Scotland virtually none. The GLA, curiously, is more autonomous, having access to a small council tax precept and, in future, a congestion charge. Regions in England, if created in follow up to the May 2002 White Paper, will enjoy GLA-style financial freedom at least on council tax.

There can be little doubt that London's Mayor and assembly have democratic legitimacy. Turnout at the 2000 election was just under 35% which, though hardly evidence of a surge in democratic involvement, was reasonable in the context of many local government elections in recent years. Services such as transport, economic regeneration and strategic planning (and to a lesser extent police and fire) were made more

democratically accountable than had previously been the case. But putative regional governments in other parts of England need to be aware of the resistance within Whitehall to more than token devolution. The Home Office, in particular, was careful to ensure that the arrangements for police accountability in London left the Home Secretary with an important role.

It is too early to make a definitive judgement about the success or failure of the London government reform of May 2000. But what is already clear is that the Greater London Authority (through the Mayor of London, as its executive) is a significantly less powerful regional government than those for Scotland and Wales. Indeed, the 32 London boroughs and the City of London have easily been able to demonstrate both a collective and an individual capacity to ensure the Mayor can be made to look relatively powerless.

There are still many players involved in the capital's government: Whitehall departments, government-appointed quangos, the boroughs and many larger private-sector institutions must all work together to achieve even modest change within London. Securing the powers and funding for a major project such as a new railway line or a key sports event will often still be beyond the capacity of this multiplicity of organizations and individuals. The creation of the Greater London Authority can really only be seen as a start on a longer process of bringing effective, autonomous, government to the British capital. Further reform is inevitable.

NOTES

1. This paper is largely based on interviews conducted as part of an ESRC-funded project. Parts of it are abstracted from a report produced for the Mayor's Office during 2001. Parts will also form the basis of sections of a book on the Greater London Authority to be published during 2002.
2. For an earlier example of the struggle to run London, see ROBSON, 1948.

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